

## Cabinet

Tuesday 13 July 2021

11.00 am

Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

### Membership

Councillor Kieron Williams (Chair)  
Councillor Jasmine Ali

Councillor Evelyn Akoto  
Councillor Stephanie Cryan  
Councillor Helen Dennis

Councillor Rebecca Lury  
Councillor Alice Macdonald  
Councillor Darren Merrill  
Councillor Jason Ochere  
Councillor Catherine Rose

### Portfolio

Leader of the Council  
Deputy Leader and Cabinet Member for  
Children, Young People and Education  
Health and Wellbeing  
Council Homes and Homelessness  
Climate Emergency and Sustainable  
Development  
Finance, Performance and Democracy  
Equalities, Neighbourhoods and Leisure  
A Safer, Cleaner Borough  
Jobs, Business and Town Centres  
Transport, Parks and Sport

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### INFORMATION FOR MEMBERS OF THE PUBLIC

#### Access to information

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#### Contact

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Members of the committee are summoned to attend this meeting

#### Councillor Kieron Williams

Leader of the Council  
Date: 5 July 2021



# Cabinet

Tuesday 13 July 2021  
11.00 am

Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
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### **PART A - OPEN BUSINESS**

#### **MOBILE PHONES**

Mobile phones should be turned off or put on silent during the course of the meeting.

#### **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. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED**

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To note the items specified which will be considered in a closed meeting.

#### **4. 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.

Item No.	Title	Page No.
5.	<b>PUBLIC QUESTION TIME (15 MINUTES)</b>	
	To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules. The deadline for the receipt of public questions is midnight Wednesday 7 July 2021.	
6.	<b>MINUTES</b>	2 - 29
	To approve as a correct record the minutes of the open section of the meetings held on 15 June 2021.	
7.	<b>DEPUTATION REQUESTS</b>	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 7 July 2021.	
8.	<b>CLIMATE CHANGE STRATEGY FOR SOUTHWARK</b>	30 - 45
	To agree the council's climate strategy and action plan "Working together for a carbon neutral Southwark."	
9.	<b>ANNUAL BOROUGH PLAN PERFORMANCE REPORT</b>	To follow
	To consider the annual Borough plan performance report.	
10.	<b>SOUTHWARK STANDS TOGETHER ANNUAL REPORT</b>	46 - 60
	To note the Southwark Stands Together annual report and related recommendations.	
11.	<b>THE SOUTHWARK EQUALITY FRAMEWORK</b>	61 - 74
	To agree the Southwark Equality Framework.	
12.	<b>ST JOHN'S WALWORTH CHURCH OF ENGLAND PRIMARY SCHOOL</b>	75 - 116
	To approve the governing body proposals for the closure of St John's Walworth Church of England Primary School from the 1 September 2021.	

Item No.	Title	Page No.
13.	<b>LEDBURY ESTATE TOWERS UPDATE ON RESIDENT BALLOT AND FUTURE REDEVELOPMENT</b>	To follow
	To note the ongoing engagement with the local community, to approve the project to deliver a minimum of 333 homes on the Ledbury Estate and related recommendations.	
14.	<b>TUSTIN ESTATE LOW RISE DELIVERY PROGRAMME</b>	To follow
	To note the ongoing engagement with the local community, to ratify the result of the Tustin Estate Resident Ballot and related recommendations.	
15.	<b>GATEWAY 1: PROCUREMENT STRATEGY FOR DESIGN SERVICES FOR THE TUSTIN ESTATE LOW RISE REDEVELOPMENT PROGRAMME</b>	To follow
	To approve the procurement strategy for a two stage tender process for the construction of the Tustin Estate Redevelopment programme (comprising of residential, commercial, education and public realm works).	
16.	<b>ACQUISITION OF LAND ADJACENT TO THE COUNCIL'S OLD KENT ROAD SITE</b>	117 - 123
	To authorise pursuant to s227 of the Town and Country Planning Act 1990, that the council acquires the freehold interest in the property at 719-725 & 727 Old Kent Road.	
17.	<b>THE GREAT ESTATES GUARANTEE AND THE GREAT ESTATES COMMITMENTS</b>	124 - 143
	To note the outcomes of the consultation with residents and approve the Great Estates Guarantee.	
18.	<b>BOROUGH EMERGENCY PLAN 2021</b>	144 - 150
	To agree the annual review of the generic borough emergency plan with the understanding that further lessons from both the ongoing response to COVID-19 and other incidents will continue to be incorporated into future learning and planning.	

Item No.	Title	Page No.
19.	<b>GATEWAY 1: WICKWAY COMMUNITY CENTRE MAIN CONTRACTOR PROCUREMENT</b>	151 - 167
	To approve the procurement strategy for a single stage tender for the redevelopment of the Wickway Community Centre.	
20.	<b>GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - OLDER PEOPLE'S RESIDENTIAL CARE PROVISION</b>	168 - 190
	To approve the procurement strategy for residential care provision including reablement services for older people in the four council owned properties (Rose Court, Bluegrove, Waterside and Greenhive), involving a publicly advertised competitive tender.	
21.	<b>GATEWAY 1: THE PROVISION OF MENTAL HEALTH SUPPORTED HOUSING AND OUTREACH SERVICES</b>	191 - 218
	To approve the recommendation to proceed with the procurement strategy by competitive tendering to award contracts commencing on 1 July 2022 to provide mental health supported housing and outreach.	
22.	<b>GATEWAY 3: VARIATION DECISION SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND) SCHOOL BUS SERVICE</b>	219 - 235
	To approve an extension of the special educational needs and or disabilities (SEND) bus service contract.	
	<b>DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING</b>	

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the cabinet wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure Rules of the Constitution.”

**PART B - CLOSED BUSINESS**

**23. MINUTES**

**24. LEDBURY ESTATE TOWERS UPDATE ON RESIDENT BALLOT AND FUTURE REDEVELOPMENT**

**25. ACQUISITION OF LAND ADJACENT TO THE COUNCIL'S OLD KENT ROAD SITE**

**26. GATEWAY 3: VARIATION DECISION SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND) SCHOOL BUS SERVICE**

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

Date: 5 July 2021



## **Notice of Intention to conduct business in a closed meeting, and any representations received**

### **Cabinet 13 July 2021**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that the council give a 28 notice period for items to be considered in private/closed session. This has been implemented through the publication of the council's forward plan.

The council is also required under these arrangements to give a further five days notice of its intention to hold the meeting or part of the meeting in private/closed session and give details of any representations received in respect of the private meeting.

This notice issued in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 is to confirm that the cabinet meeting to be held on 13 July 2021 at 11.00am online/virtual meeting will be held partly in closed session for consideration of the following items listed on the agenda:

- Item 24:** Ledbury Estate Towers update on resident ballot and future redevelopment
- Item 25:** Acquisition of land adjacent to the Council's Old Kent Road site
- Item 26:** Gateway 3: Variation Decision Special Educational Needs and/or Disabilities (SEND) School Bus Service.

The proper officer has decided that the agenda papers should not be made available to the press and public on the grounds that they involve the likely disclosure of confidential or exempt information as specified in categories 1 - 7, of the Access to Information Procedure Rules of the Constitution. The reason for both reports is that they contain information falling within category 3: information relating to the financial affairs of any particular person (including the authority holding that information).

In most cases an open version of a closed report is produced and included on the agenda.

No representations have been received in respect of the items listed for consideration in closed session. Any representations received after the issuing of this notice will be reported at the meeting.

Paula Thornton  
For Proper Constitutional Officer

**Dated:** 5 July 2021



## Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 15 June 2021 at 11.00 am at Ground floor meeting rooms, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Kieron Williams (Chair)  
Councillor Evelyn Akoto  
Councillor Stephanie Cryan  
Councillor Helen Dennis  
Councillor Rebecca Lury  
Councillor Alice Macdonald  
Councillor Darren Merrill  
Councillor Jason Ochere  
Councillor Catherine Rose

### 1. APOLOGIES

An apology for absence was received from Councillor Jasmine Ali (due to the need to self-isolate under Covid requirements).

An apology for absence was also received from Eleanor Kelly, chief executive.

### ANNOUNCEMENT

Councillor Kieron Williams congratulated Duncan Whitfield on the recent grant of his OBE, in recognition his work for Local Government. Cabinet extended their congratulations for this incredible achievement.

### 2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

None.



**3. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED**

There were none.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**5. PUBLIC QUESTION TIME (15 MINUTES)**

**Phil Addison**

Will Southwark Council undertake an audit and a needs assessment of the play and informal recreation provision of Champion Hill Ward?

**Response by Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education**

An audit needs assessment and gap analysis of playground provision in the borough was completed in 2018 as part of the council plan commitment to “ensure a top quality playground in every local area”. The play audit considered the number and quality of open access playgrounds available in each ward against local demographic data. This audit has since been updated to take account of playground improvements delivered since 2018.

A further review of play provision in the borough is underway to inform capital investment in adventure playgrounds in the borough and involves local area analysis of the neighbourhoods surrounding our seven adventure playgrounds. This indeed includes an assessment of play demand and current youth and play provision in Champion Hill ward, which is the location for Dog Kennel Hill Adventure Playground. Our initial finding is that play provision in this ward falls below the borough level, relative to it's under 18s population. On this basis, it is expected that consultation on a new capital scheme at Dog Kennel Hill Playground will take place over the summer, with the final design confirmed, and a planning application submitted in the autumn.

**Supplemental question**

Phil Addison asked that a more bespoke analysis of need be undertaken in relation to the astro-turf pitch, as it was felt that this was the choice being made by the community for recreation.

## **ANNOUNCEMENT BY THE CABINET MEMBER FOR JOBS, BUSINESS AND TOWN CENTRES**

Councillor Jason Ochere, cabinet member for jobs, business and town centres announced that £300,000 will be allocated to a high street recovery fund to mitigate the impact of Covid. Community, business and voluntary groups can apply for funding that demonstrate a commitment to economic growth and improvement of digital connectivity within the community. Applicants will also be asked to demonstrate a commitment to the ambitions of Southwark Stands Together.

### **6. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 9 March 2021 be approved as a correct record and signed by the chair.

### **7. DEPUTATION REQUESTS**

There were none.

### **8. POLICY AND RESOURCES STRATEGY: FINANCIAL REMIT 2022-23 AND SCENE SETTING, FAIRER FUTURES BUDGET PRINCIPLES UPDATE**

#### **RESOLVED:**

1. That the progress made on updating the Fairer Future Budget Principles (see draft at Appendix 1 of the report) be noted and that a final version will be brought back to cabinet for approval later this year.
2. That the continuing financial uncertainty as a result of a number of factors be noted:
  - A one year spending review in 2020 providing no indication of funding for 2022-23 and beyond
  - The postponement of the planned reforms of local government finance (Fair Funding Review, Business Rate Retention arrangements) previously intended to be implemented from April 2021
  - The ongoing deferment of the Business Rates reset
  - A published white paper on Social Care but no clear indication of if, how or when proposals might be implemented
  - The impact of the Covid-19 pandemic on spending, income and savings plans and the pace of recovery
  - The extent of government support to offset the financial cost to the council of the pandemic in 2021-22 and beyond

- Any local impact arising from the national and global economic environment following the pandemic
  - Economic and financial impacts to the council of exiting the European Union
  - The current absence of any certainty of funding streams to support climate emergency plans.
3. That it be noted that the accumulated deficit on the Dedicated Schools Grant was £21m at 31 March 2021 with the prospect of achieving any meaningful reduction without additional funding from the Department for Education being remote.
  4. That it be noted that financial planning is extremely challenging, with a range of potential scenarios suggesting a funding gap in 2022-23 of anywhere between £14m and £26.4m and that, subject to the inherent uncertainties, the central forecast indicates a potential budget gap of £19.4m in 2022-23.
  5. That it be noted that the central budget forecast is based on the assumptions set out at paragraph 21 of the report, with the key assumptions being:
    - Government funding rises in line with inflation, with the exception of:
      - New Homes Bonus – expected reduction of circa £3.5m resulting from ending of current scheme
    - The Fair Funding review and Business Rate Retention reset will be delayed again until 2023-24
    - Additional costs arising from pay and prices (both 2%)
    - Additional debt financing costs arising from additional capital projects (£2.5m)
    - Council tax will increase by the maximum amount allowed (1.99%)
    - No additional precept for adult social care
    - Council Tax and Business Rate losses arising from the pandemic and associated economic circumstances will be neutralised by a combination of government compensation schemes, service efficiencies and savings and, where appropriate, contributions from earmarked reserves
    - Existing budgeted council income streams will be achieved in 2022-23.
  6. That it be noted that the strategic director of finance and governance, with the support of other strategic directors, will look to establish medium term budget plans, reviewing any decisions previously taken.
  7. That it be noted that the strategic director of finance and governance, with the support of other strategic directors, will seek to prepare indicative savings options and commitments, initially for 2022-23.
  8. That it be noted that cabinet will receive further reports in the autumn including modelling and proposals for future years as further information

regarding funding is made available.

**9. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING REPORT, INCLUDING TREASURY MANAGEMENT 2020-21**

**RESOLVED:**

1. That the balanced general fund outturn position for 2020-21 after the application of reserves and emergency Covid-19 funding (Table 1 of the report) be noted.
2. That the application of £43.5m of general Covid-19 emergency grant funding be noted.
3. That the key adverse variations and budget pressures underlying the outturn position be noted:
  - (i) The Dedicated Schools Grant (DSG) outturn position of an £20.5m deficit and the pressures on high needs budgets;
  - (ii) The growing pressures within children's social care
  - (iii) the continuing budget pressures on temporary accommodation;
  - (iv) additional costs associated with protecting leisure services.
4. That the utilisation of £4m contingency to offset adverse variances be noted.
5. That the housing revenue account outturn for 2020-21 (table 2 of the report) be noted.
6. That the detailed movements of earmarked reserves as set out in Appendices B, C and D of the report be noted.
7. That the treasury management activity in 2020-21 be noted.
8. That cabinet approves the interdepartmental budget movements that exceed £250k, as shown in Appendix A of the report.
9. That the interdepartmental general fund budget movements that are less than £250k as shown in Appendix A of the report be noted.

## **10. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT OUTTURN 2020-21**

### **RESOLVED:**

1. That the outturn and resources for 2020-21 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report be noted.
2. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
3. That the substantial funding requirement of £290m for future years which needs to be identified for the general fund programme in order for this to be fully delivered, as summarised in Appendix A of the report be noted.
4. That the borrowing requirement of over £900m required for future years for the housing investment programme to be fully delivered over the remaining term of the programme, as detailed in Appendix B of the report be noted.

## **11. ACQUISITION OF CATLIN STREET, SE16- STRATEGIC INVESTMENT / SITE ACQUISITION**

### **RESOLVED:**

1. That pursuant to s227 of the Town and Country Planning Act 1990 the council be authorised to acquire the freehold interest in the property known as the Old Stables Catlin Street SE16 shown edged black on the plan at Appendix A of the report.
2. That the principal purchase terms set out in full in paragraph 20 of the closed version of this report be authorised.
3. That authority to agree the detailed terms of the acquisition be delegated to the director of planning and growth.

## **12. GATEWAY 3 VARIATION DECISION: EXTENSION OF CONTRACTS FOR THE PROVISION OF GENITO-URINARY MEDICINE SERVICES AT KCH AND GST (KINGS COLLEGE AND GUYS & ST THOMAS' HOSPITALS)**

### **RESOLVED:**

1. That the extension of the use of the open access pan-London genito-urinary medicine (GUM) contracts that Lambeth Council have with King's College Hospital NHS Foundation Trust (KCH) and Guy's and St Thomas' Hospital Trust (GSTT) for a maximum period of 12 months commencing on 1 April

2022, at an estimated total contract value of £4.304m (£1,404,489 for KCH and £2,900,000 for GSTT), inclusive of a six month break clause be approved.

2. That it be noted that the need for this variation has arisen as a direct consequence of the impact of the COVID-19 pandemic on the procurement process and planned re-commissioning schedule for these contracts while the providers (local major acute trusts) are involved in responding to the ongoing emergency.

**13. GATEWAY 0: STRATEGIC OPTIONS ASSESSMENT FOR THE PROVISION OF GENITO-URINARY MEDICINE SERVICES**

**RESOLVED:**

1. That the strategic options assessment (paragraphs 34-46 of the report) for the delivery of genito-urinary medicine (GUM) services for Southwark Council be approved.
2. That recommendation (option five, paragraph 50) to undertake a joint procurement with Lambeth and Lewisham and negotiate with the existing providers be approved.
3. That the proposed service requirements and outcomes for the future GUM contracts (set out in paragraphs 25-33 of the report) be noted and that formal consultation on the future service model will be conducted with service users and residents as part of the planned engagement programme.

**14. REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: REVIEW OF APPROACH TO EQUALITY AND ADOPTION OF THE EQUALITY FRAMEWORK**

**RESOLVED:**

1. That the recommendations from the education and local economy scrutiny commission arising from the interview with the cabinet member for communities, equalities and neighbourhoods in respect of the council's review of approach to equality and adoption of the Equality Framework, paragraph 7 of the report be noted.
2. That the relevant cabinet member reports to cabinet on the recommendations within eight weeks.

**15. REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: EDUCATION: CHILDREN'S EXPERIENCE AND EDUCATION DURING THE COVID-19 PANDEMIC**

**RESOLVED:**

1. That the education and local economy scrutiny commission report on children's experience and education during the Covid-19 pandemic, Appendix A of the report be noted.
2. That the recommendations from the education and local economy scrutiny commission be considered and that the relevant cabinet member reports to cabinet within eight weeks.

**16. REPORT OF THE EDUCATION AND LOCAL ECONOMY SCRUTINY COMMISSION: LOCAL ECONOMY: REVITALISING SOUTHWARK'S HIGH STREETS AND TOWN CENTRES**

**RESOLVED:**

1. That the education and local economy scrutiny commission report on revitalising Southwark's high streets and town centres, Appendix A of the report be noted.
2. That the recommendations from the education and local economy scrutiny commission be considered and that the relevant cabinet member reports to cabinet within eight weeks.

**17. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**

**RESOLVED:**

**Southwark's Economic Renewal: creating a fair, equal and inclusive local economy**

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

1. Council Assembly notes:
  - a. That Covid-19 continues to have a significant impact on employment in the borough, with nearly 44,000 Southwark residents now unemployed or furloughed.
  - b. Southwark businesses - especially those in retail, hospitality and leisure - and their supply chains have been adversely impacted by lockdown

and tier restrictions. Footfall across UK high streets fell 88% in 2020 compared to 2019, according to the High Streets Task Force.

- c. The impact of Covid-19's economic fallout has not been felt equally; according to the Trade Union Congress (TUC) Covid-19 has caused an unemployment rate amongst black, Asian and minority ethnic workers which is double that of white workers.
- d. Young people have also been hit particularly hard, with those under 25 in the UK over twice as likely to have lost their job due to the pandemic as over 25s.
- e. On top of this, adapting to Brexit – from new trade rules to a narrowing workforce - poses more issues and difficulties for Southwark businesses.

2. Council Assembly further notes:

- a. Southwark Council has responded quickly and effectively to deliver a total of £94m grant funding to local businesses throughout the pandemic.
- b. Southwark Council was the first local authority to set up a Discretionary Hardship Fund to support businesses who were not eligible for Government funding during the first lockdown, distributing £2.1m of council funding.
- c. The creation and implementation of an Economic Renewal Plan by the council will ensure that businesses, high streets and town centres are able to recover from the pandemic and becoming thriving centres for our communities.
- d. That the council has created a New Youth Deal to provide support and opportunities for young people in securing jobs, apprenticeships and internships.
- e. That Southwark has committed to a Green New Deal to create 1,000 jobs in green and sustainable industries.
- f. That the council's work on Southwark Stands Together is being successfully integrated into our work supporting employment and businesses. For example, 84.5% of clients supported into work through Southwark Works are from black, Asian or minority ethnic backgrounds.
- g. As part of our commitment to supporting the development of thriving town centres and high streets, detailed cross-council Town Centre Action Plans are being developed.
- h. Southwark Council is the first local authority in London to be accredited as a Living Wage Place, expanding the amount of employers paying the real Living Wage across the borough.

3. Council Assembly further notes:



- a. The government's incompetence, and failure to act fast enough to support businesses who were not eligible for statutory grant funding, leading to an estimated 250,000 small businesses (with fewer than 50 staff) set to fold this year, according to the Federation of Small Businesses.
  - b. That the government has provided little or no support to 10% of the UK workforce - especially freelancers, the newly self-employed and those working in creative industries - yet can afford to spend £2bn on contracts with Conservative Party donors and friends of MPs.<sup>1</sup>
  - c. The government's failure to give adequate notice to businesses who were required to close during lockdown, especially during the early months of the pandemic.
  - d. The government's dithering and stalling in the extension of the furlough scheme, resulting in waves of unnecessary redundancies.
4. Council Assembly calls on Cabinet to:
- a. Continue to support businesses with grant funding through both the Local Restrictions Grants and the Additional Restrictions Grants.
  - b. Continue to work with partners to shape the economic renewal Southwark needs.
  - c. Establish a Community Wealth Building partnership to ensure that local communities benefit from the economic renewal of the Borough.
  - d. Undertake a review of business support to ensure that future business support in Southwark is targeted at the businesses and entrepreneurs that need it most.
  - e. Support businesses to mitigate the impact of Brexit by providing them with the information they need and helping them to navigate the new legislative requirements.
  - f. Continue to drive forward the Southwark Green New Deal, and lobby government to provide the upskilling and training needed for residents to manage the transition into zero carbon and sustainable jobs, particularly in areas such as construction, transport and manufacturing.
  - g. Call on government to address the disparities in Covid-19 support schemes and remove all exclusions for the 3 million workers currently excluded.

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<sup>1</sup> A report by the National Audit Office has shown that £10.5bn of Covid-19 contracts before 31 July 2020 were awarded without a proper tender process. 'Covid-19: Government has spent billions on contracts with little transparency, watchdog says' <https://www.bmj.com/content/371/bmj.m4474> The Labour Party has claimed that the amount of these contracts which are linked to Conservative Party donors and acquaintances of MPs totals £2bn: <https://news.sky.com/story/covid-19-labour-calls-for-government-to-crack-down-on-the-cronyism-over-2bn-coronavirus-contracts-12212275>

## Bringing back Trams to Southwark

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

1. Council Assembly notes that:
  - a. The Croydon Tramlink has been running for around twenty years and is considered a success. Studies found that 19% of Croydon Tramlink passengers switched from cars, there was £1.5 billion inward investment into the area due to its development and that it is liked by all sections of the community.<sup>2</sup> This piece of infrastructure took only six years to build at a cost of £200m.
  - b. In the last three years, TfL calculated that a potential Sutton tram extension would cost around £425m and could commence service by the mid-2020s.<sup>3</sup> Although this work was paused in July 2020, TfL stated that if “new funding opportunities emerge then the case for taking the scheme forward will be reviewed.”
  - c. Edinburgh City Council plans to expand its own tram infrastructure by 2030. This will form part of its ‘City Mobility Plan’ to deliver a net zero carbon transport system, which was approved in February 2021.
  - d. Greater Manchester’s Metrolink trams produce half as much (54 grams) of carbon emissions per passenger kilometre compared to buses (99 grams) and cars (123 grams) since around 70% of the Metrolink system is powered by green electricity generated by wind, solar, water and the rest from recycled waste sources.<sup>4</sup>
  - e. Southwark’s commitment to expanding public transport in the borough is motivated by the Climate Emergency and a need to challenge the default culture of car travel. Improving public transport in Southwark will make it as easy as possible for residents to lower their carbon footprint, and to this end the council has already begun exploring low carbon transport improvements with partners, including a tram system, rapid bus routes and continuing to work with the community on the campaign to reopen Camberwell station.
  - f. The council’s plans for a Low Traffic Borough places emphasis on modal shift towards walking and cycling, but also recognises the role of public transport in reducing reliance on cars.

<sup>2</sup> <https://publications.parliament.uk/pa/cm200405/cmselect/cmtran/378/378we06.htm>

<sup>3</sup> <https://consultations.tfl.gov.uk/trams/sutton-link/>

<sup>4</sup> <https://tfgm.com/public-transport/tram/metrolink-and-the-environment>

- g. As part of this championing of public transport, the council is committed to the Bakerloo Line Extension as an initiative which will reduce air pollution and road congestion, and the council therefore welcomes the recent safeguarding of station sites on the Old Kent Road.
  - h. A significant proportion of transport funding serving our city was removed by the coalition government, leading to a reduction in new carbon-reducing initiatives.
2. Council Assembly also notes that:
- a. London and Southwark have a long history of trams. Their first appearance on the city's streets stem back to the 19<sup>th</sup> century. There were tram routes connecting Waterloo to Dulwich and Walworth to Surrey Quays.
  - b. There has been extensive cross-party support for Southwark public transport improvements over the last two decades, including pushing for the 'Cross River Tram' in the early 2000s and more recently the extension of the Bakerloo Line.
  - c. Southwark Council's Climate Emergency declaration set a target for the borough to become carbon neutral by 2030. The lower carbon footprint of trams, buses and Bakerloo Line Extension would help Southwark work toward that aim.
3. Council Assembly calls on Cabinet to direct the council to:
- a. Include exploring trams, alongside the Council's commitment to the Bakerloo Line Extension, as part of the council's work on options for Low Carbon Public Transport over the next decade.
  - b. Investigate routes with local residents for further transport improvements across the borough, through the Climate Action Plan launching in June; looking at trams but also including rapid bus routes, cycling infrastructure and other sustainable transport methods.
  - c. Lobby national government to properly fund regional public transport providers, enabling them to introduce new forms of public transport such as the tram and expand existing forms of public transport such as the Bakerloo Line Extension.

### **International Women's Day**

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

1. Council Assembly notes that:
  - a. 8 March marked International Women's Day – a day to celebrate the political, social and economic advancement of women while recognising the urgent need for further action. The theme was 'Women in leadership – achieving an equal future in a Covid-19 world'.
  - b. In Southwark and across the UK, women have been on the frontlines of the Covid-19 response in many ways as care workers, health workers, community activists, as teachers and as leaders. We must celebrate and support their leadership.
  - c. But, Covid-19 has also had a devastating impact on women across the UK. It has exacerbated already shockingly high levels of domestic violence. The economic impact has been incredibly harsh as women are more likely to be in low paid work and to be more reliant on childcare and social care, which have all been affected by the pandemic.
  - d. Nationally, women have also not been adequately represented in decision-making, meaning gendered aspects have been missed.
  
2. Council Assembly further:
  - a. Pays tribute to past and present female pioneers - from politicians to community activists to women working in essential services - across the borough who have fought for greater women's rights and transformed their communities and all those women who have fought over the last year against Coronavirus.
  - b. Welcomes the policies and actions already implemented by Southwark Council to advance women's rights, including: the first ever Violence against Women and Girls Strategy, lobbying to make misogyny a hate crime, the Women's Safety Charter, the Sanctuary scheme, the Ethical Care Charter, investment in services from healthcare and housing to education, and the appointment of a Cabinet Member with specific responsibility for women's rights and a Deputy Cabinet Member for Domestic Abuse.
  - c. Welcomes the commitment in the Annual Workforce Equalities Plan to review and refresh current parental, adoption and carers' leave provisions to ensure they are best practice.
  - d. Welcomes action to advance economic equality, including becoming the first local authority to receive accreditation as a

Living Wage Place, asking all our contractors with more than 50 employees to publish their gender pay gap and encouraging all Southwark businesses with more than 50 employees to publish their Black, Asian, minority ethnic, and gender pay gaps.

- e. Recognises that we all have a responsibility as individuals, councillors and in the communities we serve, to advance gender equality, for example: encouraging more women to stand for elected office, to take up community leadership positions, supporting measures to secure gender balanced leadership or calling out gender discrimination wherever we see it.

3. Council Assembly calls on Cabinet to:

- a. Ensure that a gendered approach to both the Covid-19 response and recovery is taken, ensuring that women's voices and experiences are heard and shape the recovery, and to commit to working with partners to capture disaggregated data.
- b. Support key stakeholders to influence and enrich our council's planning and policy frameworks to reflect the needs and lived experience of women and children in regards to housing, development and infrastructure improvements.
- c. Work with Community Southwark to support the establishment of a Southwark Community Women's Forum.
- d. Take proactive measures to encourage women to stand for elected office and support them when they are elected. This could include:
  - i. Providing all councillors with training on the legal protection available against online and offline abuse and harassment.
  - ii. Supporting local government calls for legislation to permit local councils to retain the option of remote attendance as standard practice for councillors at official council meetings including committee meetings, Council Assembly, officer briefings and committee agenda setting meetings, and putting in place the necessary technology including remote voting. Covid-19 has shown that the use of technology can enable greater participation, especially from women.
- e. Continue to raise awareness and encourage action to tackle violence against women and girls, including working with schools to address sexual harassment, extending the Domestic Abuse Housing Alliance accreditation to council housing resident services and encouraging other major landlords to also seek accreditation.
- f. Review how to improve and strengthen its work and commitments to promote gender equality as part of the Council's refreshed

Equality Framework.

- g. Ask the Constitutional Steering Panel to review current parental and carers' leave policies and working practices for councillors.
- h. Ask the Audit, Governance and Standards committee to review the current code of conduct to ensure it adequately addresses gender bias, sexism and discrimination.

### **The Union Learning Fund**

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

1. Council Assembly notes that:
  - a. On Tuesday 6 October, the Trade Union Congress (TUC) received a letter from the Department for Education saying that ministers have decided to end the Union Learning Fund from March 2021.
  - b. The Union Learning Fund (ULF) was set up in 1998 under the last Labour Government to support trade unions to widen access to learning and training in workplaces for both union members and non-members. The fund supports workplace projects across England, and is coordinated by the TUC.
  - c. Each year around 200,000 workers are supported into learning or training with union support through the ULF and the TUC, including many Southwark residents via their workplaces. These learners undertake all sorts of job-relevant learning and training, including basic literacy and numeracy, ICT skills, apprenticeships and traineeships, vocational training, continuing professional development and many other informal and formal courses.
  - d. In 2019–20, the ULF was worth £12m. If upheld, this decision will effectively end union-brokered skills training, and will undermine key government skills and retraining priorities at a crucial moment for our economy.
2. Council Assembly understands that:
  - a. Union learning reaches people that other Department for Education programmes do not reach.
  - b. There is an independent evaluation of the Union Learning Fund every two years. It was most recently evaluated by the University of Exeter in 2018. They spoke to 2,459 learners, and found:
    - i. Over two-thirds (68 per cent) of learners with no previous

- ii. 47 per cent of those with entry level or level 1 qualifications got a qualification at a higher level.
    - iii. Four in five (80 per cent) said they had developed skills that they could transfer to a new job.
    - iv. Two in three (62 per cent) said their new skills made them more effective in their current job.
    - v. One in five (19 per cent) said they had been promoted or given increased responsibility and one in 10 (11 per cent) got a pay rise.
- c. The 2018 independent evaluation found that union learning provided excellent value for money:
  - i. For every £1 spent on the Union Learning Fund, there is a return of £12.30: £7.60 to the worker, £4.70 to the employer.
  - ii. The Union Learning Fund delivers an estimated net contribution to the economy of more than £1.4bn as a result of a boost to jobs, wages and productivity.
  - iii. The return to the exchequer (through reduced spending on welfare benefits and other factors resulting from the boost to jobs and wages) is £3.57 for each £1 spent on the Union Learning Fund.
  - iv. The £12m government funding levered in an additional £54m from employers, unions and training providers in 2019–20.
- d. The government has said it will put reskilling workers at the heart of its economic recovery plans after the pandemic. In September 2020, the government announced a new fully funded entitlement to achieve a first level 3 qualification, delivered through the National Skills Fund. Union learning is ideally placed to support this aspiration, in the following ways:
  - i. directly, through delivering relevant level 3 courses to workplace learners, which is already a core function of the Union Learning Fund and was assessed as highly effective by the 2018 independent evaluation;
  - ii. directly, through enabling those with basic skills to learn and develop, putting them in a position to progress to level 3 skills.
- e. Successive governments of all parties have valued this role – and have supported the Union Learning Fund. As government funding, it is paid as a contract and is subject to stringent monitoring requirements. Union Learning Fund money can only be spent on the direct costs of getting working people into learning and skills training, and the associated costs of delivering this programme.
- f. ULF projects adapted quickly to delivering online learning and training for workers during the pandemic and have actually

surpassed the number of outcomes expected by government since the beginning of April.

3. Council Assembly therefore resolves to:
  - a. Express its public support for the continuation of the Union Learning Fund.
  - b. Raise this issue with our local MPs and encourage them to call on the Government to reverse its decision.

### **Sustainable future funding for Local Welfare Assistance**

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

1. This Council notes that:
  - a. Until 2013, emergency financial assistance was principally provided by central government, through the Discretionary Social Fund.
  - b. From 2013, the government implemented wholesale reform of the Discretionary Social Fund. Some parts were kept, however, the coalition government abolished Crisis Loans (other than Alignment Payments) and Community Care Grants.
  - c. Responsibility for *emergency financial assistance* was devolved to the local level and funding transferred to local authorities in England on a non-ring-fenced basis, with the intention that they establish their own Local Welfare Assistance (LWA) Schemes to support local people facing a crisis.
  - d. The Government then decided that from 2015/16 onwards there would be no separate LWA funding stream. Instead, it would become part of the general Revenue Support Grant that central government provides to councils to support their spending on any local services.
  - e. In the intervening years, with reduced overall funding for councils, a lack of guidance from central government, and the absence of a statutory requirement for local authorities to deliver emergency financial assistance, local authorities faced difficult decisions about funding and maintaining LWA schemes. In many areas, local welfare provision was either significantly reduced or closed completely.
  - f. Despite this, Southwark Council has retained its own LWA



schemes (Southwark Emergency Support Scheme, or SESS, and a separate Hardship Fund).

- g. In 2020/21, in response to significant levels of need during the COVID-19 pandemic, Government provided additional funding to English local authorities to deliver emergency financial assistance. £63million was provided through the Local Authority Emergency Assistance Grant for food and essential items, whilst a further £170million was provided through the COVID Winter Support Grant. Southwark Council received £1.5m in total.
  - h. This funding, whilst welcome, has had to cover a wide range of needs beyond just LWA, including provision through our Community Hub, community grants to support food security and the provision of free school meals during school holidays. The Council will have spent significantly more responding to COVID and providing emergency support with food and other essentials than it has received from government.
  - i. The Council has since April 2020 provided 4,553 individuals and families with support through the emergency support scheme not including the additional support through the community hub or free school meals, totalling £1.45m.
2. This Council believes that:
- a. As a result of the COVID-19 pandemic and its economic impacts, we can expect there to be significant ongoing need for emergency financial assistance, with many Southwark households, including many families with children, likely to face a 'financial crisis' point – a financial problem which puts the immediate health and wellbeing of family members at risk.
  - b. Adequately resourced, local authorities are uniquely well placed to support residents facing financial crisis, with LWA schemes central to that support. Run well, LWA schemes draw on the existing knowledge that councils have of need in their communities, alongside the relationships they hold with local voluntary and community sector partners. The experience of the pandemic has clearly demonstrated the value of the Council's scheme – providing emergency short term support with the cost of essentials for thousands of households that were already vulnerable before experiencing a financial shock due to sudden loss, or interruption to income.
  - c. Whilst local authorities have other mechanisms such as Discretionary Housing Payments and Local Council Tax Support Schemes to support low income households, Covid-19 has

demonstrated how important it is for councils to have the capacity to deliver timely and discretionary emergency support to households reaching crisis point.

- d. Central government should therefore provide sustainable, long-term funding for local welfare assistance- to give councils the confidence and certainty that they need to develop an effective local welfare offer.

3. This Council, therefore, resolves:

- a. To maintain its Local Welfare Assistance Scheme, including both SESS and the Hardship Fund, to support residents facing financial crisis.
- b. To use effective communications and engagement to increase awareness of these schemes and to train voluntary sector organisations to support resident referrals.
- c. To campaign for permanent restoration of a central government funding allocation to meet costs of Local Welfare Assistance schemes from 2021/22, and for that funding to be protected in real terms over the following years.
- d. To write to the Chancellor, the Secretary of State for Housing, Communities and Local Government and Secretary of State for Work and Pensions to request that they make such a funding allocation available to local authorities.

### **End Male Violence against Women and Girls**

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed.

Council Assembly notes:

1. That the murder of Sarah Everard has launched a wave of anger and protests across the country.
2. Blessing Olusogun's death remains unexplained.
3. Nicole Smallman and Bibaa Henry were killed after meeting friends in a park.
4. That 118 women have died this year as a result of gendered violence.
5. Reports from the vigil held at Clapham Common show police officers using excessive force against women.

Council Assembly further notes:

6. The detrimental impact that violence against women and girls (VAWG) by men has on individual women, their dependents, their communities and

- society as a whole.
7. Women from Black, Asian and Minority Ethnic backgrounds, deaf and disabled women, and LGBT+ women are even more likely to experience harassment, discrimination and abuse. Women from diverse backgrounds experience abuse differently and male power is used against them differently.
  8. Women living in poverty are particularly vulnerable to experiencing violence and face disproportionate challenges in accessing the necessary support to make them safe. Lack of access to secure housing, precarious employment, difficulty accessing social security and poverty work to keep women in abusive situations.
  9. There are on average 12 'honour killings' every year in the UK, where women are killed due to the belief that they have brought shame or dishonour upon their family.
  10. Street harassment and violence against women and girls is endemic in the UK:
    - a. 80% of women of all ages have been sexually harassed in public, with 90% of these women not reporting it as they don't believe it will make a difference
    - b. 97% of young women have been sexually harassed, with 96% not reporting it due to the same reasons above
    - c. One in two women are sexually harassed in the workplace
    - d. One in three women will experience domestic violence in their lifetime
    - e. One in five women will be raped in their lifetime
    - f. Two women a week are killed by a current or former partner (this rose to three a week during lockdown), and three women a week take their own lives following domestic abuse.
  11. Women who report rape have a 3% chance of it ever being heard in court. Most women who survive domestic violence do not receive justice from the criminal justice system.

Council Assembly remembers:

12. All the women in Southwark and across the country who have died as a result of the violence of men, and all the survivors of gender-based and domestic violence.

Council Assembly notes:

13. That Southwark Council has campaigned previously to make misogyny a hate crime, so we welcome the announcement that all police forces in England and Wales are to log incidents motivated by misogyny from this Autumn.
14. Southwark continues to be one of the highest funders of VAWG provision in London, with an investment of more than £900,000 annually.
15. Southwark will expand the number of venues signed up to and will ask existing signatories to recommit to the Women's Safety Charter, and report

regularly on the difference it has made - sending a clear message that female harassment will not be tolerated.

16. Southwark goes beyond the existing legal domestic abuse framework by implementing a policy to give automatic 'priority need' status to domestic abuse victims approaching as homeless - this is in advance of the new Domestic Abuse Bill that now requires this of all councils. This policy removes the barrier some victims face accessing emergency housing and the full housing duty.
17. Southwark council recently developed a cross-party 'Open Door' Project in which schools, children's centres and GP centres are able to offer domestic abuse survivors a safe space in which to access support.
18. Southwark has invested in Independent Domestic Violence Advocates (IDVA), including an IDVA role co-located within Housing Solutions service.
19. Southwark delivers workshops and works with communities to discuss Female Genital Mutilation (FGM) and its effects with survivors.

Council Assembly believes:

20. That male violence against women and girls is part of a broader culture of misogyny in society.
21. Perpetrators of serious violence usually have a history of inflicting abuse and harassment against other women and girls. Tackling violence against women and girls means dismantling this culture.
22. The seeds of violent behaviour are often sown at a young age and if the right interventions are not made in time then the problem continues to perpetuate.
23. It also means tackling other forms of discrimination and the economic system that further enables abuse against women and girls.
24. The Police and Crime Bill currently making its way through parliament will potentially silence the right to protest in a meaningful or impactful way, or for women to be heard on this issue in an impactful way.
25. That a justice system that allows one of the most heinous crimes to be effectively decriminalised is not fit for purpose. Sustained cuts to all elements of the justice system, as well as institutional misogyny, mean that crimes against women and girls that are reported are not effectively investigated by the police. The decision to fail to resource this work is a political choice.

This Council resolves to:

26. Stand in solidarity with protestors who oppose violence against women, and girls.
27. Do all we can as a council and in our communities to champion the rights and entitlements of women and girls and to tackle violence against them. This includes continuing to invest in vital services, listening and responding to women and girls about the action we need, and calling out misogyny and sexism wherever we see and hear it.
28. Call on the Home Secretary for an urgent, transparent and thorough investigation into the operational policing of the vigil for Sarah Everard which took place on 13 March 2021 and for swift action to be taken.

29. Call for increased investment in the whole justice system when it comes to VAWG.
30. To promote the Our Streets Now campaign to make street harassment a crime, and encourage all elected members, and residents to sign their petition.
31. Call on the government to ratify the Istanbul Convention on preventing and combatting VAWG, to ratify the International Labour Organisation's No.190, recognising the right of everyone to work free from gender based violence and harassment and to make street harassment a criminal offence.
32. Call on the Lambeth and Soutwark Borough Command Unit to prioritise investigating crimes against women and girls and ask them to ensure that women are treated with the required sensitivity.
33. Work with the Lambeth and Southwark Borough Command Unit on improving women's safety in Southwark.
34. Deliver culturally competent services for VAWG which fully serve our diverse population.
35. Educate men through campaigns and bringing in male "allies".
36. Strengthen Safer Neighbourhood ward panels to have agenda items on hate crime incidents and domestic violence.
37. Work with schools and families to tackle toxic masculinity culture.
38. Continue to work with local, London-wide, and national networks working to end violence against women and girls.

## 18. APPOINTMENTS TO OUTSIDE BODIES 2021-22

### RESOLVED:

That appointments to the outside bodies listed in Appendix A of the report for the 2021-22 municipal year be agreed as follows:

#### **Better Bankside Board**

Councillor Jason Ochere

#### **Blue Bermondsey Bid**

Councillor Sunny Lambe

#### **Board of Southwark College Corporation**

Councillor Jason Ochere

#### **Browning Estate Management Association**

Councillor Martin Seaton

**Canada Water Consultative Forum**

Councillor Helen Dennis  
 Councillor Kath Whittam  
 Councillor Jane Salmon

**Central London Forward**

Councillor Kieron Williams

**Centre for Literacy in Primary Education**

Councillor Catherine Rose

**Creation Trust**

Councillor Jason Ochere  
 Councillor Lorraine Lauder MBE  
 Councillor Jack Buck

**Cross River Board**

Councillor Helen Dennis

**Crystal Palace Community Development Trust**

Councillor Catherine Rose

**Groundwork London, Local Authority Strategic Input Board**

Councillor Catherine Rose

**Guys and St. Thomas NHS Foundation (Council of Governors)**

Councillor Evelyn Akoto

**Kings College Hospital NHS (Council of Governors)**

Councillor Dora Dixon-Fyle MBE

**London Road Safety Council (LRSC)**

Councillor Catherine Rose  
 Councillor Radha Burgess

**London Youth Games Limited**

Councillor Alice Macdonald

Councillor Jasmine Ali (deputy)

**Millwall for All**

Councillor Sunny Lambe

**Newable Limited (formerly Greater London Enterprise)**

Councillor Jason Ochere

**North Southwark Environment Trust**

Councillor Kath Whittam

**Old Vic Board of Trustees**

Councillor Alice Macdonald

**Potters Fields Park Management Trust**

Councillor Alice Macdonald  
Caroline Bruce

**Plastic Free East Dulwich**

Councillor Charlie Smith

**Plastic Free Peckham**

Councillor Cleo Soanes

**Shared ICT Services Joint Committee**

Councillor Rebecca Lury  
Councillor Darren Merrill  
Councillor Alice Macdonald (reserve)  
Councillor Stephanie Cryan (reserve)

**South Bank and Waterloo Partnership**

Councillor Jason Ochere  
Councillor Victor Chamberlain  
Councillor Adele Morris  
Councillor David Noakes

**South Bank Business Improvement District Ltd**

Councillor Jason Ochere

Councillor Adele Morris

**South Bermondsey Big Local Partnership Steering Group**

Councillor Richard Livingstone  
Councillor Sunny Lambe

**South London Gallery Trustee Limited**

Councillor Jason Ochere  
Councillor Cleo Soanes  
Councillor Graham Neale

**South London and Maudsley (SLaM) NHS Trust Members Council**

Councillor Evelyn Akoto

**Southwark Construction Skills Centre**

Councillor Jason Ochere

**Southwark and Lambeth Archaeological Excavation Committee (SLAEC)**

Councillor Richard Leeming  
Mr. Bob Skelly (Deputy)

**Safer Neighbourhood Board (Southwark)**

Councillor Darren Merrill

**WeAreWaterloo BID**

Councillor Graham Neale.

**19. APPOINTMENTS TO PANELS, BOARDS AND FORUMS 2021-22**

**RESOLVED:**

That the allocation of places to the panels, boards and forums set out in Appendix A of the report for the 2021-22 municipal year and member nominations be agreed as follows:

**Joint Partnership Panel (Trade-union consultation)**

Councillor Kieron Williams  
Councillor Rebeca Lury



### **Homeowners Service Charge Arbitration Panel**

Councillor Charlie Smith  
 Councillor Lorraine Lauder MBE  
 Councillor Renata Hamvas  
 Councillor Sunny Lambe  
 Councillor Sandra Rhule  
 Councillor Margy Newens  
 Councillor Kath Whittam  
 Councillor Dora Dixon-Fyle MBE  
 Councillor Maria Linforth-Hall  
 Councillor Jane Salmon  
 Councillor Eliza Mann  
 Councillor Anood Al-Samerai

### **Tenancy and Leasehold Arbitration Tribunals**

Councillor Charlie Smith  
 Councillor Lorraine Lauder MBE  
 Councillor Renata Hamvas  
 Councillor Sunny Lambe  
 Councillor Sandra Rhule  
 Councillor Margy Newens  
 Councillor Kath Whittam  
 Councillor Dora Dixon-Fyle MBE  
 Councillor Maria Linforth-Hall  
 Councillor Jane Salmon  
 Councillor Eliza Mann  
 Councillor Anood Al-Samerai  
 Councillor Cllr William Hougbo

### **Southwark Safeguarding Adults Board**

Councillor Evelyn Akoto  
 Councillor Darren Merrill

### **Southwark Safeguarding Children's Board**

Councillor Jasmine Ali  
 Councillor Darren Merrill

### **Standing Advisory Council on Religious Education**

Councillor Margy Newens  
 Councillor Maggie Browning  
 Councillor James McAsh  
 Councillor Graham Neale

**Southwark Tenant Management Organisation Committee**

Councillor Stephanie Cryan  
Councillor Richard Livingstone  
Councillor Martin Seaton  
Councillor William Houngho.

**MOTION TO EXCLUDE THE PRESS AND PUBLIC**

That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 3 of paragraph 10.4 of the access to information procedure rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed part of the meeting.

**20. MINUTES**

The minutes of the closed section of the meeting held on 9 March 2021 were approved as a correct record and signed by the chair.

**21. ACQUISITION OF CATLIN STREET, SE16- STRATEGIC INVESTMENT / SITE ACQUISITION**

The cabinet considered the closed information relating to this item. Please see item 11 for the decision.

The meeting ended at 12.10pm.

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 23 JUNE 2021.**

**THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.**

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Climate Change Strategy for Southwark	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Helen Dennis, Climate Emergency and Sustainable Development	

**FOREWORD – COUNCILLOR HELEN DENNIS, CABINET MEMBER FOR CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT**

Facing into the Climate Emergency and developing an evidence-based, comprehensive response, is one of the most urgent tasks facing government at all levels. Local government has an essential role to play, both operationally as a provider of services and housing, but also as a convenor of organisations and institutions, that must all work together to play their part in response to this global crisis.

The Southwark engagement process which has led to the publication of this strategy and action plan has shown that we have a wealth of community actors and groups that are wanting to step up and contribute to this work, and it is only by harnessing this energy and learning from one another, that we will be successful in the incredibly ambitious target of becoming a carbon neutral borough by 2030. The council is committed to playing its part and to leading by example, and the Strategy published alongside this report, sets out the action it has taken to address its own emissions to date, and highlights five priority areas across the borough for action, underpinned by the key principles of ambition, inclusion and transparency, and by technical analysis showing where we can have the most impact.

We also outline the process for taking this work forward. We commit to producing an annual progress report, coupled with an annual Climate Conference, and over the coming months, a “citizens’ jury” will be established to support the ongoing development of our action plan. We will also be reviewing our engagement mechanisms to ensure that we are building the strongest possible coalition for this work, and reaching out to involve all sections of our community.

Demonstrating that this response cuts across everything that we do, the council will also ensure that the Climate Emergency is considered in all our decision-making processes, including the budget process. However, the scale of this challenge must not be underestimated, and the eye-watering figure cited in the strategy, of £3.92bn, cannot be ignored. We will do all that we can to spend our

limited resources wisely and effectively, and as we approach COP 26 later this year, our call to central government, must be for greater financial investment at the local level, to enable the carbon neutral vision to become a reality.

## **RECOMMENDATIONS**

1. Agree the council's climate strategy and action plan "Tackling the Climate Emergency Together: Our Approach for a Carbon Neutral Southwark by 2030"
2. Note the progress made so far reducing carbon emissions and taking action to tackle the climate emergency.
3. Ask officers to develop a range of resources to communicate the strategy with residents and to make it accessible to different sections of the community.
4. Ask officers to start delivery of the actions in the strategy and provide an annual report to Cabinet on the progress that the borough is making towards its goal.

## **BACKGROUND INFORMATION**

5. The world is facing a crisis. Climate change is already having devastating impacts around the world and as carbon in the atmosphere continues to rise, this is set to get worse with catastrophic consequences. Urgent action is needed if we are to prevent this, so in 2019 the council declared a climate emergency and committed to doing everything that it could to make the borough carbon neutral by 2030.
6. Cabinet agreed a draft strategy in July 2020. This strategy set out the approach the borough should take to reducing emissions and the main areas that work should focus on. It recognised that while the council has a central role, it is not the responsibility of the council alone and so set out work that should be done at a national, regional and individual level to achieve net zero.
7. Since agreeing the draft strategy, the council have been engaging with residents across the borough including through a formal consultation. This engagement has enabled the council to improve the draft strategy and ensure that the proposed approach has been shaped by people who live and work in the borough.
8. The council committed to bringing a final strategy and action plan back to Cabinet for approval. The strategy to focus on the approach the council will take and the aims that we will achieve. The action plan with details of the actions we need to take to deliver them. In developing the strategy and reviewing feedback, we have combined both of these elements into one document to ensure that our vision and commitments to action are laid out together showing our aims and what we will do to deliver them.

9. In developing the final strategy and action plan, officers have been grateful to receive recommendations and feedback from the council's Environment Scrutiny Commission. Officers and former cabinet members have given evidence to the commission and welcome their involvement in this process. Members have also input through a cross-party members' working group, and the council has received input from key stakeholders and interest groups through the Partnership Steering Group.

## KEY ISSUES FOR CONSIDERATION

10. Following publication of the draft strategy the council has received feedback from residents, businesses and partners. Details of the feedback received is set out in Appendix C. The feedback that we received has helped us shape the final strategy and action plan.
11. Overall the feedback was positive about the council's approach and ambition. Most of the feedback that we received focused on details of things that we could do to or ideas that residents had about specific ways to cut carbon. In our response, we have considered these and responded with our views on these ideas. Where appropriate we have made changes to the strategy and action plan, and in other cases these ideas are things that may be captured elsewhere in other policies of the council. In some areas where we do not agree with a suggestion we have explained why.
12. In addition to these individual areas there were some broader themes that came through which we have considered and amended the plan accordingly. These are:
- a. A greater emphasis on the role of business - Respondents felt that the strategy should be more explicit about the opportunities for local skills development and employment based on improved carbon literacy and emerging technologies as well as the role of business in reducing emissions. The strategy has been updated to reflect this, and officers are preparing a green economy plan at the moment as well as working on proposals to deliver new green jobs.
  - b. Climate education - Respondents emphasised the importance of climate education in each of the themes, as well as in the approach section of the strategy. Respondents recognised that our universities and schools are often undervalued when it comes to community leadership of reducing carbon. They wanted to see this further reflected in the strategy. The strategy has a section about education to address this. In addition, officers will develop further engagement and education plans to help implement the strategy and action plan.
  - c. Climate Adaption and Sequestering - Respondents highlighted that greater reference needs to be made to how we must adapt our lives

in the face of climate change. The strategy now references adaptation, but it is not a central theme of the strategy. Our priority has been to focus on reducing existing emissions but recognise that adaptation is work we need to do and better coordinate in the future. Once we start implementation of our action plan, officers will consider work that needs to be done on adaptation and bringing forward proposals. Southwark has also agreed to lead work on adaptation across London through London Councils.

- d. Update plans to reflect changes from COVID – Covid-19 has impacted on how we live and the carbon we use. Respondents felt there was an opportunity to update the strategy to reflect this - for example in how we use delivery services, or the impact of home working. The strategy now contains a comprehensive section on the challenges and opportunities that come from Covid-19.
13. While the council has been developing this strategy and action plan, work has continued in the borough to reduce carbon emissions and invest in projects that will help us achieve our net zero commitment. Progress includes:
- Delivery of the Heat Networks Strategy is underway including a district heating scheme at the Wyndham, Consort and Newington Estates using air source heat pumps.
  - Insulation work including windows and roofs in blocks on the Tustin Estate.
  - Survey is underway into the potential for solar power within our housing stock.
  - Developing a roadmap to net zero for all council homes prior to 2030.
  - 36 measures introduced outside schools to limit car movements and promote active travel.
  - 11 new low traffic neighbourhoods to promote active travel.
  - Nearly 4km of cycle routes since March 2019 including 117 cycle hangers.
  - Introduced a diesel surcharge.
  - Delivery time limits on large HGVs using the borough's roads
  - Since 2018, we now have 240 lamp columns for electric vehicles.
  - Worked with EV charge manufacture Char.gy who installed the world's first highway induction charge pad. Southwark is working to help proof of concept.
  - Planting 10,000 trees by 2022.
  - Move to 100% renewable electricity for council operations with housing and schools moving next year.
  - Reviewed the council's estate for carbon saving and now undertaking a range of works including boiler replacement and better insulation.
  - Divert 99% of household waste from landfill and use over 99% of non-recyclable waste for heat and electricity production.

- Continue LED rollout. So far over 4,000 LED lanterns in our street lighting across the borough.
  - Working with other London boroughs to commission a study to reveal the extent of London's green economy and the skills we will need to equip our residents for green growth.
14. The council has commissioned Anthesis to work with us on developing a carbon baseline, and emissions pathways to a low carbon future. Anthesis have also done initial work identifying the costs for the borough to become carbon neutral and the role of various stakeholders.
  15. The strategy which we are publishing today includes much of the work that Anthesis has done for us, including a range of actions that the borough needs to take to make progress along these emissions pathways.
  16. The actions set out in this action plan are the next steps that we need to take. They show how we can build on the progress that has already been made and how we should focus our time and resources on key areas to make a significant impact. However, as set out in the strategy, this plan will need to develop further as we progress. There will need to be new actions and further work undertaken. The council is continuing to work with Anthesis to develop further plans which will help inform the strategy as it is refreshed and reviewed in the future.

### **Engagement and Consultation**

17. In March 2020, the council commissioned engagement specialists Traverse to plan and implement public and stakeholder engagement. The overall aim of the project was to gain insight from local residents to help form Southwark's borough-wide response to climate change and generate conversations locally about the issues related to climate change. Broader questions were asked about what residents want Southwark to be like in the context of a 'climate-proofed' future.
18. Engagement included:
  - Online engagement hub
  - Community workshops
  - Young advisers session
  - Pop-up events in Southwark parks
  - Interactive lamp posts.
19. An interim report in July 2020, which was based on the first 100 respondents to our online climate change portal, came to Cabinet in July 2020. This project took into account a variety of communication models to ensure a wide range of respondents, which was particularly important in the context of the Covid-19 pandemic.



20. In addition to this engagement, the council also sought comments on the draft strategy through its consultation hub. This was open from November 2020 to January 2021.
21. Alongside the consultation and the engagement programme, we have also received feedback on the draft strategy from a number of other sources including:
  - Southwark Climate Conference (Nov 2020)
  - Recommendations from the Environment Scrutiny Commission (Sep 2020)
  - Feedback from the Partnership Steering Group (Oct 2020).
22. We have also received direct emails from stakeholders and residents, as well as feedback from members, businesses and local organisations.
23. As climate change is a major issue affecting everyone in the borough, our intention both now and in the future is to engage with residents as comprehensively as we can. The Covid-19 pandemic has restricted the mechanisms that we have been able to use, but despite this have managed to engage across the borough and in doing so have gathered a wide range of views and actions.
24. A summary of the feedback we have received and our response to this can be found in Appendix C.
25. Commonplace Website - The website was launched on 27th May 2020 and closed on 5th October 2020. It was aimed at encouraging local stakeholders including residents, community groups and businesses to contribute their views and ideas to inform Southwark Council's climate change strategy. It provided background information about the borough of Southwark and climate change to help visitors give informed responses. The website contained a series of qualitative and quantitative questions across five key themes (buildings, construction and regeneration, energy, travel, biodiversity and green spaces and consumption). There were a total of 413 respondents to the website, 72% of whom were residents.
26. Community group engagement - Traverse held virtual engagement sessions with community groups in September and October. These community groups were chosen from our existing networks, and included TRAs and TMOs, Southwark Law Centre and community groups such as the Somali Integration & Development Association.
27. Participants were asked to share suggestions and explore potential impacts of climate actions based on the topic areas highlighted by the website responses, and to discuss principles that Southwark Council could apply to their climate plan across all the topic areas.
28. Pop-up events - Four socially distanced pop-up events were held in August and September at four parks: Southwark Park, Burgess Park,

Peckham Rye Park and Dulwich Park.

29. These events were designed to widen the reach of the engagement beyond those residents who were aware of the website, and to give them the chance to comment on Southwark Council's climate action plan.
30. Each event ran for four hours during which members of the public were invited to read information about the Council's climate action plan sourced from the website and to put forward suggestions for changes they would like to see in their local area, using the five topics featured on the website.
31. Hello Lamp Post - Community engagement platform Hello Lamp Post was commissioned in August to 'activate' objects such as lampposts, trees and planters, through the placement of signs with a QR code and a phone number. Respondents who 'engaged' with an object through their device were asked a series of questions about one of the five areas depending on which object they interacted with. These objects were active until the 15th January 2021.
32. Ten objects were activated in Elephant and Castle, Peckham Square, Camberwell Green, Nunhead Green, Old Kent Road and Walworth Road.
33. This element of engagement was developed following early feedback on the online hub where respondents did not represent the diverse community of Southwark. Hello Lamp Post was introduced to broaden out the engagement channels and to locate them in areas with high numbers of residents from previously under represented groups particularly Black, Asian and Minority Ethnic populations and residents who were council tenants. We had 540 respondents to the Hello Lamp Post furniture, with 1634 total interactions.
34. Formal Consultation - Once the core elements of the engagement being overseen by Traverse had finished, we set up a formal consultation on the draft strategy through the Southwark Consultation Hub. This ran from November 2020 until January 2021.
35. This consultation asked questions relating to specific sections of the draft strategy, such as our approach, principles and each of our key themes.
36. We promoted this consultation through social media channels and through our networks, including the Partnership Steering Group, Staff Climate Network and ward councillors. We had 110 responders to this consultation and another 600 individual pieces of feedback across the strategy.
37. Technical Consultation – the council has commissioned two pieces of work to inform the climate change strategy and action plan. Carbon Descent carried out work examining different policy scenarios and how the borough could bridge the gap between existing policy and a carbon neutral future.

38. The council has also commissioned Anthesis to carry out work detailing the carbon emissions in the borough, pathways to net zero, and proposing actions that need to be taken to reach that goal. This work now forms part of the strategy.

### **Summary of Strategy and Action Plan**

39. The climate change strategy in Appendix A of this report sets out the council's ambition and approach to tackling the climate emergency. It builds on the draft strategy which was published in July 2020. The strategy now contains detailed analysis of carbon emissions in the borough, the policy context in which we are operating and pathways to net zero.
40. The strategy outlines what the climate emergency is, the scale of the challenge and the impact on Southwark. It highlights that the impact of climate change is not felt evenly, and that those who are vulnerable or who have the least resource are those who are often the most impacted. Tackling climate change is therefore an issue of social justice as well as environmental action.
41. The strategy highlights the progress that has been made so far. Across the council and the borough, action has been taken to reduce our emissions and build the change we need to reach our goal.
42. There is also a real opportunity for the borough. There are potential co-benefits of taking climate action, and the strategy sets out our commitment to exploring those and finding ways of maximising benefits, particularly where they reduce social inequality and promote social justice.
43. The strategy is for the whole borough not just the council. It highlights that only through everyone playing their part, including government, council, businesses, individuals and institutions, can we achieve net zero.
44. The strategy sets five priorities which mirror the five priority areas set out in the draft strategy:
- a. Greener Buildings
    - Commit to carbon neutral buildings in the borough.
    - Require embedded building techniques such as green roofs and solar panelling.
    - Repurpose existing buildings that are no longer fit for purpose or need modernising where possible.
    - Use and create buildings that protect and enhance our green spaces.
    - Ensure buildings are built to minimise carbon emissions in their use.
    - Strengthen all policy documents including the New Southwark Plan

with a carbon neutral commitment.

- b. Active & Sustainable Travel
  - Reduce car journeys to a minimum by 2030.
  - End freight and commercial delivery in polluting vehicles.
  - Encourage and support residents and businesses to switch away from petrol and diesel vehicles.
  - Improve the accessibility and sustainability of public transport.
  - Be a borough where walking and cycling becomes the default way to get around.
  
- c. Thriving natural environment
  - Improve biodiversity and introduce new green corridors to help wildlife to move.
  - Make our streets a green place to walk, play and relax.
  - Further increase tree canopy coverage across the borough with more planting, ensuring any loss of existing trees cover is a last resort and that those trees are replaced.
  - Increase food growing in the borough, expanding allotments and community gardening.
  - Enable building and development that works alongside and enhances our natural environment.
  
- d. A circular economy with green jobs
  - Deliver a green new deal which creates 5,000 green jobs over the next decade and invests in green skills training to support green jobs of the future.
  - Encourage a more circular economy that reduces consumption, keeps resources in use for as long as possible, and recycles used materials.
  - Change how the council, businesses and organisations procure and invest, ending investment in fossil fuels, and considering the carbon impact of doing business.
  - Support local supply chains and local businesses to be more sustainable.
  - Work with large businesses to move away from carbon heavy methods of delivery and production.
  
- e. Renewable energy
  - Deliver a decarbonised heat strategy for all residential housing that ends our reliance on gas and other fossil fuels and improves reliability for residents.
  - Work with government to make retrofitting of homes and businesses affordable and deliverable.
  - Increase local and community sustainable energy production.
  - Tackle fuel poverty by promoting and providing cleaner, more affordable sources of energy.
  - Reduce energy demand and cut energy waste.

45. The strategy sets out a series of actions under each priority. We set out the carbon emissions in this area and a series of goals that we need to achieve if we are to reduce carbon in that priority area. Under each goal we have set out the immediate actions that need to be taken.
46. These actions show our immediate priorities. We will report on our progress, and review this list of actions to develop new actions to achieve the goals in the strategy. In each section we highlight “next steps” which show the work that we are undertaking to develop, alongside delivery of, immediate actions to take this agenda forward.
47. Where possible we have indicated the likely costs of delivery. In almost all cases this is considerably more than the resources that the council has available, and so in most areas Southwark will require significant government funding to achieve its objectives.
48. The strategy sets out the council’s intended approach to be inclusive, ambitious and transparent. The council will also work in partnership, including with our businesses and community. The strategy will work alongside the council’s other commitments to ensure a strong and green local economy that works for everyone, and a borough which tackles inequality and promotes fairness.
49. To succeed this must be a strategy for everyone, and not just the council. To build this support and alliance moving forward, the council wants to engage, empower and educate its residents and all those in the borough. The strategy sets out our ambition to do this.
50. The strategy also sets out how we will monitor, learn and improve. This includes the introduction of a citizens’ jury. In addition, we have appointed an expert advisory panel to bring together expert to provide advice and challenge to our work.
51. In the strategy we commit to publishing an annual progress report and holding a conference to engage with residents, partners and groups so that we can work together to overcome the challenges that we face. We will update the plan following our annual report, and undertake a more comprehensive midway review in 2025. We intend to report on progress as part of the council’s annual performance schedule at the end of the financial year and to publish a report alongside this on progress in June/July each year. We will hold a conference each autumn.

### **Making the Strategy Accessible to All**

52. To deliver our ambition, the strategy and the ideas and plans within them need to be accessible by everyone in the borough. Our aim is that any organisation or individual can look at these plans and understand the approach we are taking and what they need to do to be part of the change.

53. To deliver this, we are proposing that officers develop a range of toolkits and resources which we can use to engage with residents, businesses and organisations. This includes producing material which is accessible to younger residents, those with learning difficulties or where English is not a first language. We also need to produce material which is targeted at specific sectors or groups. For example, information on what you could do as a TRA or as a school to help contribute to carbon reduction.
54. Throughout the engagement process, we have been encouraged to engage with and educate residents about climate change. While the strategy and action plan provide an overall plan of our approach, we need to ensure that we communicate clearly and make this a document for everyone.

### **Policy implications**

55. The strategy requires changes to a range of council policies. When policies and strategies approach renewal, officers will need to consider how these policies align with the climate strategy and make necessary changes to reduce the carbon impact of those policies. In some areas, review will be needed sooner than previously planned. The strategy will set out areas which are a priority and officers will undertake reviews of these policy areas.
56. Some policies will have greater impact on carbon emissions than others. In all cases, the council will consider those that have the greatest impact on carbon as a priority.
57. The New Southwark Plan is the council's key planning document which sets out our framework for planning and regeneration in the borough. Officers are preparing policy to better align it with the climate change strategy and ensure that our planning policy reduces carbon in line with our climate emergency commitments.
58. Other policies such as the Movement Plan already promote sustainable travel. Policies like this contain a review mechanism which will enable officers to consider and bring forward changes to reduce carbon emissions faster than previously stated.
59. The council reports on progress against the council plan annually, and publishes a six monthly report. This sets out the performance indicators for the council and its progress against delivery in each of those. The council is reviewing how it reports on performance. As set out in the strategy, the council will report on progress on its climate commitments as part of the council's performance process. In addition, an annual report will come to Cabinet outlining progress towards net zero.

### **Community impact statement**

60. While everyone is affected by climate change, the extent of that impact is

not equal. As set out in the strategy, climate change has the biggest impact on those who are poorer or have underlying health conditions. Black, Asian and Minority Ethnic residents are disproportionately affected. Social justice is central to this strategy including maximising the co-benefits of action and ensuring that climate change policy reduces inequality and promotes fairness. Recognising the inequality in the climate emergency, we are aiming to engage with the broadest section of the borough so that those who are most affected are able to share their views about the solutions.

61. The council is committed to exploring all available opportunities for the borough to be carbon neutral by 2030. The citizens' jury which we are establishing will be made up of a representative selection of residents in the borough. They will tackle some of the difficult issues in the strategy and action plan to ensure that any proposals are fair and consider the impact on the wider community.
62. The strategy reaffirms our commitment to engagement, empowerment and education, and working with all our residents is essential to the strategy's success. As set out in the strategy, we will particularly focus on groups who are traditionally under represented and ensure that our work reflects the aspirations and concerns of our residents.
63. The council is committed to the values of a fairer future for all, and as detailed in this report is also committed to narrowing social inequality and injustice. This will shape both engagement and subsequent policies.
64. As set out under the Equality Act 2010 and the Public Sector Equality duty (PSED) an equalities impact assessment has been carried out. Overall, the strategy if implemented should reduce inequality and have a positive impact on groups which are protected under the Act.
65. The equalities impact assessment has identified some mitigating actions that are required. These will be taken to address any potential adverse impact on people with protected characteristics.

### **Resource implications**

66. The council has commissioned analysis of the costs of delivering the policies required to be carbon neutral. This work estimates a capital cost of at least £3.92bn. The council does not have the resources to meet this and will require substantial government investment to deliver the ambition. As almost all councils in London have also declared a climate emergency and are pursuing similar approaches to Southwark, there is also a real challenge that even with the money, there would be shortage of the skills and resources available to deliver the changes required.
67. We recognise that the council does not currently have the resource to deliver its climate ambition, however, there is much that can be done now, and a strong case for us and other councils to make to government for the

necessary investment.

68. The council will need to review policies to ensure that they are aligned to the climate emergency strategy and will consider resource implications in each case. In many of these cases, there may not be additional resource required, but using our existing resources differently could achieve a lower carbon outcome.

### **Financial implications**

69. In February 2020, Cabinet approved a Climate Change Emergency reserve to fund the initial work to deliver the Climate Change Strategy. This has funded the work to develop the strategy and action plan and has included staff time, specialist consultancy work to do technical assessments of the borough's carbon emissions and emissions pathways to net zero, development of actions within this plan, public engagement and consultation work, services to make our carbon data accessible, and will fund the work of the citizens' jury. It is envisaged that at the end of this financial year ongoing revenue funding requirement will be incorporated into the budget setting process.
70. As part of the council's budget process, officers will consider the climate impact of spending decisions and ensure that strategic consideration is given to how the council's resources can be put to best use to achieve the council's service aims and its carbon reduction ambitions.
71. The council has highlighted around £101m of capital expenditure that has been allocated in areas related to climate change which was announced alongside the 2021/22 Policy and Resources Strategy. This money will build on existing work and deliver many of the priorities in this strategy. For example £800,000 for cycle hangers, £5.2m for tree planting and £3m for the cycle super highway project. In addition the council is spending over £13m over four years on works to our parks and over £2m on investing in carbon reduction.
72. In February 2021, the council announced £25m of capital investment for further work on climate change. Once this strategy and action plan is approved, officers will identify capital programmes which will be funded from this additional investment. These will be subject to the usual business cases and will fund the council's commitment to reduce the carbon emissions of its own infrastructure such as its operational estate, vehicles, heat and lighting.
73. Much of the immediate work in this strategy can be delivered within existing budgets or through the additional capital resource that has been identified. The council will bring forward further budget proposals for the 2022/23 budget to fund the delivery of other commitments in this plan. The council will also identify areas which are beyond the scope of council resources and bring forward proposals to identify external funding or calls on government for funding.



## **Legal implications**

74. There are no significant legal implications arising from the recommendations in this report.

## **Consultation**

75. The council has undertaken comprehensive public engagement, consultation and considered feedback from a variety of sources as set out in paragraph's 15-34.
76. The climate change strategy and action plan require our residents to be engaged with the process and the changes that are needed. The council will therefore develop a communications and engagement plan to implement the strategy and action plan. This will ensure that we are maintaining an open dialogue with our residents about climate change and what that means for the borough.
77. The council is currently setting up a citizens' jury. This jury will consider the council's strategy and action plan and also discuss a range of challenges related to climate change. They will make a series of recommendations to the council to enable us to review and if necessary amend our approach to ensure we are delivering on our ambitions. A successful partner to set up the jury has been selected following a tender process and work has begun on the process.
78. The jury will be selected to reflect the diversity and makeup of the borough. The jury will come together over a number of sessions, have access to experts and have the time they need to consider the issues around climate change and make recommendations to the council.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

79. There are no significant legal implications arising from the recommendations in this report, but the Director of Law & Governance and her staff will provide advice to officers on any legal and governance issues arising during the continuing development of the strategy.
80. The council has the statutory authority to produce this policy in accordance with the powers of general competence in section 1 of the Localism Act 2011.
81. The cabinet needs to apply the public sector equality duty in section 149 Equality Act 2010 in approving this policy i.e. to have due regard to the need to eliminate discrimination, advance equality of opportunity, and to foster good relations between people with protected characteristics and others. The report recognises the potentially disproportionate impact of climate

change on those with protected characteristics and particularly refers to this in the community impact section above. The strategy itself refers to the need to ensure there is ongoing engagement with groups representing these protected characteristics. An equalities impact analysis has also been produced and should be considered by the cabinet in making this decision.

82. The development of a climate strategy is an executive function of the council which can be considered by the cabinet in accordance with the Local Government Act 2000 and Part 3B of the council's Constitution.
83. The report describes the extensive consultation that has taken place in producing this strategy. It also indicated how the strategy has been changed and developed in the light of the responses received from this process. The cabinet will need to conscientiously take into account the results of the consultation as described in the report when making its decision on this strategy.

### **Strategic Director of Finance and Governance (EL21/013)**

84. The strategic director of finance and governance notes the recommendation to the Cabinet to agree the council's climate strategy "Working Together for a Carbon Neutral Southwark". Full details are contained within the main body of the report.
85. The strategic director of finance and governance notes the analysis of the significant costs of delivering the policies required to be carbon neutral. As with other councils, it is anticipated that Southwark will require substantial government investment to deliver the ambition.
86. The strategic director of finance and governance also notes the £2m Climate Change Emergency reserve and also the £25m capital budget allocation to fund the various initiatives to deliver the Climate Change Strategy.
87. Work connected with this report will be contained within this funding and will be subject to formal reports. Any other funding requirement for future years will be incorporated into the council's budget setting process.

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Climate Change Strategy and Action Plan
Appendix B	Technical Appendix
Appendix C	Consultation and Engagement Summary
Appendix D	Equality Impact Assessment

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Helen Dennis, Cabinet Member for Climate Emergency and Sustainable Planning	
<b>Lead Officer</b>	Caroline Bruce, Strategic Director for Environment and Leisure	
<b>Report Author</b>	Chris Page, Climate Change Director	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		30 June 2021

<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Southwark Stands Together Annual report	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Alice MacDonald, Equalities, Neighbourhoods and Leisure	

**FOREWORD – COUNCILLOR ALICE MACDONALD, CABINET MEMBER FOR EQUALITIES, NEIGHBOURHOODS AND LEISURE**

We have lived through one of the most extraordinary and painful times in recent history. Our borough, like the rest of the world, has experienced unprecedented challenges. However, although we have all experienced COVID-19 we have not experienced it equally. The disproportionate number of Black, Asian and minority people dying spoke loudly about the impact of the health inequalities they have been experiencing for years.

Then, in the midst of the COVID-19 pandemic, the horrific murder of George Floyd and the subsequent global protests brought into sharp focus the inequalities, racism and discrimination that still exist. In response, under the banner of Southwark Stands Together, we united, as a borough, to face head on structural inequalities and to resolve to bring about positive change to address them. This began with an in depth listening exercises with our communities. From June- August 2020, over 1,500 people took part, identifying areas for action.

One year on, this report sets out progress to date against the key themes identified; employment and business, education, health, culture, communities, relationships with the police, the public realm and our workforce. It sets out what action has been taken from agreeing anti – racist pledges, which we have embedded into all our work, establishing a new Youth Independent advisory group to improve relationships with the police, to reviewing our grants and taking action to make our council workforce more representative. This has been underpinned by £300,000 of additional investment.

We know there is still a huge amount to do, so this report sets out the path forward, identifying lessons and, combined with our newly agreed equality framework, next steps action. It reaffirms our commitment to put equality, justice and standing against all forms of discrimination and racism at the centre of how the council will work to become an anti-racist organization, working with our communities to co-produce and implement solutions.

This has been a year of listening, learning, engaging and healing that must and will continue, alongside renewed action to address the key challenges facing our Black, Asian and minority ethnic communities.

I want to thank everyone who has given their time, energy and commitment to Southwark Stands Together - the voluntary and community organisations, the faith groups, council staff and councilors, activists, schools, businesses and every single resident.

We know change does not happen overnight – that we will not eradicate racism and discrimination in a flash. We know this will take each one of us to play our part and to work together. But together we can do it. We have a proud history of tackling inequalities in Southwark from the work of Ada Salter and Harold Moody to the activists of today fighting for justice and equality and we will continue to stand together.

As the report acknowledges, every journey begins with a first step and we hope this annual report, will reflect on our progress so far and will give us the confidence to keep on walking towards a better, fairer and more just future for all in our community.

## **RECOMMENDATIONS**

That Cabinet:

1. Notes the Southwark Stands Together (SST) annual report (Appendix 1).
2. Reaffirms its commitment to SST programme delivery and asks that Chief Officer Team, as the senior steering group for the programme, review activity and next steps to ensure the progress made in the last year is sustained and accelerated.
3. Agrees that learning from SST informs the work underway as part of the Southwark equality framework (paper elsewhere on the agenda).
4. Agrees to develop a plan for regular reporting to the community on the work to tackle inequalities through the equalities framework, including annual reporting to Cabinet on SST programme delivery.

## **PURPOSE & SUMMARY**

5. The purpose of this report (Appendix 1) is to provide an annual summary of progress of the SST programme. SST was set up in July 2020 in the midst of the first wave of the COVID-19 pandemic and in response to the murder of George Floyd in Minneapolis and the Black Lives Matter movement. SST is our local call to unity, support and action. It is about how we take positive action as a council to work with Southwark's communities and the council's staff to tackle racism, injustice and inequality.

6. The annual report sets out the overall context in which we have been working with staff and those in our community over the last 12 months. It particularly focuses on engagement, healing and reconciliation, language, communications and the use of data and lived experience to inform our work. The annual report is titled “healing and reconciliation” to properly describe the hurt and pain that many in our borough have felt and expressed to us over the last many months. It also describes the hope that all in our community share for a better, more just and equal future.
7. COVID-19 and the murder of George Floyd represents a unique and painful moment in world history. At that time, we saw barriers broken down across communities in the borough, people reaching out and checking on each other and many repeated acts of kindness. The annual report reminds us of the key pledges to becoming anti-racist that the council and businesses, organisations, groups and residents have signed up to and acted upon.
8. Progress and achievements are captured across the eight ‘workstreams’ (or themes) that were agreed by Cabinet in October 2020, in direct response to the listening exercise undertaken with the community. Taken together these support the commitments that were embedded into the refreshed borough plan, itself agreed in November 2020. Good practice examples of change that capture the values of SST are set out alongside learning and planned next steps.
9. At its core, SST is about borough wide renewal and change. In agreeing this report Cabinet is reaffirming its commitment to putting equality, justice and standing against all forms of discrimination and racism at the centre of how the council will work to become an anti-racist organisation. Moreover, it is about how we work together and engage with the community to bring about real and lasting positive change, eliminating barriers where these exist and creating a borough that puts equality at the heart of all we do.

### **Headline findings – a year of listening, learning, engaging and healing**

10. The SST annual report (Appendix 1) sets out fuller details of progress and learning to date with planned next steps. Some of the key highlights aligned to borough plan commitments are summarised below.

<b>Topline Borough commitment</b>	<b>SST Plan</b>	<b>Progress and what’s coming next</b>
Strengthen our approach to equalities, embedding it further in everything we do as a Council.	our approach to	We refreshed the borough plan with two new values: - to always work to make Southwark more equal and just; - to stand against all forms of discrimination and racism

<b>Topline Borough commitment</b>	<b>SST Plan</b>	<b>Progress and what's coming next</b>
		<p>We recorded, and evaluated the cumulative impact of our whole budget changes across each of the protected characteristics.</p> <p>We put in place an advisory panel of councillors to produce the cumulative budget equalities impact report; the learning from this will inform the way we will report in future years.</p> <p>We have developed a new equalities framework entitled “a fairer, more equal Southwark” putting equalities at the heart of everything we do. The Framework is based on the Council’s commitments to the Public Sector Equality Duty (including the Socio-Economic Duty) and Equality Act 2010. It builds on the Local Government Association’s Equality Framework for Local Government. A supporting action plan will ensure our work across the Council is targeting effort where improvement is most needed to tackle inequalities within and between communities (paper elsewhere on the agenda).</p> <p>We have supported our local businesses by awarding £16.2m through discretionary grant schemes. Of those that declared their ethnic background, almost 48% identified as minority ethnic businesses.</p> <p>We have developed a Health Ambassadors programme, a partnership between Community Southwark and Healthwatch Southwark, with community leaders building community spirit and promoting health awareness. Over two thirds of our community leaders are from Black, Asian and minority ethnic backgrounds.</p> <p>We will learn from the pandemic to strengthen the involvement of health and care partners in how we design, commission and deliver services, to better understand how these contribute to inequalities facing Black, Asian and minority ethnic communities and develop solutions with health partners and engage with our communities.</p>

<b>Topline Borough commitment</b>	<b>SST Plan</b>	<b>Progress and what's coming next</b>
Ensure the top of the council's workforce is proportionately representative of Southwark's Black, Asian and Minority Ethnic population by 2030.		<p>We have increased the number of Black, Asian and ethnic minority colleagues at the senior management level from 22% to 26% since 1 April 2020 despite the challenges of the pandemic.</p> <p>We are reviewing our recruitment practices.</p> <p>We have stopped using the term 'BAME' in our workforce.</p> <p>We are on track to deliver 100 internships to local people in the Council, with 82% identifying as Black, Asian and minority ethnic.</p>
Work with partners to increase representation of Black, Asian and minority ethnic communities on Southwark boards and in other community leadership positions.		<p>We will launch a new programme of training, peer learning and support later in 2021 to help the boards of the borough's arts organisations become increasingly diverse.</p> <p>We expect that by the end of March 2022, some 15 new board members will be in position and will have a say over how Southwark arts organisations are run.</p>
Celebrate and promote the rich diversity of the borough and support Black, Asian and minority ethnic artists to create and showcase new work, including drawing up plans with the community for a Black cultural centre.		<p>We will launch a new creative research, development &amp; showcasing support scheme for Black and culturally diverse artists, which will be launched later in 2022. This will make sure that artists who receive funding to make work also have opportunities to showcase their work in art gallery exhibitions, theatre stages, or be featured in festivals.</p> <p>We have developed a new programme of funding for artists to launch later this year. It will offer funding to artists from Black, Asian and minority ethnic communities that could be used to buy materials, hire rehearsal space or to pay themselves and other artists they collaborate with for their time developing new products.</p> <p>We will be consulting on a Black Cultural Centre in the second half of 2021 to celebrate the contribution of the Black community to Southwark.</p> <p>Cabinet will receive proposals for the Black Cultural Centre by the end of the year.</p>



<b>Topline Borough commitment</b>	<b>SST Plan</b>	<b>Progress and what's coming next</b>
<p>Work with the police and our Black, Asian and minority ethnic communities to strengthen trust in policing.</p>	<p>We are enhancing scrutiny of police stop and search arrangements through Police Encounter Panels, a new engagement approach by the Metropolitan Police piloted in Southwark. The panel will be co-chaired by the Borough Commander and a Community Leader with membership including young people, meaning those with lived experience inform changes and improve future experiences of stop and search.</p> <p>We have delivered cultural awareness training through voluntary sector providers to new and existing police recruits starting work in Southwark.</p> <p>We have established a Youth Independent Advisory Group (YIAG) with over 25 members (aged 14 and above), some of whom have experience of the criminal justice system and / or have been victims of crime. The YIAG have held events with Metropolitan Police Officers to tackle issues such as 'stop and search' and the effect it has on young people across Southwark and London.</p>	
<p>Increase the quality and effectiveness of the council's engagement with Black, Asian and minority ethnic communities.</p>	<p>We have begun work to engage with the community to open up access to community spaces to a wider range of organisations and to ensure more assets are community-led. We are also working with experts in the field of consultation and partners in Community Southwark to develop proposals with the community to explore, design and test ideas and solutions for future delivery.</p>	
<p>Review the council's grant to make sure they develop best value for communities and remove barriers to equal access to funding, particularly for Black, Asian and minority ethnic groups.</p>	<p>We have commissioned an external organisation Equinox a Black led organisation to carry out the review and appointed a project board to oversee the work; the review findings will be completed by autumn 2021.</p>	

## **BACKGROUND INFORMATION**

### **Southwark Stands Together, our commitment to tackle racial inequalities**

11. Southwark Council promotes the basic rights of all people to equality and justice. Southwark Stands Together is therefore our local call to unity, support and action. It is a long term programme of positive action for the council to work in solidarity with Southwark's communities and the council's staff to tackle racism, injustice and inequality.
12. Following the call to action in June 2020 some 1,500 people directly participated in a summer listening exercise whose purpose was to identify issues of concern of racism and discrimination locally, listen to people from Black, Asian and minority ethnic communities about their experience and learn from our residents and council colleagues about how the council can become an anti-racist organisation. All undertaken in the middle of a global pandemic with the resultant (and continuing) impact on our community, council services and staff.
13. A comprehensive report followed to Cabinet on 8 September setting out what the community had told us of their experience of racism, racial inequalities and injustice. It proposed the things we can do together to build on positive action to date and to bring about change, through a number of emerging recommendations, grouped together by work streams.
14. Following the election of a new Leader and Cabinet, a further report to Cabinet on 20 October reaffirmed the council's commitment to SST agreeing priority recommendations for action from those that arose through the listening exercise. These were embedded as topline commitments into the refreshed borough plan in November 2020.
15. In February 2021, as part of the council's budget setting process, a £300,000 one off commitment was agreed to invest in activity to promote the priority recommendations of SST. Further details are set out in the 'resource implications' section of this report and annual report (Appendix 1).

## **KEY ISSUES FOR CONSIDERATION**

16. The annual report sets out progress and achievement of the SST over the last year, including good practice and learning from the programme and next steps planning.
17. In noting the annual report (Appendix 1), Cabinet is asked to consider this in tandem with the Southwark equality framework (elsewhere on the agenda), using it as an opportunity to assess progress against borough plan commitments and SST priority recommendations. In doing so, a

review of overall equalities and inclusion activity and its ongoing impact on the community may be appropriate to ensure resources, priorities and activities continue to be targeted to greatest need. This should incorporate the learning from listening events and activity with the community and staff colleagues to inform next steps planning.

18. The annual report (Appendix 1) sets out the listening and learning that we have undertaken over the past year to inform how we remodel how we engage with communities and improve our approach in reporting back on progress on our work to tackle and address inequalities. Following agreement of this report, alongside the equality framework (elsewhere on the agenda), officers will take forward next steps to develop a plan for regular reporting to the community on work to tackle inequalities. This includes building on good practice underway such as progress in collecting more lived experience examples across the council, for example through the health theme where we have reached out through our Community Health Ambassadors. Our 'Breaking The Glass Ceiling' project will also hear and learn more about the lived experience of our community in Peckham Square.
19. The equality framework commits us to annual reporting on progress to the community and we will deliver an annual conference with the community, where we will report back on delivery, showcase success and challenge ourselves and each other on where we need to go further together in delivering our commitments. As we take the SST programme and equality framework forward, we will invite the Consultation Institute to consider regular review of our community consultation and engagement processes. This will involve ensuring both a consistent and effective approach to Equality Impact Needs Analysis and opportunities to share new developments or thinking about how equality and inequality should be addressed.
20. We will work with the community to better communicate key messaging on the need for peer research, the role of lived experience practitioners and opportunities to get involved in civic life. We will put in place a commitment and campaign on the collection of lived experience through improved language and compassionate communication. We will ensure documents and materials are more accessible for blind people and people with hearing challenges. These are some of the key next steps on engagement and reporting set out in the annual report.

### **Governance, monitoring and review**

21. Following the annual general meeting of the council, cabinet portfolios were updated. As a cross-council priority programme at the heart of how the borough renews its relationships with our communities, overall strategic and political responsibility for Southwark Stands Together rests with the Cabinet Member for Equalities, Neighbourhoods and Leisure.
22. Topline borough plan measures and milestones associated with strategic

delivery of activity through Southwark Stands Together sits with the Cabinet Member for Equalities, Neighbourhoods and Leisure. Other Cabinet portfolio holders hold political responsibility for specific work streams and plans being delivered that support those topline commitments and SST priority recommendations (agreed by Cabinet in October 2020) that are relevant to their portfolio responsibilities. Performance planning and monitoring are incorporated into the council's overall performance framework, at the highest level through the Council Plan, tracked quarterly and reported at least annually (as per this report and in the separate Council annual performance report).

23. At the officer level, overall strategic responsibility for Southwark Stands Together Programme sits with the Chief Officer Team as the council's most senior level steering group for delivery of the programme. In summer 2020 Chief Officer Team created a time limited (one year) equality, diversity and inclusion programme lead officer to put together, amplify and oversee the SST programme and co-ordinate the delivery of actions and engagement activity reporting to the Director of Strategy and Economy.
24. In addition, individual Directors drawn from across the Council's departments have leadership responsibility for specific SST workstreams (as relevant to their service responsibilities) with officer leads reporting into those Director leads. To oversee programme delivery a programme strategy board, chaired by the Director of Strategy and Economy, is in place. In addition a SST workstream leads group in place to report on workstream activities and share and learn from good practice in delivery across departments; input from the community and lived experience practitioners is incorporated into governance.

### **Governance, next steps**

25. Going forward programme responsibility will continue to be led by the Cabinet Member for Equalities, Neighbourhoods and Leisure. The Director of Strategy and Economy will maintain strategic oversight of officer governance and the programme, reporting up to the Chief Officer Team as the senior level steering group. This is to ensure that an effective network is in place to support officer learning and development as well as to ensure responsibility and accountability for programme outcomes. Following agreement of the annual report Chief Officer Team will strategically review planned next steps, ensuring that learning from SST is embedded into the governance and delivery of the Southwark Equality Framework.
26. As set out in the SST annual report (Appendix 1), next steps on the council workforce workstream include Strategic Directors and Directors producing and delivering departmental action plans to embed positive action throughout service delivery. In addition senior leaders and managers have also committed to a development programme to continue to re-educate themselves to ensure that equality, diversity and inclusion is

embedded in all our practices as a business critical issue.

### Policy implications

27. Previous reports on the SST programme presented to 8 September and 20 October 2020 Cabinet included the broader policy context in which the Council is delivering Southwark Stands Together. Further policy context is set out in the annual report (Appendix 1). At the most strategic level, SST is core to the delivery of the borough plan and the council's values to make Southwark more equal and just and to stand against all forms of discrimination and racism. The activities set out in the annual report demonstrate delivery against the SST programme, which at its heart is about tackling racism, injustice and inequality.

### Resource implications

28. Southwark Stands Together is a programme of work, positive action, education and initiatives for the council to work in solidarity with Southwark's communities and the council's staff to tackle racism, injustice and inequality. This report sets out an update on progress on Southwark Stands Together. There are no financial implications arising directly from this report in of itself.
29. In February 2021, as part of the council's budget setting process, £300,000 one off commitment was agreed to invest in activity to promote the priority recommendations of SST. Drawing on this funding, a number of key activities and projects are being progressed as agreed by the relevant sponsoring Chief Officer and lead Director:

<i>Project</i>	<i>Planned activity</i>	<i>Borough Plan commitment and/ or SST workstream</i>	<i>Lead department</i>
<b>Black on Board</b>	This project will encourage the diversification of boards in the borough, especially in arts organisations. This will include putting in place a pilot to run board diversification in the arts sector.	Work with partners to increase representation of Black, Asian and minority ethnic communities on Southwark boards / Culture workstream.	Environment & Leisure
<b>Showcasing New Creative</b>	This project will be addressing cycles of	Celebrate and promote	Environment & Leisure

<i>Project</i>	<i>Planned activity</i>	<i>Borough Plan commitment and/ or SST workstream</i>	<i>Lead department</i>
<b>Product</b>	privilege, increasing the representation of diverse artists and highlighting the importance of culture in equality and diversity locally.	the rich diversity of the borough and support Black, Asian and minority ethnic artists to create and showcase new work / Culture workstream.	
<b>Reviewing and Reinventing the Public Realm</b>	This project will consider public art, naming and built environment policies making sure that policies are more diverse and reflective of communities and improving engagement in the borough.	Strengthen our approach to equalities, embedding it further in everything we do as a Council / Public Realm workstream.	Environment & Lesiure / Chief Executive's
<b>Continuous Professional Development &amp; Training in schools</b>	This project will help to support training and development for those staff working in schools helping to ensure Black, Asian and minority ethnic staff have better access to opportunities to rise to the top and supporting all staff to have a greater understanding of the diverse cultures and communities that they work with.	Education workstream	Children's & Adults Services
<b>Southwark Standard</b>	This project will create capacity to support school staff to access resources and champion an anti-racist approach, including through development of a business support offer.	Education workstream	Children's & Adults Services
<b>Commissioning Service Review Toolkit</b>	This project will explore a toolkit and training package across the entire health and social care system; working	Health workstream	Environment & Leisure

<i>Project</i>	<i>Planned activity</i>	<i>Borough Plan commitment and/ or SST workstream</i>	<i>Lead department</i>
	with expert organisations with links to local communities in the borough, engaging with key groups in the borough and supporting the development process to make sure health and care services are more accessible.		

30. Further investment is planned as we progress SST programme delivery in the year ahead. This includes exploring and developing a council approach on support for volunteers, lived experience practitioners and peer researchers to support our work in tackling inequalities. We will also offer a development opportunity for a young employee from a Black, Asian and minority ethnic background based in planning/regeneration that will work with subject matter experts in tackling racial inequalities in our community consultations and engagement.
31. Other costs, beyond those set out above, of the programme to date have been contained within existing budgets. Any financial commitments arising from planned next steps will be considered through, and incorporated into, the council's budget setting process.

### **Consultation**

32. In June 2020, cabinet set out Southwark Stands Together as a programme of work to respond to the inequalities exposed by COVID-19 and other recent events, and articulated by the Black Lives Matter protests making clear that there needed to be tangible outcomes to report to Cabinet in September. The immediate goal was to deliver a listening exercise with communities across the borough, and our staff, to hear their concerns, and identify solutions to address entrenched and persistent racism and injustice.
33. The methodology for consultation and engagement work to deliver SST has been built around a five step process. Step 1, finding out and exploring what needs to change, the listening events in summer 2020 were a fundamental part of the process to achieve this. At least 1,500 different individuals took part in this first phase of the listening exercise. This was across a Southwark Stands Together survey involving 1268 participants, four open listening events, 11 roundtable events, three young people's events and two outreach sessions.

34. Over the last year we have progressed through the remaining steps of our approach to engagement. Step 2, was early development of the solutions. Step 3, solution exploration – is a deliberative stage based on facilitated discussion with stakeholders in the community and council to understand what good would look like and how best to achieve that. Step 4, continued collaboration to further inform action planning. Step 5, evaluation and review, evidencing early success and embedding a long term sustained approach to engagement. The annual report (Appendix 1) is a key product in this process where further details on consultation and engagement are set out.
35. This five step approach is critical to building confidence among our Black, Asian and minority ethnic communities and ensuring that we give our community and colleagues the chance for healing and reconciliation more widely. The goal is to make sure that everyone who has taken part and got involved in SST so far can know what we are going to do and have done because of the listening events. This includes knowing how our decisions relate to what they have shared and told us; knowing what we are prioritising and why; and understanding the ongoing opportunities to shape what happens next.

### **Community impact statement**

36. As reported to Cabinet on the 8 September and 20 October 2020, there are three main pieces of primary research that have been used to develop the Southwark Stands Together programme to date. These are the Southwark Stands Together survey and listening exercises and the COVID-19-19 Impact Survey. 70% of those from an ethnic minority in Southwark have experienced racial discrimination in the last 12 months and the impact of day to day experiences will have a mental and physical effect. The evidence shows that discrimination is linked with mental health and poorer health conditions; this combined with other forms of inequality are worsened by housing conditions and socio-economic deprivation.
37. All of the policy reports referred to in this and previous SST reports to cabinet highlight exacerbated and common health issues and impacts from racism, school exclusion and years of experiencing inequality as well as the impact of COVID-19-19. Further research continues in these areas as planned next steps, with details set out in the annual report (Appendix 1).

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Governance**

38. The Localism Act 2011 gives councils a general power of competence whereby they have power to do anything that individuals generally may do which includes establishing and continuing this programme. The ongoing development of the programme is an executive function and as a strategic



policy is delegated to the cabinet to consider in accordance with the council's constitution.

39. In considering this report, section 149 Equality Act 2010 requires that the decision maker must have due regard to the need to eliminate discrimination and other prohibited conduct and advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not. The ongoing development of this programme in itself demonstrates the Council's commitment to meet this duty across the totality of its operations and functions in relation to race as a protected characteristic. The overall duty also needs to be considered as the programme develops, and its effect on the whole range of protected characteristics.
40. Reference is made in the report to extensive consultation that has taken place. Cabinet is required to conscientiously take into account the results of this consultation in considering this report.

### **Strategic Director of Finance and Governance**

41. The strategic director of finance and governance notes the progress and achievements of Southwark Stands Together. There are no immediate financial implications arising directly from the recommendations within this report. As set out at paragraphs 28 and 29, programme costs and activities will be contained within existing approved resources. Any financial commitments arising from planned next steps will be considered through the council's budget setting process.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
None		

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Healing & Reconciliation, Southwark Stands Together – annual report

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Alice MacDonald, Equalities, Neighbourhoods and Leisure	
<b>Lead Officer</b>	Stephen Gaskell, Director of Strategy and Economy	
<b>Report Author</b>	Jas Baddhan, Equality, Diversity and Inclusion Programme Lead Stephen Gaskell, Director of Strategy and Economy	
<b>Version</b>	Final	
<b>Dated</b>	1 July 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	1 July 2021	

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		The Southwark Equality Framework	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Alice Macdonald, Equalities, Neighbourhoods and Leisure	

### **FOREWORD – COUNCILLOR ALICE MACDONALD, CABINET MEMBER FOR EQUALITIES, NEIGHBOURHOODS AND LEISURE**

Southwark is an incredibly diverse and vibrant borough. Our strength comes from this diversity and we are extremely proud of the benefits this brings across to all aspects of life from our economy to our communities.

However, we know that inequality is far too prevalent in our borough – that not everyone has the same opportunity in life and discrimination is still too high. For example, it's estimated that 40% of children are living in poverty and there is a greater than average amount of income deprivation with the average neighbourhood 50% more income deprived than an average neighbourhood in London.

COVID-19 is having a significant impact on our communities. The immediate and longer-term impacts will not be felt equally and are likely to exacerbate existing health, social and economic inequalities.

The murder of George Floyd threw into stark relief the racism and discrimination that still exists including right here in Southwark. In response we launched Southwark Stands Together - a long term programme of positive action developed with our communities to tackle racism and achieve equality. This work will continue to be a huge priority for us and this Framework will help strengthen the implementation of it.

As we look tentatively to a recovery from Covid we will ensure that tackling inequality is at the heart of everything we do. We have to do things differently – being explicit about what kinds of inequalities we are focussed on tackling, building on the way communities came together to help each other, the rapid rallying of efforts to tackle some of the biggest scandals of our time like homelessness, racism and violence against women and girls and maintain a focus on ensuring no one is left behind and all voices are heard. As we move into an uncertain future we must all redouble our efforts.

This Framework and accompanying action plan are a key part of that picture.

Equalities is everyone's business- this framework must be owned and lived by everyone in the council and can only be delivered together. The framework:

- **Sets out clearly eight equalities objectives**, which demonstrate specific areas where we are tackling inequality and promoting equality which will enable our communities to hold us better to account.
- **Strengthens our equality governance** to enable effective leadership and organisational wide sharing of good practice and consistency. This includes the establishment of a new equalities advisory group, an internal senior level officer-working group and a commitment to strengthening external networks.
- **Reaffirms our commitment** to put communities at the heart of all our decision making ensuring that equality analysis is informing all of our work and that the voices of everyone including the most vulnerable and marginalised are heard.
- **Sets out a clear pathway** to enable us to strengthen our data, evidence and research on inequalities and the needs of our communities so we are making the best decisions with the best information and delivering appropriate and relevant services able to meet the diverse needs of local communities.
- **Develops a more robust process for equality impact and needs analysis**, equality proofing procurement and commissioning to find out about and respond to the needs of diverse service users so our services work for our communities. This will include undertaking a full 360 equality audit which will be scrutinised by elected members, staff and community/voluntary sector stakeholders.

As a council, we will strive to be a model of best practice including ensuring our workforce is representative of our community. But we cannot and do not want to do this alone - we will continue to work with our partners across the voluntary and community sector, businesses, key institutions in our borough and our communities to promote equality. Thank you to everyone who helped to shape this framework and I look forward to working with everyone across our borough to address inequality, promote equality and deliver a fairer future for everyone in Southwark.

## RECOMMENDATIONS

That Cabinet:

1. Agrees the Southwark Equality Framework.
2. Agrees to regular reporting to the community on work to tackle inequalities and promote equality more broadly through the Southwark Equality Framework, including reporting back to Cabinet on progress in late 2021.

3. Notes the intent in the Framework and action plan to undertake a more detailed analysis of inequality in Southwark, develop a clear definition of inequality and identify what our cross council priorities are for closing the gaps it identifies for particular communities across the breadth of council services.
4. Notes that learning from Southwark Stands Together (elsewhere on the agenda) informs the work underway as part of the Southwark equality framework.

## **BACKGROUND INFORMATION**

5. Southwark Council has a long history of equality, diversity, social inclusion, community cohesion and community engagement work with communities of interest since the 1990s. The council reviewed the Equality, Diversity and Cohesion policy in 1999, and further developed its approach in 2003.
6. Over many years the council has prioritised tackling inequalities and promoting equality within all of its policies and in 2010 became a beacon authority for Community Cohesion.
7. From 2002 to 2008, the council developed successive Equality and Human Rights Schemes with related Corporate Equality Action Plans. A Southwark Approach to Equality was produced in 2011. The Approach was revised in 2014. The Approach replaced the Equality Schemes and prioritised a mainstreaming approach to equalities and inclusion work across the authority. This new framework replaces the existing Approach to Equality.
8. The overview and scrutiny committee delegated the matter of Equalities to the education and local economy scrutiny commission for the 2020/21 municipal year. The education and local economy scrutiny commission interviewed the cabinet member for communities, equalities and neighbourhoods at its meeting on the 22 February 2021 in respect of equalities issues and sought an overview from the cabinet member on the main council equalities initiatives, plans for better understanding racial disparities in the Council and beyond and how the council is addressing the many equalities related issues arising due to the Covid-19 pandemic.
9. At the subsequent meeting of the commission, the education and local economy scrutiny commission drafted recommendations arising from the information and responses provided by the cabinet member as follows:
  - The Commission supports the Council's intention to consolidate all equalities data and recommends that it is ultimately provided to the public in an accessible fashion (i.e. as open data).
  - The Commission supports the Council's intention to conduct a benchmarking exercise comparing the Council's proposed equalities framework model to that of other boroughs.

- The Commission recommends the draft equalities framework is submitted to the Education and Local Economy Commission for comment once it is substantially drafted.
- The Commission supports the Council's intention to conduct an equalities audit once the equalities framework is complete and recommends that the Council develops a transparent mechanism for assessing progress annually for performance across the equalities framework, which incorporates clear metrics.
- Building on existing work as part of the Southwark Stands Together initiative, the Commission recommends the Council requires departments to look at data currently held on stakeholder groups and interested parties that are regularly consulted with – including but not limited to statutory consultees –as part of an “Equal Voices” audit. Where there are gaps in representation, across all the protected characteristics, this should be recorded and a plan developed to increase participation. Particular attention should be paid to Black, Asian and minority ethnic participation, along with disability status, sex and age.
- These recommendations have informed the development of the Southwark Equality Framework.

## **KEY ISSUES FOR CONSIDERATION**

10. The Southwark Stands Together (SST) annual report elsewhere on the meeting agenda sets out progress and achievement of the SST over the last year, including good practice and learning from the programme to inform next steps planning on addressing inequalities and promoting equality through the Southwark Equality Framework.
11. In agreeing this report, Cabinet is asked to consider this report on the council's strategic approach to promoting equality, inclusion and valuing diversity in tandem with the SST annual report. In doing so, a review of overall equalities and inclusion activity and its ongoing impact on the community may be appropriate to ensure resources, priorities and activities continue to be targeted to greatest need. This should incorporate the learning from engagement with communities and our staff to date to inform next steps planning.
12. The Southwark Equality Framework explains how the council is putting equality at the heart of everything we do. It sets out what the legislation expects of us and what the council is committed to doing to mainstream our equality, diversity and inclusion work and make it part of our day to day business. The Framework demonstrates how equality legislation and Council equality, diversity and inclusion commitments are central to all that we do as a Council.
13. The Framework sets out our ambitions for residents and staff,

provides a description of how the council meets its obligations to equality and finally sets out an action plan of continual improvement; what we will do to strengthen the approach we take to embedding equality in everything the council does.

14. The Framework builds on our values as a council that are set out in the borough plan. The borough plan commits us to making Southwark more just and fair, and taking positive action to tackle the inequalities which still affect too many people. It includes a specific commitment to strengthening our current approach to equalities, embedding it further in everything we do as a council.
15. The Southwark Equality Framework replaces our Approach to Equality, which was first agreed in 2011. It builds on the Local Government Association's Equality Framework for Local Government, which brought together good equalities practice from across the sector into a set of key indicators for improving practice. These have been adapted to the six key areas of focus for the Southwark Equality Framework. These are:
  - Leading Equalities – Demonstrating Leadership and Organisational Commitment.
  - Knowing Our Communities – Community Engagement, Data and Lived Experience.
  - Working with You - Neighbourhoods, Place Shaping and Partnerships.
  - Working for You - Responsive, Accessible and Inclusive Services.
  - Our Responsibilities – A Skilled, Representative and Valued workforce.
  - Equalities in Commissioning and Procurement.
16. The Southwark Equality Framework is informed by and builds on:
  - The Council's commitments to the Public Sector Equality Duty (including the Socio-Economic Duty) and Equality Act 2010.
  - The borough plan commitment to making Southwark fairer and more equal.
  - The Local Government Association's Equality Framework for Local Government approach adapted to the Southwark context.
17. The Framework is about targeting effort where improvement is most needed to tackle inequalities within and between communities. It is also crucially about promoting equality, good community relations, tackling barriers to equal access and preventing and addressing all forms of discrimination, including systemic and institutional discrimination.
18. The Framework:
  - Sets out 8 equality objectives consistent with our borough plan objectives that demonstrate specific areas where we are tackling

inequality and promoting equality and which will enable our communities to hold us better to account.

- Sets out ways in which we will strengthen our equality governance to enable effective leadership and organisational wide sharing of good practice and consistency. This includes the establishment of a new member led equalities advisory group, an internal senior level officer working group and a commitment to strengthening external networks to work alongside existing partnerships like the Forum for Equalities and Human Rights in Southwark.
  - Commits us to putting communities at the heart of all our decision making ensuring that equality analysis is informing all of our work and that the voices of everyone including the most vulnerable and marginalised are heard.
  - Sets out how we will strengthen our data, evidence and research on inequalities and the needs of our communities so we are making good decisions and delivering appropriate and relevant services able to meet the diverse needs of local communities. The Framework signals our intent to undertake a more detailed analysis of inequality in Southwark, develop a clear definition of inequality and identify what our cross council priorities are for closing the gaps it identifies for particular communities.
  - Develops our processes for equality impact and needs analysis to find out about and respond to the needs of diverse service users so our services work for our communities.
19. The Framework is intended to build the infrastructure so that continual and on-going improvement in Equality, Diversity and Inclusion is visible, accountable and transparent to local communities and our staff. It also seeks to put in place the infrastructure to enable our work to be strategically led, enabled, continued, be sustainable, performance managed and reviewed by councillors, communities and staff.
20. The Public Sector Equality Duty requires us to publish one or more specific and measurable equality objectives every four years that demonstrate areas where we are tackling inequality and promoting equality. In the draft Southwark Equality Framework. We have identified eight areas of focus to reduce inequality and promote equality, which affect specific groups.
21. These eight objectives are to:
- Stand together against all forms of racism and discrimination.
  - Tackle health inequalities so everyone can live a healthy life.
  - Reduce the number of vulnerable people in our borough, including by



providing targeted engagement and support to groups most affected by COVID-19.

- Provide decent homes for all.
  - Give young people in our borough the best opportunities in life.
  - Put communities at the heart of everything we do from services to decision-making, ensuring everyone is heard especially marginalised communities.
  - Deliver a fair and green economic recovery where no-one is left behind.
  - Tackle abuse, harassment, exploitation and violence.
22. The Southwark Equality Framework will be updated and reviewed alongside the new Borough Plan in 2022.

### **Policy implications**

23. Our approach to tackling inequality and promoting equality is embedded throughout our Borough Plan 2020-2022, that aims to ensure that everything that we do as a council is to work towards a fairer, more equal and just Southwark:

*“Everything that we do as a council is to work towards a fairer, more equal and just Southwark. Our values inform how we will do this, and will guide our decisions and determine how we deliver on the commitments that we have made.”*

24. The borough plan sets out our promises are that we will:
- Treat residents as if they were a valued member of our own family;
  - Be open, honest and accountable;
  - Work for everyone to realise their own potential;
  - Spend money as if it were from our own pocket;
  - 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.
25. The borough plan also acknowledges that the COVID-19 pandemic has had a huge impact on our borough. Responding to the pandemic and supporting our borough through this difficult period is our biggest priority, alongside working towards the borough’s long-term recovery. We know that the financial impact of the pandemic is also likely to last for many years. The unequal impact of the pandemic on different communities including Black, Asian and minority ethnic communities, people with disabilities and people on low incomes, has shone a light on wider inequalities and injustice

in our society. Our priority is to work with communities in Southwark to tackle this inequality and build a stronger, more equal borough.

26. Southwark Stands Together is our borough wide initiative in response to the killing of George Floyd, the injustice and racism experienced by Black, Asian and minority ethnic communities and to the inequalities exposed by COVID-19. Southwark is one of the most diverse boroughs in the country, and as an authority, the council is showing through the long term programme of positive action our solidarity and support for Black Asian and minority ethnic residents, and a commitment to work together to tackle racism and achieve equality.
27. Through Southwark Stands Together, the Council and community have been breaking new ground in tackling racism, discrimination and inequality using data, lived experience, and understanding the needs of residents facing multiple disadvantage. Alongside this, continuous learning is taking place around better governance and accountability through an internal equality-working group.
28. Southwark Stands Together affirms our commitment and pledge as a council to tackle inequality in our workforce and communities. In recognition of this, equality, diversity and inclusion strategies are being reviewed to embed a good practice approach to ensure that equality, diversity and inclusion is treated as a business critical issue. Our leaders have a responsibility to engage with our workforce to adopt a positive action approach to achieve sustainable improvements in the equality, diversity and inclusion space. By adopting this approach, we are confident that we will achieve positive and sustainable change that will benefit our workforce and in turn, the communities we serve.
29. Our Southwark Stands Together programme remains a priority for our workforce over the coming months and years as we embed the outcomes of the programme into business as usual. However, there will be on-going oversight of progress around equality, diversity and inclusion, which is being monitored by our Chief Officer Team. This will ensure that we continue to improve the experience of our Black, Asian and minority ethnic colleagues, to eliminate discriminatory practices across the council, whilst continuing to protect the health and well-being of our workforce through the adoption of anti-racist interventions and strategies.
30. The Southwark Stands Together Workforce Work stream emphasises the importance of on-going engagement with our workforce through a number of two-way communication strategies consisting of a series of engagement events with our workforce and communities. The Workforce Work stream currently comprises of eight working groups based on feedback from our workforce during 2020. The eight working groups cover key areas where employees would like to see meaningful change.
31. The Southwark Stands Together programme provides a useful example of how the Southwark Equality Framework could work in practice and ensure

sustainable and on-going continuous improvement in equality, inclusion and diversity work across the Council. The Southwark Equality Framework incorporates key principles from Southwark Stands Together.

32. The journey to equality is one of continual and on-going improvement. It requires a Framework to be in place as a first step to ensure that journey is visible, accountable and transparent to local communities and staff. It requires an infrastructure to be in place to enable that journey to be strategically led, long-term, enabled, continued, be sustainable, performance managed and reviewed by councillors, communities and staff.
33. The council's Health Inequalities Framework also complements the Equality Framework and is integral to the Council's work in addressing a range of inequalities experienced by local communities. In particular, this work intersects with the Knowing our Communities theme, Responsive and Appropriate Services and Neighbourhoods, Place Shaping and Partnerships themes of the Southwark Equality Framework.
34. Implementation of the Southwark Equality Framework will help us to ensure that equality is at the core of our plans for example through:
  - Knowing our communities; finding out about diverse needs of our local communities and neighbourhoods; equality data mapping; consultation and engagement; working in different ways with our local partners and groups
  - Collecting and analysing equality monitoring information about our service users and potential service users and our staff.
  - Undertaking equality analysis at the start of all our reviews, projects, developments, policy making and building upon these throughout through to informing decision making and implementation.
35. Our commitments to promote equality in the borough, in our council values, principles and objectives, in the new Southwark Plan and in our approach to community engagement, go hand in hand with our legal obligations in the Public Sector Equality Duty. All put local communities at the centre of decision-making.
36. The Public Sector Equality Duty as a positive duty to promote equality forms a core element of the Council's Framework for Equality.

### **Community impact statement**

37. The Southwark Equality Framework replaces the Council's Approach to Equality and explains how the Council is working towards a Southwark that is tolerant, diverse and fair for all. It sets out what the public can expect from the Council, what the legislations requires of us and what the Council is committed to doing. It explains our approach to advance and promote equality of opportunity in the borough by making equality part of our day-to-day business – including how the Council will use equality analysis to generate insight and understand the effects of its decisions on different

groups.

38. The Framework is a visible commitment to equality in Southwark and sets out how we will consider the impact our services, policies and decisions have on the protected characteristics (race, sex, disability, age, religion or belief, sexual orientation, pregnancy & maternity, gender reassignment and marriage & civil partnership as well as socioeconomic status) into our processes.
39. The Public Sector Equality Duty as a positive duty to promote equality forms a core element of the Council's Framework for Equality together with the Socio-Economic Duty, which asks us to address socio-economic disadvantage together with disadvantages and barriers experienced arising from different backgrounds and protected characteristics in all key strategic assessments and documents produced.
40. Both are key in enabling the Council to promote equality, address inequalities and address multiple disadvantages and barriers experienced by vulnerable people in the borough plan. The socio-economic duty complements the Public Sector Equality Duty; it is about communities of interest (those who share one or more of the protected characteristics under the Equality Act 2010) as well as communities of place and experiences and impacts of multiple disadvantages.
41. The Equality Audit process, as part of the implementation of the Equality Framework, involves a 360 degree appraisal process, which includes feedback and scrutiny from councilors, community and voluntary stakeholders, as well as staff support groups and the Unions.

### **Financial implications**

42. Any costs relating to the initial implementation of the recommendations within this report will be contained within existing resources. Any financial commitments arising from detailed action plans will be incorporated into the council's budget setting process.

### **Legal implications**

43. The Southwark Equality Framework sets out how we will ensure that we meet our commitments under the Public Sector Equality Duty (PSED) and the Equality Act 2010.
44. This means that we will pay due regard to:
  - Eliminating discrimination, harassment and victimisation.
  - 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.
  - Fostering good community relations; to be a borough where all feel

welcome, included, valued, safe and respected.

- Being a borough which tackles prejudice and promotes celebration and understanding of the rich diversity of its communities.
  - Being a borough where your background does not determine your life chances (this is a Southwark specific commitment; Southwark has adopted the socio-economic duty although it did not become part of the PSED).
45. Due regard to the PSED is about taking into account and giving weight to the different needs of protected groups in relation to the three aims of the duty. It is about evidenced based, reasonable and rational processes of decision making. In addition to the three aims of the duty, Southwark also incorporates consideration of needs and barriers arising from disadvantaged socio-economic backgrounds.
46. The broad purpose of the equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities; to prevent and eliminate all forms of discrimination, including institutional and systemic discrimination.
47. Importantly the PSED is a pro-active and on-going duty. Paying due regard to the PSED is an on-going process and does not end with the equality analysis. Equality actions arising from the analysis inform departmental and service business plans.
48. The socio-economic duty was not commended in England but the council includes it in its Equality Framework as requiring us, when making strategic decisions such as deciding priorities and setting objectives, to consider how these decisions might help reduce the inequalities associated with socio-economic disadvantage. In this way we will in taking strategic decisions have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage.

## **Consultation**

49. Through the Framework the Council will continue to maintain a commitment to consult with the community around equality issues, including appropriate and proportionate consultation to aid analysis of equality impacts.
50. Good quality consultation and engagement is key to the Knowing Our Communities area of the Framework and the Council's overall approach to putting communities centre and core to Council decision making. The council agreed an Approach to Community Engagement in 2019. Equality monitoring information and analysis of who takes part in consultation and engagement undertaken as well as further integration with the Equality Analysis process will enable key information about communities of interest and communities of place.
51. We will embed equality, diversity and inclusion in our community engagement practice recognising that wider inequalities create barriers to

people taking part. We will ensure that a diversity of participants are encouraged and able to take part and understand that lived experiences and everyday challenges faced by citizens shape engagement projects that will meet the needs of our communities. Resources are required to foster equality in community engagement and to facilitate participation.

52. We will ensure that the councils approach to community engagement is embedded across the organisation. We will ensure that our engagement reflects the diversity of people who live and work in the borough, as this is critical to understanding the needs and aspirations of everyone, deliver better services and places. As part of Southwark Stands Together we are developing a toolkit for engaging with Black, Asian and minority ethnic communities in Southwark to enhance our engagement work and will roll this out across the organisation.
53. Equality Data, Information, and evidence based equality objectives and outcomes will inform our key policy development and decision-making. We will further build upon the Joint Strategic Needs Assessment information and wider demographic and needs analysis information and make this information accessible as part of the evidence base we use to inform our policy, developments and decision-making. The council will continue to consider how to build this important and key infrastructure area of work. It forms part of the Action plan for the Framework.
54. The Framework enhances the role of external networks including Southwark Voice, the Forum for Equality and Human Rights in Southwark and the Southwark Equality and Human Rights Panel, the Council's "critical friend" in ensuring that our policies are as fair as possible. It commits us to being clearer on our approach to engaging different equality groups and networks including those for LGBTQ people, women, people with disabilities, and Black and Minority Ethnic Communities and building their capacity to work in partnership with us on promoting equality.
55. The Forum for Equality and Human Rights in Southwark and Community Southwark have been consulted on this draft of the Framework.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

56. This report seeks the agreement of the cabinet to a refreshed council equality framework. There is no statutory requirement on the council to have such a framework, but the council is empowered to do so in accordance with the general power of competence under section 1 Locality Act 2011. Producing a framework assists the council to demonstrate how it is complying with the public sector equality duty in carrying out its functions and decision making.
57. The public sector equality duty is set out in section 149 of the Equality Act 2010. This requires the council in the exercise of its functions to have due

regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation and in a more limited way marriage and civil partnership.

In establishing the framework itself the cabinet needs to have due regard to this duty and the report and framework set out the extent to which different protected groups have been considered and will continue to be considered in the framework's production and ongoing work plans.

58. The Equality Act 2010 contain other provisions prohibiting the council from unlawfully discriminating in a number of contexts on the basis of protected characteristics.
59. There are also specific equality duties that apply to the council under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. The council is required to annually publish information about how it complies with the public sector equality duty and has indicated in the framework how it intends to do this. The council also has to publish at least one specific measurable equality objective every four years and the framework makes reference to 8 objectives that have been identified for approval with some specific indicators to measure how well the council is meeting them.
60. Section 1 of the Equality Act 2010 sets out a public sector duty regarding socio-economic inequalities which has not yet been brought into law in England. The framework report attached indicates the council's intention to take account of socio-economic inequalities in its decision-making and its functions even though this is not required by the Equality Act.
61. Amendments to the council's equality policy are executive functions that are reserved to the cabinet in accordance with section 3C of the constitution.

### **Strategic Director of Finance and Governance (FC21/033)**

62. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report as the cost of the recommendations will be contained within existing departmental budgets.
63. It is also noted that any commitments and costs emerging from the detailed action plans will be incorporated into the council's annual budget setting process.

64. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark's Borough Plan 2020-2022	Communities 160 Tooley Street	Stephen Douglass 020 7525 0886
<b>Link:</b> <a href="https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan">https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan</a>		

## APPENDICES

No.	Title
Appendix 1	The Southwark Equality Framework

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Alice MacDonald, Equalities, Neighbourhoods and Leisure	
<b>Lead Officer</b>	Stephen Douglass, Director of Communities	
<b>Report Author</b>	Suganya Naveenan, Equality and Inclusion Officer Stephen Douglass, Director of Communities	
<b>Version</b>	Final	
<b>Dated</b>	1 July 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		1 July 2021



<b>Item No.</b> 12.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		St John's Walworth Church of England Primary School	
<b>Ward(s) or groups affected:</b>		North Walworth	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

### **FOREWORD – COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

Schools are the heart of our communities in Southwark so it is with great sadness that I ask Cabinet to approve the attached proposal to close St John's Walworth Church of England Primary School.

This follows the decision by the governing body of St John's to consult on the school closure on the basis of the significant falling pupil rolls placing irreversible pressure on the school budget. This combined with a requires improvement Ofsted judgment makes the improvements required more challenging.

Pupil falling rolls is a serious issue for primary schools right across London. There are a number of reasons for this. A gradual fall in children entering reception was confirmed in 2018 as a trend. Contributing factors include; fall in birth rate, the uncertainty brought about by Brexit causing some families to leave the UK, and more recently, the global pandemic demonstrating to more families how they can work in London while living further afield.

Like many other London boroughs, we went to the schools adjudicator to bring down pupil admission numbers for a number of primary schools to help manage the fall in rolls. We have and continue to actively encourage schools to work together through partnerships, mergers and federations and to open buildings up, where possible, for wider community use.

The council is working with all schools to be able to provide the high quality and standards we have come to expect in Southwark. We continue to explore every avenue to avoid such drastic action as a school closure.

In recent years the council has invested £200m in a school development and expansion programme which has brought much needed improvement to the quality of the educational experience and outcomes of so many pupils in Southwark. Schools will always remain the heart of our communities and pupil numbers may begin to rise again in the foreseeable future. Therefore, we need to maintain the schools estate and our investment in improvements for when the birth rate picks up and the demographic shift from London to other places comes back round again.

In the case of St John's, once the school governors had made the final decision to close the Southwark Diocesan Board of Education and Local Authority respected that decision.

On a positive note we have capacity in neighbouring schools to meet the needs of all pupils transitioning from St John's to other schools. We have helped all 51 pupils into an alternative school place at neighbouring good or outstanding schools.

The sheer volume of work to roll back an educational establishment has been immense. Not least for the emotional turmoil that it has had on all involved. I would like to thank Head Teacher Mr Velada -Billson, Deputy Head Teacher, Nicola Bishop, Southwark Education Director, Nina Dohel and the St John's Chair of Governors, Usha Singh for all that they have done to support staff, families and pupils.

They have worked tirelessly in making sure that the school staff, pupils and their families were held and supported through this - incredibly sad closure. St John's has been an integral part of life for so many local people including many local councillors in Southwark for so many generations and will missed by us all.

This is a difficult time for all our schools and the council is committed to supporting them to navigate their way through this difficult time until the demand for school places increase again. This includes the establishment of a member officer group so that we can do all we can to maintain our educational estate. We hope that the Diocese will work with us to repurpose the school for education and training purposes

## **RECOMMENDATION**

1. That Cabinet approves the governing body proposals for the closure of St John's Walworth Church of England Primary School from the 1 September 2021.

## **BACKGROUND INFORMATION**

2. St John's Walworth Church of England Primary School is a one form of entry (1FE) primary school, on Larcom Street, SE17 1NQ – a map showing its location and neighbouring schools in the locality attached as **Appendix 1**.
3. In recent years, the school has found it difficult to fill the 30 places it is able to admit each year. This academic year, starting September 2020, 18 children took up Reception class places, 11 joined Reception the previous year. Only ten families applied to Reception for 2021 – all were supported by the local authority and have received alternative school places. St John's Walworth has a capacity of 210 across all year groups of the school. As at September 2020, 144 places were filled with 66 places vacant resulting in a 33% vacancy level across Years Reception to 6 –which is above the average vacancy level of 19% in Southwark. This low level of admissions has had a considerable financial impact on the school over the years, which has led to a substantial and growing in year financial deficit.
4. School funding is driven by pupil numbers, the more pupils a school has on roll, the more funding it receives. Unused/vacant school places create an immediate cost for schools through reduced budgets, which in turn can affect the overall sustainability and quality of education standards at the school. The local authority confirmed at the beginning of this year that the school received another low number of applicants for September 2021 this, along with an identified drop in births in the immediate locality, made it unlikely that pupil numbers would recover any time soon.

5. After significant consideration, the governing body of St John's Walworth Church of England Primary School reached the view at its meeting of 19 January 2021 that the school was no longer financially sustainable and could not guarantee a good quality of education into the future. Several reasons contributing to this position were stated which include those set out below:
- *The pupil roll has fallen consistently over the past five years resulting in reduced (pupil led) funding.*
  - *This reduced funding over the past five years has created significant debt, it was thought to be unlikely that the school would be able to balance its budget in year or reverse the growing debt*
  - *The circumstances have made it inevitable that the school will incur further debt if it remains open*
  - *The funding position would have a detrimental impact on staffing and resources, which would limit the school's ability to continue to move from requires improvement to good and provide the high quality of education that the children in the school community need and deserve*
  - *The school would be hampered in its capacity to deliver the broad and balanced curriculum that it would be reasonable to expect of a primary school.*
6. Following its decision, the governing body held a series of informal, information sessions during February, with parents of children at the school, staff and key stakeholders to explain the situation that the school was in and, that a formal process to consult on proposal for closure was to begin. The local authority (LA) and the Southwark Diocesan Board of Education (SDBE) has supported the governing body at each stage of this process.
7. In line with the Department for Education's (DFE) guidance: "*Opening and closing maintained schools, Statutory guidance for proposers and decision-makers, November 2019*", the decision makers for the closure of a state funded school (whether this is a community, foundation or voluntary aided school) is the Council. St John's Walworth, Church of England primary school is the Proposer, Southwark Council is the decision-making body. In respect of the council's constitution, the decision to close is to be taken by the council's cabinet.
8. The governing body as Proposer followed the statutory process outlined in the guidance above for closing a maintained school prior to the cabinet being required to make a decision of whether the school should close, There are five stages to this process, which are covered in detail from paragraphs 9 to 12 of this report.

## **KEY ISSUES FOR CONSIDERATION**

### **The procedure for the consideration of a school closure**

9. The **five stages** to a school closure consideration outlined in the guidance and mentioned in paragraph 7 are set out below:
- *Stage 1 - Statutory Consultation with interested parties;*
  - *Stage 2: Publication of proposals;*
  - *Stage 3: Representation from publication;*

- *Stage 4: Cabinet decision, and finally,*
  - *Stage 5: Implementation of proposals, if agreed.*
10. The governing body undertook Stage 1 – Statutory Consultation with interested parties details of which are provided in paragraphs 13 to 25. The School’s governing body then met on 17 May 2021 to consider the results and feedback of the consultation. As a result, the governing body voted unanimously to move to Stage 2 and Stage 3 of the process, to publish formal closure proposals and to invite formal comment on these proposals from stakeholders. These stages of the process ran from the 7 June 2021 to 5 July 2021. These proposals are set out in Appendix 5 of the report and should be considered by the cabinet in making this decision.
11. Stage 4 involved the writing of this report following the governing body’s proposal to close, taking into account, any representations that were made during the pre-publication consultation and the publication of the statutory proposals in June. Stage 5 – should the cabinet agree to the closure of the school, would be the formal process of the school closing on the 1 September 2021
12. The timetable outlined above is given in tabular format below

<b>Stage</b>	<b>Dates</b>
Stage 1: Statutory Consultation with interested parties	15th March 2021 to 14th May 2021 <i>(COMPLETE)</i>
Stage 2: Publication	7th June 2021 <i>(COMPLETE)</i>
Stage 3: Representation	7 <sup>th</sup> June 2021 to 5th July 2021 <i>(COMPLETE)</i>
Stage 4: Cabinet decision	13 <sup>th</sup> July 2021
Stage 5: Implementation	1 <sup>st</sup> September 2021

### **Results of the pre-publication consultation (Stage 1)**

13. It is a statutory requirement for the Proposer (in this case the school’s governing body) to consult any parties they think appropriate before publishing statutory proposals. A large number of events to consult all stakeholders on the proposals were undertaken, and have been outlined in **Appendix 6**.
14. The process included a statutory element of consultation that lasted for 8 weeks (6 of which were during term time) to allow the widest possible opportunity for views/comments to be made by parents, carers, local residents and other stakeholders. The purpose of the consultation was for Governors to seek the views of and engage with those that could potentially be affected by the proposed closure of St John’s Walworth Primary Church of England School. It was also an opportunity for interested parties to suggest other options for consideration on the proposed closure of St John’s Walworth Primary Church of England School in September 2021.
15. In addition to this, the governing body sought the views of:
- *All schools/admission authorities in Southwark, governing bodies and academy trusts (via the Headteacher and the Chair of Governors).*

- *Neighbouring Councils (Lambeth, Tower Hamlets, Lewisham, Croydon, Wandsworth, and Westminster)*
- *All Southwark Councillors and MPs*
- *The SDBE and the Catholic Diocese*
- *Appropriate trade Unions.*

16. Consultation was undertaken by:

- *Placing a note on the school website containing the consultation documents.*
- *Setting up a website that allowed people to answer the consultation questions.*
- *Setting up an email address to allow for parents, carers and stakeholders to feed back on the pre-consultation proposals.*
- *Distribution of a paper form for stakeholders to respond to.*
- *An email to all of the five, additional stakeholder groups listed above was sent by the LA, on behalf of the governing body*
- *Three consultation meetings for parents, carers, community and stakeholders were held via Zoom in March, April and May 2021.*
- *Extensive consultation with staff, and their professional associations/trade unions was undertaken.*

17. The results of the initial consultation are outlined in paragraphs 19 to 23 of this report.

18. At the conclusion of the statutory consultation outlined above, the Governing body reviewed the feedback they received. No substantive objections were raised by stakeholders, nor were any viable alternative proposals put forward. The school's, Governors met on the 17<sup>th</sup> May 2021 and after careful consideration of the feedback and comments received, agreed to publish formal closure notices – stage 2 of the process.

### **Responses to issues raised in the initial consultation**

19. **No** representations were received from neighbouring councils, councillors, the SDBE or the Catholic Diocese. Three Southwark Councillors attended one of the consultation meetings. The trade unions had a number of operational queries, and liaised extensively with the school's Human Resources (HR) advisors. **No** trade unions formally objected to the school closure.

20. **One** representation was received from a stakeholder via the bespoke email, which stated "*As members of the community of Walworth, we wish to express our great concern at hearing of the possible closure of St John's school. We hope that the future of the school will be saved by improved reports and positive marketing. We have had many family members attend St John's and gone on to have a great further education. We would like to do anything possible in support to keep the school open*". This comment did not advance an alternative proposal, nor did it address the reasons for closure. **No** representations on paper were received from parents, carers and stakeholders via the paper forms or the online form. Feedback from the parent and carer meetings was mainly centred around facilities for pupil transfer and ensuring children have a school place for September 2021.

21. **Four** responses were received from the website that was set up (one was subsequently deleted). Of the four, two stated that “they were not affected by the proposals” and two stated that they were “unsure”. No objections were received in the online form. The responses from the online form all came from governors at other schools. Suggestions received from the 4 responses were:

- *Moving to become a 0.5FE school*
- *A partnership or merger with another school*
- *Ensuring places were made available at other local C of E schools.*

22. In terms of the suggestions received, the following observations can be made.

Moving to 0.5FE: Moving to 0.5FE would not substantively address the debt at the school – indeed a 0.5FE school would require a heavy subsidy from the local authority and would not allow for the breadth of curriculum that a 1 or 2FE school would provide. Where 0.5FE schools exist, they tend to be in rural areas where alternative schools are some distance away, and where expense difficulties would be encountered for pupils to be transported or accommodated elsewhere. This is clearly not the case at St John’s Walworth Church of England Primary school.

A partnership or merger with another school: A potential merger with another local school or joining the C of E MAT was considered unlikely because of the size of budget deficit St John’s Walworth Church of England Primary School is carrying; this deficit would have to be taken on by any school that St John’s Walworth Church of England Primary School merged with. There are no suitable local Church of England schools we could merge with St John’s Walworth Church of England Primary school was not in a position to apply to join the SDBE Multi-Academy trust (MAT) due to its financial situation and falling roll.

Ensuring places were made available at other local C of E schools: Places exist in local Church of England schools, and indeed, a number of children have already been allocated to these schools. Not all children attended St John’s Walworth on religious grounds, and indeed, the LA answered a similar question in the Q & A distributed with the consultation. This asked “Q. *Would practising Christians be given priority for available places at Church of England schools?*” The answer was that this would depend on the proportion of foundation places (those reserved for practising Christians) that are left unfilled at the time of entry, as well as the other criteria that the schools apply to admit foundation pupils, in accordance to their existing admissions criteria, and with regard to the DfE Admissions Code. No child who wanted a C of E place in a local school has been refused such a place.

23. During the Stage 1 consultation, a petition was set up on Change.Org by a local resident (it has not been determined whether the person was a parent or carer of a child at the school). The petition garnered 369 “signatures” and is located here: <https://www.change.org/p/boris-johnson-save-st-john-s-primary-school-walworth>

24. In respect of the petition on “Change.Org”, it appears on examination that many of the respondents are not actually parents of children at the school, and the general tenor of the response is that “it would be a shame to close the school”

rather than actually offering any other alternatives or perspectives. A print out of the responses where people have left a reason for opposing closure from this site is attached as an appendix (**See Appendix 2**).

### **Publication of the notices and representation (Stages 2 and 3) and responses to issues raised in the post publication consultation**

25. Governors of the school, proceeded to the next, formal stages of the process from the 7 June 2021 to the 5 of July 2021. Formal notices (**Appendix 4**) were published and displayed at the school, placed on the school website and in the local press, inviting comment on the Statutory proposal (**Appendix 5**) – this completed stage 3 of the statutory process.
26. As at the 1 July 2021, no representations, objections or observations were received at Stage 3 by the local authority or the school.

### **Cabinet decision (Stage 4)**

27. Although the consultation on the proposal has been conducted by the governing body, In line with the statutory guidance, the decision maker is the cabinet of the council. As such, cabinet is able to:
  - *Agree the closure proposal as outlined in the report*
  - *Agree the closure proposal with modifications*
  - *Refuse the closure proposal.*
28. If cabinet does not take a decision on the school closure within 2 months of the expiry of the formal notice (i.e. by the 5 September 2021), the matter would then referred to the Office of the Schools Adjudicator (OSA) for final decision. The following bodies have the right to have the decision referred to the to the Schools Adjudicator, independent of the local authority after the cabinet decision is taken.
  - *The Diocesan Board of Education of any C of E Diocese in the relevant area*
  - *The Bishop of any Roman Catholic Church in the relevant area*
  - *The governing body or any foundation of the foundation or voluntary school specified in the proposals.*

### **Formal closure of the school (Stage 5)**

29. If cabinet agrees to the St John's Walworth Church of England primary school governing body's proposals to close, this will be effective from 1 September 2021.

### **Actions undertaken for the pupils, parents and carers affected**

30. The local authority, as the body responsible for school admissions in Southwark, has had to plan for every eventuality to ensure that all children attending St John's Walworth, Church of England Primary School have an alternative school place for September 2021. The local authority provided a great deal of support to parents, carers and can confirm that every child on the roll of St John's Walworth Church of England Primary School, now has an alternative school place secured for September 2021.

31. The local authority's school admissions team established and led a coordinated admissions process, to ensure that the parent/carer of each child on the roll of St John's Walworth had access to an admissions application and was able to state a preference of an alternative school from September 2021, should the school close. A dedicated admissions officer was made available to work closely with families and school staff alongside the formal, consultation process that the governing body followed, to ensure that every child was able to receive a provisional offer of an alternative school place for September 2021 (the timetable followed is attached as **Appendix 3**). Children with an Educational and Health Care Plan (EHCP) were fully supported with their transition by their SEND caseworker and families have been offered financial support for school uniforms.
32. It should be noted that, there are **14** Southwark schools within 0.6 miles of St John's Walworth; all within a reasonable walking distance. At the beginning of the year, these 14 schools had around 1,100 vacant school places across Reception to Year 6. The three, Church of England schools had 250 vacancies across Year R to 5 which could have accommodated the children displaced by a closure.
33. A table of where the pupils have provisionally been allocated to, should the school close is shown as **Appendix 8** - the headline figures were that:
- 90% of pupils were found other schools in Southwark
  - 10% of pupils requested schools in other LAs – mainly Lambeth
  - 41% of pupils were accommodated in Church of England primary schools
  - A further 17% in Roman Catholic primary schools
  - All families that required a place for their child was able to be offered one, however, not all specific preferences made were able to be met if schools were oversubscribed.

### **Actions undertaken for the teachers and non-teaching staff affected**

34. The situation at the start of the process was that the governing body, informed their staff at the earliest possible opportunity that there was a potential that the school would close in September 2021. The trade unions were also involved at this stage.
35. Staff consultation events, led by the school's governing body, are noted in **Appendix 6**, amongst the other consultation events for stakeholders

### **Community impact statement**

36. The Public Sector Equality Duty, at section 149 of the Equality Act, requires public bodies to consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.
37. Public bodies need to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The Council's "Approach to Equality" commits the Council to ensuring



equality is an integral part of our day-to-day business. “Protected characteristics” are the grounds upon which discrimination is unlawful.

38. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues to consider in terms of place planning. In terms of age, disability, race, religion or belief.
39. An Equality and Health Impact Assessment has been completed and is attached at **Appendix 7**. The statutory guidance requires the cabinet to consider the impact of this proposal on local integration and community cohesion objectives when they are taking a decision on the Governor proposals. Given that most children are remaining within the locality it is not felt that there will be any discernible impact on integration and community cohesion.
40. With regard to the Ministry of Housing, Communities & Local Government “Integrated Communities Action Plan” – the guidance issued by the Government lists (under “Education and Young People”) a list of actions that schools and local authorities should reference, if needed. None of the 16 issues raised as part of the plan are appropriate to this proposal.

### **Resource and risk implications**

41. The Council aims to ensure that demand for school places is as closely matched to supply as possible. The closure of a school where there is considerable overcapacity supports this process.
42. Section 14 of the Education Act 1996, places a duty on local authorities to “*secure that sufficient schools for providing primary and secondary school education are available for their area*”. The authority is required to exercise these functions with a view to increasing opportunities for parental choice. The large level of existing and anticipated vacancies and the compact nature of Southwark’s geography mitigate considerably against any risk of there being insufficient places to house pupils affected by the closure.
43. The freehold of the building belongs to the SDBE, who would ultimately decide what use the building will be put to, if closure were agreed. Planning constraints presently limit the use of the building for anything other than education or training purposes. Southwark Council’s clear preference would certainly be for the building to remain in use as an educational or community facility and will work with the SDBE to effect this.

### **Legal implications**

44. Please see the comments below from the Director of Law and Governance.

### **Financial implications**

45. The Dedicated Schools Grant (DSG) Schools Block, which is awarded to fund education provision, is primarily calculated using pupil numbers and pupil

characteristics. Consequently, there is expected to be minimal impact on the amount of the grant as a consequence of the closure. With a similar amount of income spread over a smaller number of schools, there will be a positive impact on the financial position of schools. This will be seen in those schools which accept pupils formerly attending St John's Walworth.

46. St John's Walworth primary ended the 2020/21 financial year in a deficit position of £227k. This is forecast to rise significantly by the end of August 2021 until the closure of the school. The closure will also incur costs such as redundancies, site security, uniforms for children transferring to other schools, archiving/disposal etc. and is estimated at around £470k.

### **Human Resource implications**

47. The governing body of St John's Walworth, Church of England Primary School is the employer of all staff at the school, and will follow formal staff redundancy processes in consultation with trade unions and staff as per the school's adopted Restructure and Re-organisation HR policy and procedure. This may or may not result in staff redundancies.

### **Consultation**

48. Consultation in this proposal has been extensive and has involved all possible stakeholders, and is outlined in paragraphs 13 to 25.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

49. The cabinet is being asked to approve proposals to close St John's Church of England Primary School Walworth, which is a voluntary aided school maintained by the council. A school closure is an executive decision of the council, which has been reserved in the council's constitution to be made by the cabinet. A decision to close the school therefore has to be made by the cabinet and in accordance with sections 15 and 16 and schedule 2 of the Education and Inspections Act 2006, and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. The cabinet must also have regard to the statutory guidance "*Opening and closing maintained schools*" issued by the Department for Education in November 2019 when making a decision to close a maintained school.
50. The 2006 Act prescribes that one of the following decisions has to be made in relation to the proposals:
- (a) reject the proposals*
  - (b) approve the proposals without modification*
  - (c) approve the proposals with such modifications as the cabinet thinks desirable after any relevant consultation.*
51. The cabinet is being asked to make this decision following the publication of proposals by the school's governing body for the closure of the school. These proposals have been set out in a statutory notice and follow a period of statutory consultation required to take place prior to the proposals being published.

52. This consultation has to have been with anyone who appeared to the governing body to be appropriate. Recommended consultees are set out in the statutory guidance. Details of this consultation are set out in the report, together with the results. The cabinet should conscientiously take account of the outcomes of the consultation in taking this decision.
53. The proposals were published by the school's governing body on 7<sup>th</sup> June 2021. Any person may send objections or comments to these proposals to the council within four weeks of the date of publication of the proposals. Any objections or comments will need to be provided to the cabinet and conscientiously taken into account when making its decision.
54. The cabinet decision in relation to these proposals has to be made within two months of the close of the representation period of the publication of the statutory proposals, or the decision has to be referred to the Schools Adjudicator to make. If the decision is made to approve the proposals to close the school, the 2006 Act requires these to be implemented by the governing body and the council.
55. The statutory guidance referred to above sets out considerations that should be made by the council when deciding on proposals including:
- *The information in the proposals set out in Appendix 5*
  - *Being satisfied that the governing body has carried out the statutory process satisfactorily*
  - *Giving due regard to all responses received during the representation period*
  - *Being satisfied there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils and the likely supply and future demand for places in the medium and long term*
  - *The overall quality of alternative places in the area balanced with the need to reduce excessive capacity*
  - *The local context in which the proposals are being made, taking account the nature of the area, the age of the children involved and any alternative options for reducing excess surplus capacity*
  - *The impact of any proposal on local integration and community cohesion objectives*
  - *Will the decision unreasonably extend journey times or increase travel costs or result in too many children being prevented from being able to travel sustainably*
  - *The effect on the balance of denominational provision in the area including the pupils currently on roll and the medium and long term need for places*
  - *Is the school a focal point for family and community activity providing extended services for a range of users? If so provision should be made for the pupils and their families to access similar services through their new schools or other means.*
56. The cabinet needs to apply the public sector equality duty in section 149 Equality Act 2010 in making this decision, which requires it to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who

share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are referred to in the community impact paragraphs above. An equalities impact analysis has been produced and needs to be considered by the cabinet in making this decision.

57. The cabinet also needs to have regard to the council's statutory duty under section 14 Education Act 1996 to secure that sufficient schools for providing primary and secondary education are available for their area. The schools available for an area shall not be regarded as sufficient for these purposes unless they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. "Appropriate education" means education which offers such variety of instruction and training as may be desirable in view of—(a) the pupils' different ages, abilities and aptitudes, and (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.

### **Strategic Director of Finance (CAS20/12TJ202122)**

58. The strategic director of finance and governance notes the proposal to close St John's Walworth Church of England Primary School. Maintained schools receive the majority of their funding via the Dedicated Schools Grant, which is broadly distributed on a per-pupil basis. As a result, falling rolls over a period of time can result in significantly reduced grant income, which can impact the ability of a school to balance its budget. In the case of St John's Walworth Church of England Primary School, the financial strain due to falling rolls is compounded by an OFSTED rating – requires improvement- which impacts on its ability to attract pupils and to make required improvements. Schools in financial difficulty contribute to wider financial stresses within the maintained schools estate and so it is important that the financial position of all schools are reviewed regularly to ensure they are living within their means.
59. Section 22 of the Schools and Standards Framework Act (SSFA) 1998 sets out the Local Authority's responsibilities with respect to the funding of schools and includes a duty to defray all the expenses of maintaining a school.
60. When a maintained school closes, any outstanding deficit falls to the council to be written off. Whilst the financial management of maintained schools is delegated to their governing bodies, ultimate responsibility lies with the local authority and it is incumbent upon officers and members to ensure robust governance and controls are in place, both with respect to falling rolls and financial deficits, to limit any further exposure to financial risk arising from schools in deficit.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Making significant changes ('prescribed alterations') to maintained schools - Statutory guidance for proposers and decision-makers October 2018	Children's and Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into browser):</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf</a>		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. December 2014 – DfE	Children's and Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into browser):</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf</a>		
Integrated Communities Government Action Plan	Children's and Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into browser):</b> <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778045/Integrated_Communities_Strategy_Govt_Action_Plan.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778045/Integrated_Communities_Strategy_Govt_Action_Plan.pdf</a>		
The Essential Guide to the Public Sector Equality Duty – EHRC July 2014	Children's and Adults' Services, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into browser):</b> <a href="https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf">https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf</a>		

## APPENDICES

Number	Title
Appendix 1	Map showing the location of St John's Walworth School
Appendix 2	Results of Change.Org petition
Appendix 3	Reallocation of places at St John's Walworth Primary School – actions and timetable
Appendix 4	Statutory Notice for Closure
Appendix 5	Statutory Proposal
Appendix 6	Consultation events undertaken with stakeholders
Appendix 7	Equality and Health Impact Assessment
Appendix 8	Allocation of pupils to Alternative Primary Schools

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's & Adults' Services	
<b>Report Author</b>	Ric Euteneuer, Principal Strategy Officer (School Place Planning)	
<b>Version</b>	Final	
<b>Dated</b>	7 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance & Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		30 June 2021

LOCATION OF ST JOHN'S WALWORTH CHURCH OF ENGLAND PRIMARY SCHOOL

APPENDIX 1



## Results of Change.Org petition

## APPENDIX 2

The unedited, petition text – from the Change.org website states the following.

*Save St. John's primary school Walworth - St. John's primary school walworth started this petition to Boris Johnson (Prime Minister)*

*Please help us save St. John's primary school walworth our children are currently in the process of losing their primary school due to financial difficulties the school is facing our school is in huge debt and due to the pandemic not securing local intake of pupils for September 2021 and the board of governors along with our head master are in consultation the only way to come out of this is immediate closure of the school in July 2021 us the parents of St. John's walworth are truly gutted and emotions affected by this as well as the staff, the teachers but most of all our children and the community which St. John's has been a valued part of we have until September to transition our children to new primary schools which our children are anxious nervous but most of all scared of leaving their friends and teachers that they've built such a special bond and made the most fantastic memories with. school should be the best time of their lives and our children have lost such a valuable amount of time since our headmaster mr Bilson had taken over the school the impact he has had started to really turn the school around and he hasn't had time to advertise admission or new intakes for 2021 due to a pandemic for the last year so admissions are low but mr Bilson gained back the respect of the community the trust in us parents and the respect from our children to go and make our school strife and us the family of St. John's started to see the difference so please spare 5 minutes to sign and share this petition as we know we are not expecting miracles but to simply for us the parents, the teachers the staff and our community to simply have a voice as this is out of our control St. John's walworth primary school has been in our generations for years our grandparents went to this school ,our parents went to this school our children went to this school and our children's children it's simply all we know I'm asking everyone that can possibly take 5 minutes to sign this patition and help save St. John's walworth primary*

There were 369 positive responses to the petition, as at the 26<sup>th</sup> April 2020. People who signed the petition were also encouraged to say why they supported it. These comments – again, unedited - are given below.

*"This school and church have been going since before any one of us ,besides I went there as did my mum and my children . Fantastic little school x"*

*"This school is an important part of the local community and has been for a long long time"*

*"I have wonderful memories of my time at St John's, would be such shame to see it close. A great school serving its community"*

*"Because I like to help as much as possible"*

*"Signing because no school should ever close"*

*"I went to this school and loved it. Its part of the community and would be a severe loss to lose it ♥"*

*"My Mother and I both went there. It has always been a marvellous school for education, kindness and compassion. A truly great infant and junior school serving all the local community"*

*"I first attended there from the age of four and a half in 1956"*

*"For the community"*



*"It was my old school my history my families old school and a place I regard as my fundamental learning it's a vital part of walworth"*

*"I used to go there and its a very good school needs to stay"*

*"This was my school and was the best school in the area. My sister was married in the church too"*

*"It would such a loss to the local community if the school closed"*

*"This is a very good school top notch in the primary league table. Please save"*

*"It's will be a shame to see a 150 year old school shut down. As a parent whose older children and nieces (over 25years) and youngest who just started the school would want it still going and do plead with the authority to reconsider the decision. As a parent am willing to do all I for this school"*

*"we need this school to stay open for the kids and familys.dont close"*

*"The school is needed in the area"*

*"My daughter got a brilliant education at this lovely school. It should be helped to stay open for generations to come"*

*"My Millie is autistic and doesn't adapt great to change. She's progressed so much in such a short period of time and I'm gutted the school is closing. I really hope this petition gets us heard #SaveOurSchool"*

*"My little cousin attends this school and would be devastated to leave a great school"*

*"This was my old school"*

*"I transferred to this school for my last to years of primary school and i wish i had more years there. A wonderfull school it cant go"*

*No kids should be losing there school*

*My grandson goes there and we are devastated that we have to move him. He loves going to this school, it took him so long to settle and now we don't know what the future holds for him and all the other children .*

*"This is a good school, is part of Walworths heritage, which has been eroded by developers. A school such as this will be essential for the new communities coming to live in the vast number of flats being built surrounding the school"*

*"My brother and sister went here"*

*"St. John's has been around for generations! Would be a shame to see it close"*

*"This school shutting will have an all round effect on our children and our local community"*

*"This school is so good very good excellent"*

*"I'm signing because this school is one of the best in the district would be a shame to close it"*

*"This school and church have been going since before any one of us ,besides I went there as did my mum and my children . Fantastic little school x"*

## Coordinated admissions process for children attending St John's Walworth Primary School – actions and timetable

## APPENDIX 3

### Co-ordinated admissions timetable, St John's Walworth (SJW) Primary school

Date	Action	Lead
15 <sup>th</sup> March	<ul style="list-style-type: none"> <li>This timetable of the coordinated admissions process to be sent to each family, school and local authority (LA) admissions officer contact details will also be provided.</li> <li>Parent/carers able to speak with admissions officers directly from this date about schools and/or the process</li> </ul>	Governing body (GB) to send out to all.  LA and school admissions officers
22 <sup>nd</sup> March	<ul style="list-style-type: none"> <li>Each family will receive a list of all schools within approximately, a one mile radius of SJW by status (voluntary aided, academy, community) with current numbers of vacancies to help make realistic preferences.</li> <li>Compile details of each child at SJW: <i>year group, email/phone contact of parent/carer etc.</i> Details will be maintained confidentially throughout the process and school preferences added.</li> </ul>	LA and School admissions officers to lead
15 <sup>th</sup> March – 16 <sup>th</sup> April	<ul style="list-style-type: none"> <li>An application form, list of school vacancies and all documents required to run the coordination process to be finalised.</li> </ul>	LA admissions officer to lead
16 <sup>th</sup> April	<ul style="list-style-type: none"> <li>An application form and list of school vacancies to be sent to each family with a child at SJW. NB. Children with an EHCP will be supported with their transition through a separate process led by the Special Educational Needs team.</li> </ul>	LA admissions officer to lead
19 <sup>th</sup> to 30 <sup>th</sup> April (two weeks)	<ul style="list-style-type: none"> <li>Application window for each family to apply for up to <b>TWO</b> schools of preference within the Southwark.</li> </ul>	LA admissions officer to lead
30 <sup>th</sup> April	<ul style="list-style-type: none"> <li>All schools within Southwark that have been named as a preference (including own admission authority schools) to be asked to freeze in-year admissions up until the May half term and not to make any new offers during this period.</li> </ul>	LA admissions officer and schools to lead.
4 <sup>th</sup> – 7 <sup>th</sup> May	<ul style="list-style-type: none"> <li>LA to send schools a list of children whose parents have made preferences for their school.</li> </ul>	LA admissions officer to lead
10 <sup>th</sup> – 14 <sup>th</sup> May	<ul style="list-style-type: none"> <li>Ranking of applications against oversubscription criteria, carried out by schools/GBs and returned to LA.</li> </ul>	LA admissions/own admission authority
17 <sup>th</sup> – 22 <sup>nd</sup> May	<ul style="list-style-type: none"> <li>LA to calculate fair and efficient allocation of offers in order to factor in both oversubscription criteria and parental preference</li> </ul>	LA admissions officer to lead
24 <sup>th</sup> May (offer day)	<ul style="list-style-type: none"> <li>Initial offers of a school place made to each family and confirmed with schools (week before half term).</li> </ul>	LA admissions officer to lead.
31 <sup>st</sup> May	<ul style="list-style-type: none"> <li>All schools within Southwark can start to accept in-year applications directly once more.</li> </ul>	Schools
31 <sup>st</sup> May to 31 July	<ul style="list-style-type: none"> <li>Families to confirm acceptance of offers by 7<sup>th</sup> June.</li> <li>Any changes to preferences, second applications etc to be made.</li> </ul>	LA admissions officer to lead.

#### Holiday dates to note:

1 <sup>st</sup> April to 16 <sup>th</sup> April	Easter holiday
3 <sup>rd</sup> May	May Day Bank Holiday
31 <sup>st</sup> May to 4 <sup>th</sup> June	Half term break



## Statutory Notice

**Closure of St John's Walworth Church of England Primary School,  
Larcom Street, Walworth, London, SE17 1NQ**

Notice is given in accordance with section 15 of the Education and Inspections Act 2006 (as amended by the Education Act 2011) and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that the Governing body of St John's Walworth Church of England Primary School, Larcom Street, Walworth, London, SE17 1NQ, in consultation with the London Borough of Southwark and the Southwark Diocesan Board of Education (SDBE), has published proposals to discontinue St John's Walworth Church of England Primary School with effect from 1<sup>st</sup> September 2021.

Should the decision to close St John's Walworth Church of England Primary School be taken, all children attending St John's Walworth Church of England Primary School would be offered places at alternative schools in line with parental preferences and/or within the area for September 2021. The School currently has 94 children on roll.

The Governors of St John's Walworth Church of England Primary School are publishing the proposals. Southwark Council will decide whether to implement the proposals and close St John's Walworth Primary School.

The proposals are not related to any other school organisation proposals that have been or are about to be published.

This notice is an extract of the complete proposals. A copy of the complete proposals can be viewed on the school website at <https://www.stjohnswalworthprimary.co.uk/>, a paper copy of the proposal can be requested via email to: [ric.euteneuer@southwark.gov.uk](mailto:ric.euteneuer@southwark.gov.uk).

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by emailing them to [ric.euteneuer@southwark.gov.uk](mailto:ric.euteneuer@southwark.gov.uk). Or in writing to:

Ric Euteneuer, Principal Strategy officer (School Place Planning)  
Education Access and Statutory Services  
Children's and Adults' Services  
Southwark Council, 160 Tooley Street  
London SE1 2QH

Responses must be received by 5pm on July 5<sup>th</sup> 2021.

Signed

Usha Singh, Chair of Governors  
7<sup>th</sup> June 2021

### Explanatory Notes

Southwark Council will need to take the decision on whether or not to close St John's Walworth Church of England Primary school within two months of the end of the representation period (i.e. by 5<sup>th</sup> September 2021). If the Council fails to take the decision within this time, it will pass all relevant material to the Office of the Schools Adjudicator (OSA), which will itself take the decision.

## APPENDIX 5

### Statutory Proposal - To close St John's Walworth, Church of England Primary School

The Governing body of St John's Walworth Church of England Primary School of Larcom Street, Walworth, London, SE17 1NQ, a voluntary aided school, publishes these proposals under section 15(2) of the Education and Inspections Act 2006 to close St John's Walworth Church of England Primary School with effect from 1<sup>st</sup> September 2021.

Category	Information																								
<b>1. Contact details</b>																									
a. School contact details and category	<p>St John's Walworth Voluntary Aided Church of England Primary School, Larcom Street, Walworth, London SE17 1NQ. St John's Walworth Church of England Primary School schools phone number is 0207 703 4920, and email is <a href="mailto:office@stjohnswalworth.southwark.sch.uk">office@stjohnswalworth.southwark.sch.uk</a></p> <p>St John's Walworth school is a Voluntary Aided Church of England Primary School</p>																								
b. Local Authority contact details	The London Borough of Southwark, 160 Tooley Street, LONDON, SE1 2QH. Phone number is 020 7525 5000																								
<b>2. Implementation</b>																									
The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.	St John's Walworth Church of England Primary school is proposed to be closed from the 1 <sup>st</sup> September 2021 onwards.																								
<b>3. Reason for closure</b>																									
A statement explaining the reason why closure of the school is considered necessary.	<p>The closure of St John's Walworth Church of England Primary school is considered necessary because it is no longer financially sustainable. The pupil roll has fallen consistently over the past five years resulting in reduced funding which the school receives based on pupil numbers. From the start of the next academic year, the funding gap due to falling pupil numbers is anticipated to be approximately £350 000, incurring further debt every year thereafter, due to the number of vacant places if the school remains open.</p> <p>The Governing body believe that, were St John's Walworth school to remain open, a new reduced staffing model would be required from September 2021, which would not enable children to continue receiving the high quality education they deserve and need.</p>																								
<b>4. Pupil Numbers and Admissions</b>																									
The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.	<p>There is no pre-school/nursery at St John's Walworth Church of England Primary school and therefore, there are no non-compulsory school age pupils. St John's Walworth school does not include any boarding pupils. There are 94 pupils on roll (as at 26/05/21), 4 children have an EHCP and a further 14 are supported with SEND action plus. A breakdown of children on roll by age group is shown in the table below:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Year</th> <th>R</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> </tr> </thead> <tbody> <tr> <td>Girls</td> <td>9</td> <td>3</td> <td>3</td> <td>7</td> <td>4</td> <td>6</td> <td>15</td> </tr> <tr> <td>Boys</td> <td>5</td> <td>3</td> <td>9</td> <td>6</td> <td>7</td> <td>6</td> <td>10</td> </tr> </tbody> </table>	Year	R	1	2	3	4	5	6	Girls	9	3	3	7	4	6	15	Boys	5	3	9	6	7	6	10
Year	R	1	2	3	4	5	6																		
Girls	9	3	3	7	4	6	15																		
Boys	5	3	9	6	7	6	10																		
<b>5 to 7. Displaced pupils</b>																									
5. A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.	<p>Demand for reception places in the area has reduced dramatically in the last 5 years, the local authority took action in 2018/19 to reduce this excess by formally reducing the published admission number at twelve schools. This school is situated in the local authority planning area Borough, Bankside and Walworth which comprises 19 other schools, demand has decreased substantially, due to consistently falling birth rates and a variety of socio-</p>																								

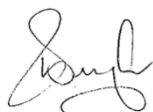
Category	Information																									
<p>6. Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including</p> <p>(a) any interim arrangements</p> <p>(b) the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and</p> <p>(c) in the case of special schools, the alternative provision made by local authorities other than the local authority which maintain the school.</p> <p>7. Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.</p>	<p>economic factors that have led to fewer families living in the area in these 19 schools.</p> <p>The table below shows reception year figures, capacity, vacancies and a percentage of vacancies. Ofsted and the DfE recommend between 5-10% vacancy levels to allow for parental preferences to be accommodated – the vacancy rate in this planning area is significantly higher, currently at 30%.</p> <table border="1" data-bbox="644 454 1353 611"> <thead> <tr> <th>Year</th> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> </tr> </thead> <tbody> <tr> <td>Places</td> <td>945</td> <td>945</td> <td>810</td> <td>810</td> </tr> <tr> <td>Uptake</td> <td>719</td> <td>659</td> <td>612</td> <td>615</td> </tr> <tr> <td>Vacancies</td> <td>226</td> <td>286</td> <td>198</td> <td>195</td> </tr> <tr> <td>%</td> <td>24%</td> <td>30%</td> <td>30%</td> <td>30%</td> </tr> </tbody> </table> <p>The local authority has confirmed that there are over 1000 vacancies across years R to 6 at 14 other primary schools within 0.6 miles of St John's Walworth Church of England Primary school, which indicates there is sufficient capacity to accommodate displaced pupils, subject to parental preferences made through an admissions process.</p> <p>A coordinated admissions process has been delivered by the local authority for all families with a child on roll at St John's Walworth Church of England Primary school to enable them to apply for an alternative school of preference for September 2021. Places have been confirmed for 88 of the 94 on roll and final arrangements to secure places for the remaining six children are underway. Parents also have the option to apply to schools which are further away as there are some families travel from outside of the immediate area to enable their children to attend St John's Walworth. The School Admissions Team at the Local Authority can provide information and contact details for schools; they can be contacted at the following email address:  <a href="mailto:schooladmissions@southwark.gov.uk">schooladmissions@southwark.gov.uk</a></p> <p>6a) there are no interim arrangements required</p> <p>6b) there is no SEND specialist reserved provision at this school - this section does not apply. There are five children with EHCPs – transition arrangements for these children into alternative schools are being managed by caseworkers on the local authority's Special Educational Needs and Disability (SEND) team to ensure appropriate placements are made.</p> <p>6c) St John's Walworth Church of England Primary school is not a special school, this does not apply</p> <p>7. There is no need for additional places to be provided in order to accommodate the children displaced by the closure of St John's Walworth Church of England Primary school, as there are currently, over 1000 spare places within half a mile of the school available across year groups to accommodate displaced pupils.</p>	Year	2017	2018	2019	2020	Places	945	945	810	810	Uptake	719	659	612	615	Vacancies	226	286	198	195	%	24%	30%	30%	30%
Year	2017	2018	2019	2020																						
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Vacancies	226	286	198	195																						
%	24%	30%	30%	30%																						
<p><b>8. Impact on the community</b></p>	<p>A statement and supporting</p>																									
	<p>The decision to propose closure of St John's Walworth Church</p>																									

Category	Information
evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.	<p>of England Primary school has been taken to protect the education of children attending the school, and ensure that, should the school close they can have a managed transition to other local schools. Southwark Council and the Southwark Diocesan Board of Education are working in partnership with the school as they move through this statutory process.</p> <p>The Governors of St John's Walworth Church of England Primary school as well as Southwark Council/Southwark Diocesan Board of Education acknowledge that the closure of the school will have an impact on the community, and be deeply felt by many families/local residents due to the significant, community links and emotional ties developed and held by generations at St John's Walworth Church of England Primary school. However, given the significant level of capacity at high quality schools in the locality and across Southwark as a whole, families will be able to access alternative school places in the community. The closure of St John's Walworth school may enable some of the surrounding schools with low rolls to strengthen their intake and as a result, to become more financially viable.</p> <p>No mitigation will be required because of the availability of alternative school places at other schools in the local community.</p>
<b>9. Rural primary schools</b>	
Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the local authority or the governing body (as the case may be) considered section 15(4).	St John's Walworth Church of England Primary is not in an area that has been classified as "rural", nor has it been designated as such by an order made for the purposes of section 15.
<b>10. Balance of denominational provision</b>	
Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.	<p>The demand for places in denominational schools has decreased substantially across Southwark. The number of vacancies in Voluntary Aided, Church of England schools has increased commensurately – from a 9% vacancy rate in 2016 to 19% in 2020.</p> <p>The number of preferences expressed per place through the coordinated admissions process each year in Voluntary Aided, Church of England schools have fallen by 11%. The proportion of Voluntary Aided, Church of England primary places would reduce by 0.2% (because of this proposed closure). In terms of a balance between RC and C of E places, these would remain as they are presently - 54:46, as an RC school has just reduced its published admission number as well.</p> <p>Reducing provision in this area will mean that the remaining Voluntary Aided Church of England schools will potentially stay viable and ensure a future for this group of schools within the educational landscape in Southwark.</p>
<b>11. Maintained nursery schools</b>	
Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out	St John's Walworth Church of England School is a 4-11 primary school and includes no nursery provision, this section does not apply

Category	Information
<p>(a)the local authority's assessment of the quality and quantity of the alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and</p> <p>(b)the accessibility and convenience of replacement provision for local parents.</p>	<p>St John's Walworth Church of England School is a 4-11 primary school and includes no nursery provision, this section does not apply</p>
<b>12. Sixth form provision</b>	
<p>Where the school proposed to be discontinued provides sixth form education, the effect for 16 to 19 year olds in the area that the closure will have in respect of</p> <p>(a)their educational or training achievements;</p> <p>(b)their participation in education or training; and</p> <p>(c)the range of educational or training opportunities available to them.</p>	<p>St John's Walworth Church of England School is a 4-11 primary school, it does not include sixth form provision, this section does not apply.</p>
<b>13. Special Educational Needs Provision</b>	
<p>Where existing provision that is recognised by the local authority as reserved for pupils with special educational needs is being discontinued, a statement as to how the local authority or the governing body (as the case may be) believe the proposals are likely to lead to improvements in the standard, quality and/or range of the educational provision for these children</p>	<p>There is no special educational needs provision reserved for SEND pupils at St John's Walworth Church of England school, no specialist provision is proposed for discontinuation.</p>
<b>14-15 Travel</b>	
<p>14. Details of length and journeys to alternative provision.</p>	<p>All children on roll at the school could be offered a place within 0.6 miles of their existing school – there are 14 schools with more than 1,000 places, across year groups R to 6 available within this area. Every parent however, is able to make a preference for an alternative school inside or outside this area.</p> <p>The commuting distance of children, currently attending St John's Walworth Church of England school is not likely to be substantively affected as they transition into alternative schools. It is therefore not expected that journeys to and from alternative schools provided will be lengthier than at present due to availability but longer journeys may occur as a result of parental preference of schools outside of the local area.</p>
<p>15. The proposed</p>	<p>As outlined above, the pupils displaced by the school closure</p>

Category	Information
arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.	may not be unduly inconvenienced by lengthier travel, as there is plenty of provision within walking distance of St John's Walworth Church of England Primary School. This would help to mitigate against any increase in car use, as no more car journeys will be necessary than at present.
<b>Making objections to or comments on these proposals</b>	<p>Within four weeks from the date of publication of these proposals, by 5 pm on 5<sup>th</sup> July 2021 any person may object to or make comments on the proposals or, request a paper copy of the proposal by emailing</p> <p><a href="mailto:ric.euteneuer@southwark.gov.uk">ric.euteneuer@southwark.gov.uk</a></p> <p>or by post to:</p> <p>Ric Euteneuer, Principal Strategy officer (School Place Planning)  Education Access and Statutory Services  Children's Services  Southwark Council  160 Tooley Street  London SE1 2QH</p>

Signed



Usha Singh  
Chair of Governors, St John's Walworth primary school

7<sup>th</sup> June 2021



## Consultation activities on closure proposals **APPENDIX 6**

<b>Date</b>	<b>Activity</b>	<b>Attendees</b>
19/01/2021	Extraordinary Full Governing body meeting	Governors
28/01/2021	Extraordinary Full Governing body meeting - LA and Southwark Diocesan Board of Education (SDBE)	Governors, Diocese
01/02/2021	Governing Body Meeting Resource Panel	Governors
03/02/2021	Extraordinary Full Governing Body meeting	Governors
04/02/2021	Extraordinary Full Governing Body meeting - LA and SDBE	Governors, Diocese, LA staff
09/01/2021	Action Group Meeting – 1	Governors, Diocese, LA staff
10/02/2021	Action Group Meeting - 2	Governors, Diocese, LA staff
11/02/2021	Trade Union Update - Director of Education (am)	LA staff, trade unions
11/02/2021	Staff Meeting - Meeting – Chair of Governors - Visit SJW to inform staff	Governors, staff
12/02/2021	Staff meetings - LA, SDBE and Chair of Governors visit SJW to speak to staff	Governors, staff, Diocese
16/02/2021	Action Group Meeting - 3	Governors, Diocese, LA staff
23/02/2021	Reception and Year 1 Parent Meeting via Zoom	Governors, Parents
23/02/2021	Year 2 Parent Meeting via Zoom	Governors, Parents
23/02/2021	Year 3 Parent Meeting via Zoom	Governors, Parents
23/02/2021	Year 4 Parent Meeting via Zoom	Governors, Parents
23/02/2021	Action Group Meeting - 4	Governors, Diocese, LA staff
24/02/2021	Year 5 Parent Meeting via Zoom	Governors, Parents
24/02/2021	Year 6 Parent Meeting via Zoom	Governors, Parents
02/03/2021	Year 6 Parent Meeting via Zoom	Governors, Parents
02/03/2021	Action Group Meeting - 5	Governors, Diocese, LA staff
08/03/2021	Extraordinary Full Governing Body meeting	Governors
09/03/2021	Action Group Meeting - 6	Governors, Diocese, LA staff
12/03/2021	Meeting with HR and Chair of Governors	Governors, LA staff
16/03/2021	Public Consultation Meeting - 1	Governors, Parents, Diocese, LA staff
16/03/2021	Action Group Meeting - 7	Governors, Diocese, LA staff
18/03/2021	Meeting with HR and Chair of Governors	Governors, Unions
18/03/2021	TU meeting with the Chair of Governors	Governors, Unions
23/03/2021	Action Group Meeting -8	Governors, Diocese, LA staff
29/03/2021	Extraordinary Full Governing Body meeting	
30/03/2021	Action Group Meeting – 9	Governors, Diocese, LA staff
30/03/2021	Staff surgeries dates	LA staff, school staff

<b>Date</b>	<b>Activity</b>	<b>Attendees</b>
06/04/2021	Action Group Meeting – 9	Governors, Diocese, LA staff
20/04/2021	Action Group Meeting – 10	Governors, Diocese, LA staff
27/04/2021	Public Consultation Meeting – 2	Governors, Parents, Diocese, LA staff
	Action Group Meeting – 11	Governors, Diocese, LA staff
04/05/2021	Action Group Meeting – 12	Governors, Diocese, LA staff
11/05/2021	Public Consultation Meeting – 3	Governors, Parents, Diocese, LA staff
	Action Group Meeting – 13	Governors, Diocese, LA staff
17/05/2021	Extraordinary Full Governing Body meeting	Governors, Diocese, LA staff
20/05/2021	Meeting with Union & Chair of Governors	Governors, Unions

## APPENDIX 7

## EQUALITY AND HEALTH IMPACT ASSESSMENT



**Equality & health analysis for  
the proposed closure of St  
John's Walworth, Church of  
England Primary School**

# June 2021

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## Guidance notes

### Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for

equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and [www.southwarkadvice.org.uk](http://www.southwarkadvice.org.uk)).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

## Section 1: Equality analysis details

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<b>Proposed decision to which this equality analysis relates</b>	Closure of St John's Walworth CE Primary School
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<b>Equality analysis author</b>	Ric Euteneuer, Principal Strategy Officer		
<b>Strategic Director:</b>	David Quirke-Thornton, Strategic Director		
<b>Department</b>	Children's & Adults' Services	<b>Division</b>	Education
<b>Period analysis undertaken</b>	May to June 2021		
<b>Date of review (if applicable)</b>	Not applicable		
<b>Sign-off</b>	Nina Dohel	<b>Position</b>	Director of Education
		<b>Date</b>	

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**Section 2: Brief description of policy/decision/business plan**

<b>1.1 Brief description of decision</b>
The decision of whether to close of St John's Walworth Church of England Primary School from the 1st September 2021 onwards

**Section 3: Overview of service users and key stakeholders consulted**

<b>2. Service users and stakeholders</b>	
<b>Key users of the department or service</b>	<p>School pupils</p> <p>School staff</p> <p>School teaching staff</p> <p>Local community</p>
<b>Key stakeholders were/are involved in this decision</b>	<p>School pupils</p> <p>School staff</p> <p>School teaching staff</p> <p>Local community</p> <p>All other schools/admission authorities in Southwark, governing bodies and academy trusts</p> <p>Neighbouring Councils (Lambeth, Tower Hamlets, Lewisham, Croydon, Wandsworth, and Westminster)</p> <p>All Southwark Councillors and MPs</p> <p>The SDBE and the Catholic Diocese</p> <p>Appropriate trade Unions</p>

## Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated, it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

<b>Age</b> - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).								
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>					<b>Potential health impacts (positive and negative)</b>			
There have been no differential impacts identified related to age – all primary schools that children are transferring to are the same age range. In terms of the age range of staff, staff recruitment, redeployment and redundancy are not based on age.					There are no differential health impacts identified related to age			
<b>Equality information on which above analysis is based</b>					<b>Health data on which above analysis is based</b>			
The schools roll at the start of term consisted of 144 pupils, with less pupils in the lower year groups than higher year groups. This could have been an issue if there had been fewer vacancies in these year groups – the situation on the ground was that there were over 1000 vacancies in R to 6 across all age groups, so age did not play a part in selection alternative provision for pupils.								
<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>	
18	10	20	23	18	29	26	144	
<b>Mitigating actions to be taken</b>								
<b>None required</b>					<b>None required</b>			

<b>Disability</b> - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.								
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>					<b>Potential health impacts (positive and negative)</b>			
There have been no differential impacts identified related to disability – all primary schools that children are transferring to are disabled accessible, and most children have been offered a school of choice. The same would go to staff with a disability – the redundancy and redeployment policy and practice would mean that were staff redeployed, the workplace would be disabled accessible; in terms of staff redundancy policy, staff would not be differentially affected according to their disability status.					There have been no differential health impacts identified related to disability			
<b>Equality information on which above</b>					<b>Health data on which above</b>			



<b>analysis is based</b>	<b>analysis is based</b>
<a href="https://www.gov.uk/government/statistics/disability-prevalence-estimates-200203-to-201112-apr-to-mar">https://www.gov.uk/government/statistics/disability-prevalence-estimates-200203-to-201112-apr-to-mar</a>	
<p>This states that the Office for Disability Issues has updated Department for Work and Pensions estimates, which show there are 11.6 million disabled people in Great Britain, of whom 5.7 million are adults of working age. 5.1 million are over state pension age and 0.8 million are children. 1.2 million residents of London were estimated to be disabled.</p>	
<p>This gives the latest disability prevalence within the UK. This was not broken down below sub regional geography, but this would equate to around 14.4% of the population, of whom 6.7% would be children of school age – or around 1,570 primary (4-11) and 950 secondary (11-19) aged children across Southwark. This does not include children being educated at special schools – totalling around 400 children. These figures derive from the School's Census 2019, which is the latest contextual information available. If disability includes children who have Special Educational Needs, then there are 5 children at the school with Education and Healthcare Plans (EHCP) and a further 14 who are "SEND Plus". All of these children have been supported throughout the transfer process and will continue to be supported at their new school from hereon in, or when they transfer there in September 2021.</p>	
<b>Mitigating actions to be taken</b>	
None required	

<b>Gender reassignment</b> - The process of transitioning from one gender to another.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
Children are unlikely to be undergoing gender re-assignment. Staff who were undergoing gender reassignment would not be discriminated in terms of redundancy or redeployment	This will not have a disproportionate affect on staff or pupils undergoing gender reassignment
<b>Equality information on which above analysis is based.</b>	<b>Health data on which above analysis is based</b>
When the GRA (Gender Recognition Act - giving birth certificate change, marriage, was passed by Parliament, related government literature at the time estimated 6,000 "visible" transsexual people in the UK. These were people living fully in "opposite gender" role, pre and post-ops, who had come to statistical attention through applying for Passports in their changed status, or being referred to or having passed through gender clinics and the NHS. This was therefore estimated to be 0.01% of the population or around one in 10,000 people. This was not broken down by sub national geography, but, applying this proportion to Southwark, this would equate to around 30 "transgender" people in Southwark, across a range of ages.	
<b>Mitigating actions to be taken</b>	
None required	

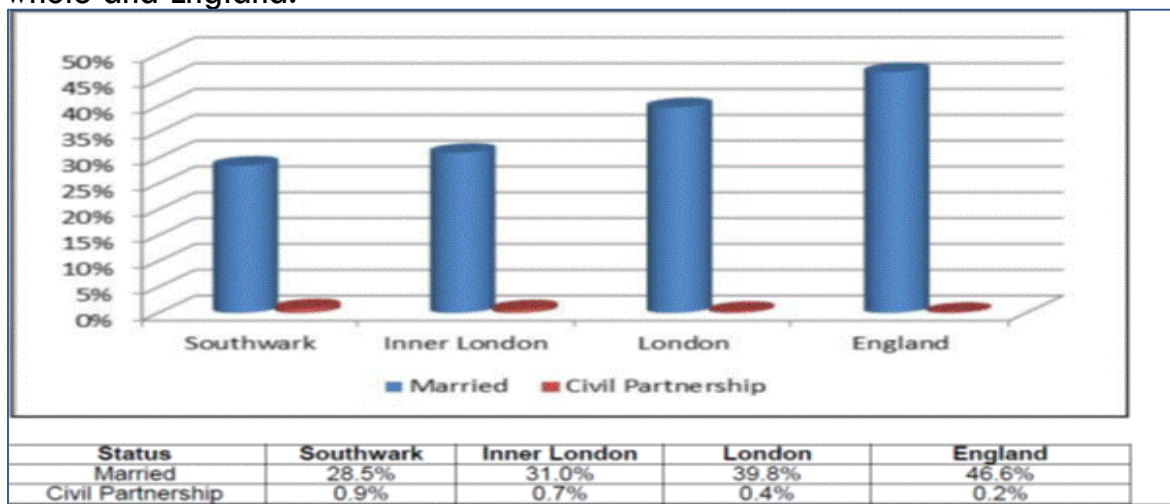
**Marriage and civil partnership** – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
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Marriage and civil partnership would only affect the parents, carers, Marital or civil partnership status, and does not form part of the closure or redundancy process	No differential health impact on marital status has been identified.
--	--

<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
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Data extracted from the Census 2011 shows that comparative data for Southwark, inner London, the whole of London and England at Census time; Southwark has a slightly lower percentage of residents who are married than Inner London, and lower than that as London as a whole, as well as England. For Civil partnerships, Southwark is higher than Inner London, London as a whole and England.



**Mitigating actions to be taken**

None required

**Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
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Pregnancy and maternity status would not affect pupils, and would only affect the parents, carers, and teaching/non-teaching staff at the school.	No differential health impact on marital status has been identified.
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Marital or civil partnership status, and does not form part of the closure or redundancy process

<b>Equality information on which above</b>	<b>Health data on which above</b>
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<b>analysis is based</b>		<b>analysis is based</b>	
Southwark's birth rate has declined in 2013 and 2014, but the last comparative statistics published by ONS for London and England showed that Southwark has a slightly lower level of births per 1000 women, and less births per woman than England and London.			
<b>2012 - ONS</b>	<b>Southwark</b>	<b>London</b>	<b>England</b>
Live births	5,030	134,186	694,241
General Fertility Rate (GFR)*	62.7	67.0	64.9
Total Fertility Rate (TFR)**	1.72	1.84	1.94
* number of live births per 1,000 women aged 15-44			
** number of live children that a group of women would bear if they experienced the age-specific fertility rates of the calendar year in question throughout their childbearing lifespan			
<b>Mitigating actions to be taken</b>			
None required			

<b>Race</b> - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
The school population and workforce are as diverse as the local population. Staff and pupils will most likely be transferred or redeployed to schools in the locality that are as diverse as St John's Walworth Church of England Primary School, so there will be no negative impact in terms of race.	There have been no differential health impacts identified related to race
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
The ethnicity data overleaf comprises the ethnic breakdown of <ul style="list-style-type: none"> <li>a) The school and the borough primary schools by Census 2021</li> <li>b) The (old) ward East Walworth at 5-14 age group and total population</li> <li>c) Southwark at 5-14 age group and total population</li> <li>d) London at 5-14 age group and total population</li> <li>e) England at 5-14 age group and total population</li> </ul> <p>The latter three are derived from the 2011 Census, which is the latest detailed ethnic breakdowns available.</p> <p>41% of the school's pupil population have English as an additional language, which is around twice the national average, but not atypical for Southwark or inner London. The surrounding schools have much the same race and language breakdown.</p>	

Ethnic Group	SW 4-10 %	Southwark Primary 4-11	East Walworth 5-14%	East Walworth 0-90+ %	Southwark 5-14%	Southwark 0-90+ %	London 5-14%	London 0-90+%	England 5-14%	England 0-90%
All usual residents	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Non-White	89.5	58.5	75.1	51.8	66.6	45.8	53.0	40.2	19.6	14.6
White	10.5	41.5	24.9	48.2	33.4	54.2	47.0	59.8	80.4	85.4
White: English/Welsh/Scottish/Northern Irish/British	9.9	28.2	18.0	33.1	27.7	39.7	38.3	44.9	77.0	79.8
White: Irish	-	0.6	0.7	2.2	0.5	2.2	0.7	2.2	0.3	1.0
White: Gypsy or Irish Traveller	-	0.2	0.1	0.1	0.1	0.1	0.2	0.1	0.2	0.1
White: Other White	0.6	12.5	6.1	12.8	5.0	12.3	7.8	12.6	3.0	4.6
Mixed/multiple ethnic groups	10.2	16.4	12.2	6.7	12.4	6.2	9.5	5.0	4.5	2.2
Mixed/multiple ethnic groups: White and Black Caribbean	4.0	4.1	6.2	2.4	4.8	2.0	3.3	1.5	1.8	0.8
Mixed/multiple ethnic groups: White and Black African	1.1	2.6	2.6	1.1	3.0	1.3	1.5	0.8	0.6	0.3
Mixed/multiple ethnic groups: White and Asian	1.1	1.9	0.8	1.1	1.4	1.0	2.1	1.2	1.2	0.6
Mixed/multiple ethnic groups: Other Mixed	4.0	7.8	2.6	2.1	3.1	1.9	2.5	1.5	0.9	0.5
Asian/Asian British	1.8	8.5	7.7	10.3	7.2	9.5	19.7	18.4	9.3	7.7
Asian/Asian British: Indian	0.0	0.9	0.2	1.3	0.8	2.0	5.3	6.6	2.4	2.6
Asian/Asian British: Pakistani	1.2	0.9	0.5	0.4	0.5	0.6	3.6	2.7	3.3	2.1
Asian/Asian British: Bangladeshi	0.0	2.7	3.1	2.6	2.4	1.4	4.6	2.7	1.4	0.8
Asian/Asian British: Chinese	0.6	1.9	1.7	3.1	1.4	2.8	0.8	1.5	0.5	0.7
Asian/Asian British: Other Asian	0.0	2.1	2.2	2.9	2.2	2.7	5.4	4.9	1.7	1.5
Black/African/Caribbean/Black British	77.1	61.1	52.3	34.9	43.7	30.1	19.8	16.7	4.7	4.4
Black/African/Caribbean/Black British: African	56.1	35.1	30.2	19.9	25.6	16.4	10.8	7.0	2.6	1.8
Black/African/Caribbean/Black British: Caribbean	8.8	8.9	6.3	5.4	7.4	6.2	4.9	4.2	1.1	1.1
Black/African/Caribbean/Black British: Other Black	9.9	7.8	15.8	5.2	10.7	4.2	4.1	2.1	0.9	0.5
Other ethnic group	2.3	9.3	2.9	4.4	3.3	3.3	4.0	3.4	1.1	1.0

The school's population is more diverse than that of the Southwark pupil population as a whole, as well as at ward and Southwark level overall, both at school age and across all age groups. 89.5% of pupils attending the school are non-white. The largest single group across all ethnicities are Black African, comprising over half the pupils at the school (56.1%), nearly double the local population, and 21% higher than Southwark schools' population Black African population. As this is a Christian-denominated school, one would expect less children of a non-Christian background, which would imply that there could potentially be less children of Asian origin – and indeed this is the case - 1.8% of pupils are of Asian origin, compared to 8.5% in Southwark primary schools, and 7.2% of children living in the borough. On the basis that most of the “receiving schools” have similar language, race and ethnicity profile to St John's Walworth, there have not been any particular consequences for children with these protected characteristics identified as a consequence of the school closing. There is no specific provision currently made which will no longer be available, and no disproportionate impact on any group having to travel further as a result of the closure, as most children have been reaccommodated locally.

The closure of the school will not have a differential effect on different ethnicities, as race or ethnicity forms no part of the selection process for places and the schools that lie in the vicinity of St John's Walworth are generally of a similar ethnic make up as St John's Walworth Church of England Primary School itself.

Unfortunately, as there is no ethnic breakdown of staff available, it has not proved possible to benchmark the school against the ethnic breakdown of the borough, but anecdotally, we are aware that the school is as diverse as the community it serves, and the closure of the school will not alter this, given that schools in the locality are as diverse as St John's Walworth Church of England Primary School.

**Mitigating actions to be taken**

None required

**Religion and belief** - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Potential impacts (positive and negative) of proposed policy/decision/business plan**

The closure of St John's Walworth will not alter the balance of denominational education in terms of the balance between Roman Catholic and C of E Education – this will remain 54:46 in terms of places offered to applicants, as a Catholic school in Peckham is reducing its PAN by 1FE.

A low number of pupils chose St John's Walworth on a religious basis or preference, so the effect on this would be minimal. Such children who requested a place at a Church of England school have been accommodated; this has also included non-denominational schools and at a local Roman Catholic School

**Potential health impacts (positive and negative)**

There have been no differential health impacts identified related to religion or belief

**Equality information on which above analysis is based**

The division of places by school denomination is as follows. The closure of St John's Walworth Church of England Primary School. will have a small (0.7%) effect on the number of C of E places available in Southwark. Overall, denominational places will fall by 0.8%.

School type	Places Jan 21	Places Jan 22
Community Schools	50.0%	48.9%
Foundation School	2.1%	2.0%
Academies	16.4%	16.5%
VA Schools	24.6%	23.8%
RC VA Schools	13.1%	13.1%
CE VA Schools	11.4%	10.7%
Free Schools	23.4%	25.4%

In terms of projected numbers, the projected numbers will remain similar to last year, with an easing of demand at denominational and C of E level. Numbers overall are projected to decline, so the demand will decrease proportionately.

School type	Pupils Jan 21	Pupils Jan 22
Community Schools	50.8%	49.8%
Foundation School	3.6%	3.5%
Academies	13.8%	13.8%
VA Schools	24.9%	24.7%
RC VA Schools	13.4%	13.3%
CE VA Schools	11.5%	11.4%
Free Schools	7.0%	8.1%

**Mitigating actions to be taken**

None required
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<b>Sex - A man or a woman.</b>	
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<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
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There will be zero impact on the gender balance as a result of the school closure, as all our primary schools are mixed gender, and the closure will not affect that balance.	There have been no differential health impacts identified related to sex
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<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
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Equality information on which above analysis is based The proportion of boys and girls in primary schools are split 50%:50% by gender (Source: Pupil Census return 2020), which matches the prevalence in the local population (Source ONS Census 2011)	
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<b>Mitigating actions to be taken</b>
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None required
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<b>Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes</b>	
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<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
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There will be minimal impact on sexual orientation as a result of the school closure, as all our primary schools are mixed gender, and the closure will not affect that balance.	There have been no differential health impacts identified related to sexual orientation
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<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
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The Integrated Household Survey undertaken in 2010 revealed that almost three-quarters of a million UK adults say they are gay, lesbian or bisexual - equivalent to 1.5% of the population. This was not broken down by sub national geography, but applying this proportion to the number of residents in Southwark, this would equate to around 4,000 LGBTQ inhabitants in the borough.	
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<b>Mitigating actions to be taken</b>
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None required
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<b>Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.</b>	
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<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
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There will be minimal impact on the local Socio-economic disadvantage as a result of the school closure, as all our primary schools are mixed gender, and the closure will not affect that balance. The schools in the locality of St John's Walworth Church of England Primary School. are of a similar socio economic make up as St John's Walworth Church of England Primary School itself, so the closing of the school will not alter this in itself.	There have been no differential health impacts identified related to religion or belief Socio-economic disadvantage
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As regards the school's staff, we would expect staff to find work in other Southwark schools of a similar type to St John's Walworth Church of England Primary School..											
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>										
The only measure for us that is freely available to compare socio-economic disadvantage is eligibility for free school meals (FSM), which is widely used as a proxy for deprivation across education.											
As can be seen, Southwark is higher than the national and London average, and St John's Walworth Church of England Primary School is higher than Southwark's.											
<table border="1"> <thead> <tr> <th>Area</th> <th>SJW</th> <th>Southwark</th> <th>London</th> <th>England</th> </tr> </thead> <tbody> <tr> <td>FSM %</td> <td>25.9%</td> <td>22.7%</td> <td>21.1%</td> <td>19.7%</td> </tr> </tbody> </table>		Area	SJW	Southwark	London	England	FSM %	25.9%	22.7%	21.1%	19.7%
Area	SJW	Southwark	London	England							
FSM %	25.9%	22.7%	21.1%	19.7%							
The schools in the locality where the children will potentially attend are of a similar or lower level of socio-economic disadvantage to St John's Walworth Church of England Primary School, so the transfer of children (or indeed staff) to a different location will not have a discernable effect on this.											
<b>Mitigating actions to be taken</b>											
None required											

<p><b>Human Rights</b></p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>
<p>The legislation has been updated to take account of the UK's agreement to the HRA They are now</p> <ul style="list-style-type: none"> <li>•Article 2: Right to life</li> <li>•Article 3: Freedom from torture and inhuman or degrading treatment</li> <li>•Article 4: Freedom from slavery and forced labour</li> <li>•Article 5: Right to liberty and security</li> <li>•Article 6: Right to a fair trial</li> <li>•Article 7: No punishment without law</li> <li>•Article 8: Respect for your private and family life, home and correspondence</li> <li>•Article 9: Freedom of thought, belief and religion</li> <li>•Article 10: Freedom of expression</li> <li>•Article 11: Freedom of assembly and association</li> <li>•Article 12: Right to marry and start a family</li> <li>•Article 14: Protection from discrimination in respect of these rights and freedoms</li> <li>•Protocol 1, Article 1: Right to peaceful enjoyment of your property</li> <li>•Protocol 1, Article 2: Right to education</li> <li>•Protocol 1, Article 3: Right to participate in free elections</li> <li>•Protocol 13, Article 1: Abolition of the death penalty</li> </ul> <p>Articles 1 and 13 of the ECHR do not feature in the Act. This is because, by creating the Human Rights Act, the UK has fulfilled these rights. For example, Article 1 says that states must secure the rights of the Convention in their own</p>

jurisdiction. The Human Rights Act is the main way of doing this for the UK. Article 13 makes sure that if people's rights are violated they are able to access effective remedy. This means they can take their case to court to seek a judgment. The Human Rights Act is designed to make sure this happens. The closure of St John's Walworth Church of England Primary School could potentially affect Protocol 1, Article 2: Right to education, but the fact that the LA has sought and obtained alternative school places for all pupils displaced by this action means that this does not apply

**Information on which above analysis is based**

The website below gives guidance to the 16 articles and individual details for each <http://www.equalityhumanrights.com/your-rights/human-rights/what-are-human-rights/human-rights-act>

**Mitigating actions to be taken**

None required



## Section 5: Further actions and objectives

<b>5. Further actions</b>			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
<b>Number</b>	<b>Description of issue</b>	<b>Action</b>	<b>Timeframe</b>
No equality issues have been identified, so <b>no</b> mitigations are required			

<b>5. Equality objectives (for business plans)</b>			
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.			
<b>Objective and measure</b>	<b>Lead officer</b>	<b>Current performance (baseline)</b>	<b>Targets</b>
			<b>Year 1</b>
Not applicable, as this is not a business plan			

<b>5. Health objectives (for business plans)</b>			
Based on the initial analysis above, please detail any health objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.			
<b>Objective and measure</b>	<b>Lead officer</b>	<b>Current performance (baseline)</b>	<b>Targets</b>
			<b>Year 1</b>
Not applicable, as this is not a business plan			

## APPENDIX 8

**Alternatives schools allocated to children on the roll (as at January 2021)  
at St John's Walworth Church of England primary school**

**Southwark Primary Schools (90%)**

<b>School</b>	<b>Number</b>	<b>School</b>	<b>Number</b>
Boutcher CE	2	Oliver Goldsmiths	1
Brunswick Park	3	Riverside	1
Camelot	2	Robert Browning	5
Cathedral CE	1	St Anthony's	2
Charlotte Sharman	1	St George's CE	1
Crampton	5	St James CE	1
Dog Kennel Hill	1	St James The Great RC	2
English Martyrs RC	9	St Joseph's RC	4
Galleywall	2	St Jude's CE	7
Globe	1	St Paul's CE	4
Harris East Dulwich	1	St Peter's CE	17
John Ruskin	4	Surrey Square	5
St Mary Magdalene CE	1	Victory	4
Michael Faraday	4	<b>Southwark Total</b>	<b>90</b>

**Non Southwark Primary Schools (10%)**

<b>School</b>	<b>No.</b>	<b>School</b>	<b>No</b>
Archbishop Sumner CE (Lambeth)	1	Oasis Johanna (Lambeth)	1
Christ Church CE (Lambeth)	1	St Philips Howard CE (Herts)	1
Christ Church CE (Kent)	1	St Saviour's CE(Lambeth)	1
Henry Fawcett (Lambeth)	1	St John The Divine CE (Lambeth)	2
New Horizons Chatham (Kent)	1	<b>Outborough Total</b>	<b>10</b>

**Breakdown of pupils destinations by school type**

<b>School Type</b>	<b>Number</b>	<b>Percentage</b>
C of E Total (Southwark)	34	34%
C of E Total All	41	41%
RC Total (Southwark)	17	17%
RC Total All	17	17%
(Southwark) Denominational total	51	50%
All denomination total	58	57%
Non-denominational schools	43	43%

<b>Item No.</b> 16.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Acquisition of land adjacent to the council's Old Kent Road site	
<b>Ward:</b>		Old Kent Road	
<b>Cabinet Member:</b>		Councillor Helen Dennis, Climate Emergency and Sustainable Development	

### **FOREWORD – COUNCILLOR HELEN DENNIS, CABINET MEMBER FOR THE CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT**

The acquisition of this site, located on the Old Kent Road, is fully funded by the Ministry of Housing, Communities & Local Government (MHCLG) Future High Street's Fund and supports the aim of the Old Kent Road AAP to provide new commercial space and delivery of new affordable housing in Southwark. The Council is able to safeguard the future use of this site, which has previously included anti-social uses and ensure that it is repaired and refurbished to secure its future and complement the adjacent site which is already under council ownership.

The plans for this site will include additional commercial space, supporting local businesses and increasing the amount of affordable commercial workspace available in the area. The wider plan for the larger site includes future delivery of approximately 200 new homes and purchasing this site ensures that a more cohesive and complementary development can be brought forward through intervention by the council but the acquisition being fully funded by central government.

### **RECOMMENDATIONS**

That Cabinet:

1. Authorises pursuant to s227 of the Town and Country Planning Act 1990, that the Council acquires the freehold interest in the property at 719-725 & 727 Old Kent Road shown edged black on the plan at Appendix A.
2. Authorises the principal purchase terms set out in full in in the closed report.
3. Delegates to the director of planning & growth authority to agree the detailed terms of the acquisition.

## **BACKGROUND INFORMATION**

4. 719-725 & 727 Old Kent Road (shown edged black in the plan in Appendix A) adjoins and is enclosed by our existing ownership of the Folgate site (hatched black on the plan) which is identified in the AAP masterplan to deliver a mixed use development of approximately 200 new homes over commercial.
5. The subject site at 719-725 & 727 Old Kent Road covers 0.146 acres and currently comprises an early Victorian parade of shops with upper parts, fronting onto the Old Kent Road. To the rear there is a workshop and associated buildings.
6. The site is currently subject to a proceeds of crime act order against the owner for illegal residential letting of some of the units and is generally in a poor state of repair and condition. The owner has to pay a court order in the sum of £300,000 to the council before the site can be sold.
7. Gaining control of this site offers the council as the adjoining owner the ability to create a more comprehensive and efficient redevelopment of the sites.
8. The combined sites are identified in the Old Kent Road Area Action Plan as having the potential to deliver a mixed use scheme of 200 residential units, new commercial space to the ground floor and for the existing commercial buildings on the subject site to be refurbished and to offer further commercial space/ workspace.

## **KEY ISSUES FOR CONSIDERATION**

9. Due to the poor condition of the existing buildings and the history of anti-social uses on 719-725 & 727 Old Kent Road, officers have considered the blight impact to the adjacent council owned Folgate site. The existing site at 719-725 & 727 Old Kent Road would have a noticeable negative impact on future residential values if not substantially improved and refurbished. Advice from external surveyors have confirmed this position.
10. The owners of 719- 725 & 727 Old Kent Road have advertised the site for sale through agents on the open market. Discussions have progressed and provisional terms have now been agreed (see Closed Report). The Council instructed independent valuers who have confirmed that the agreed price represents good value to the Council.
11. 719-725 & 727 Old Kent Road was identified as part of a Future High Street Bid in 2019. LBS were one of the successful local authorities and the Council has secured grant funding for acquisitions of interests and refurbishment of existing buildings. Therefore the full cost of this proposed acquisition will be paid by this grant, which is represents a significant

saving to the Council as it is effectively acquiring the site at zero cost to itself.

12. The acquisition of this land allows for a more comprehensive scheme to be brought forward on the wider island site (known as the Folgate Site) in accordance with the area action plan and LBS would then own both parts of the site. Under council ownership in any residential scheme 50% affordable housing can be delivered rather than the normal 35%.
13. The subject site can provide additional commercial/ workshop space, thus providing opportunities for small businesses and start-ups in the borough and ensuring that the buildings remain economically viable and can be maintained in perpetuity. At least 10% of the new commercial space would be affordable.
14. Principal terms for the purchase of the property have been agreed by the vendor and the council and these are set out in the closed report. Inevitably when the contract for the purchase is negotiated there will be items of detail that will also require agreement and it is recommended that the Director of Planning & Growth be delegated authority to agree such matters.

#### **PRINCIPAL PURCHASE TERMS**

15. Set out in closed report.

#### **COMMENTARY ON PRINCIPLE PURCHASE TERMS**

16. Set out in closed report.

#### **RATIONALE FOR RECOMMENDATIONS**

17.
  - a) To enhance the council's asset base by acquiring a strategic commercial interest, which allows the council to benefit from a substantial uplift in value of our adjoining Folgate land and improving the subject site once acquired.
  - b) To improve the OKR through the MHCLG Future High Street Fund which has been granted to acquire the land and to improve the buildings.
  - c) To assist in the council's long term commitment to providing new homes for those on the housing waiting list when the wider site is redeveloped.

### **Community impact statement**

18. The new Council Plan was the subject of extensive community consultation. The recommendations herein further the delivery of the *A Place to Belong* commitment set out in the Plan.
19. The Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:
  - a) eliminate discrimination
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. Relevant protected characteristics for the purposes of the Equality Act are:
  - Age
  - Civil partnership
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex and sexual orientation.
21. In considering the recommendations herein the cabinet must have due regard to the possible effects of them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
22. If the recommendations set out are approved, the council will purchase a dilapidated commercial building that had previously been used for illegal residential letting. By making the acquisition it will allow for a more comprehensive and valuable development to take place on the adjacent larger site, already in council ownership and create over 200 new homes

including ones to be let at council rent levels, together with new commercial investment space.

23. Any new homes delivered will greatly improve the quality of life of its residents, some of which may have protected characteristics. If there is a subsequent need to terminate any existing leases to enable a redevelopment of a mixed use residential and commercial scheme to proceed, it will be necessary for regard to be had to any possible effects on groups with a protected characteristic arising from the action and to mitigate any impact upon them.

### **Financial implications**

24. Set out in closed report.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law & Governance**

25. The report recommends the acquisition of the Property edged in black on the plan annexed in order to combine this site with the council's adjoining land and to develop it for housing and commercial/workspace units which will generate an income for the council.
26. The council has powers under s227 of the Town and Country Planning Act 1990 to acquire land by agreement. Section 227 says that a council or London Borough may acquire land by agreement for any purpose for which they are authorised to acquire land pursuant to s 226.
27. A council is authorised to acquire land pursuant to s226 if the authority thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, or if it will achieve a purpose in the interests of the proper planning of the area.
28. The proposed acquisition recommended by this report will facilitate the development of the area for housing and will assist with the proper planning of the area fulfilling the Old Kent Road Area Action Plan. The council therefore has adequate powers under the Town and Country Planning Act 1990 to acquire the Property.
29. The report confirms that authority to agree the detailed terms of the acquisition should be delegated to the director of planning and growth pursuant to part 3 O of the council's constitution.

### **Strategic Director of Finance & Governance**

30. Set out in the closed report.

**BACKGROUND DOCUMENTS**

Background Papers	Weblink
Council Plan 2018/9 – 2021/22	<b>Link (copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf">http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf</a>

**APPENDICES**

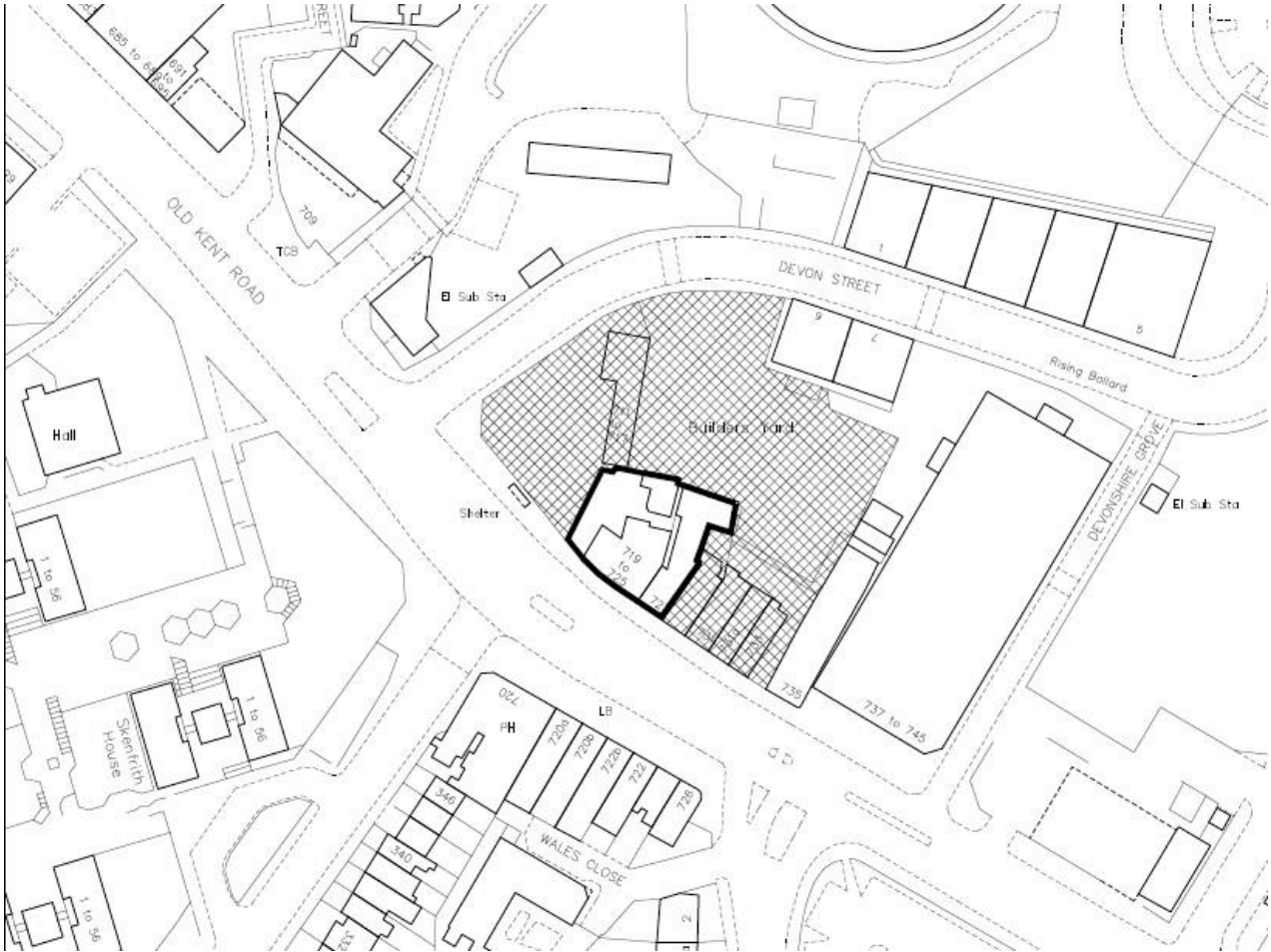
Appendix	Title
Appendix A	Site Plan

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Helen Dennis, Climate Emergency and Sustainable Development	
<b>Lead Officer</b>	Stephen Platts, Director of Planning & Growth	
<b>Report Author</b>	Marcus Mayne, Principal Surveyor: Regeneration South	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Housing & Modernisation	No	No
Director of Law & Governance	Yes	Yes
Strategic Director of Finance & Governance	Yes	Yes(closed report)
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	30 June 2021	



Appendix A- Site Plan



<b>Item No.</b> 17.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Southwark Great Estates Programme - Guarantee and Commitments	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Stephanie Cryan, Council Homes and Homelessness	

**FOREWORD - COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS**

The Great Estates programme sets out our vision for the future of Southwark council estates, to ‘expand and enrich’ our estates towards making them prized and valued spaces to live in. Our estate improvement plan pilots are also helping the council work towards our pledge to ensure our estates are properly clean, safe and cared for.

The following report sets out the responses of residents to our review of our service level standards. It sets out our final set of council responsibilities and commitments as well as highlighting resident opportunities that will help towards making our council estates better places to live.

The Great Estates Guarantee embeds best practices to ensure that we will listen to and respond to our residents and work effectively together to make our estates clean, safe and cared for.

The Great Estates commitments document sets out what residents can expect from the council in terms of caring for our estates, homes and buildings and gardens. It sets out how we will work with residents to help build strong local communities, which are the foundation stones for achieving truly great estates. While proposing what the council will do to help ensure our estates are kept clean and tidy, and as safe as possible.

It also sets out opportunities for residents to take an active role in helping to improve our estates, such as assisting with estate inspections, becoming involved with tenant and resident associations, or volunteering to help with gardening projects, working with our community garden coordinators.

I am proud of the way our residents have worked with our Great Estates Officers to develop some exceptional improvements to some of our estates through our Estate Improvement Plan Pilots. They have shown what is possible through working together to identify problems and develop resident centred solutions. I want to thank everyone who has taken part in the pilots and the survey. I look forward to continuing to engage with our residents and

hearing even more ideas for how to ensure our estates are clean, safe and cared for as we move forwards towards delivering our Great Estates Programme.

## RECOMMENDATIONS

1. That Cabinet notes the outcomes of the consultation with residents included in this report.

2. That Cabinet approves the Great Estates Guarantee which states that:

*“Southwark Council guarantees that we will listen to and respond to our residents and work effectively together to make our estates clean, safe and cared for.”*

3. That Cabinet approves the set of commitments set out in Appendix 1 for publication, following the consultation outcomes.

## BACKGROUND INFORMATION

4. This report sets out the process taken to consult with residents on the set of baseline commitments within the Great Estates Guarantee. Cabinet granted approval to consult on 7 April 2020. The report explores the outcome of the consultation, the demographics of respondents and confirms which areas residents feel they are able to contribute towards. The consultation was published on the council’s consultation hub for a period of 6 weeks from 25 August 2020 to 18 October 2020. Following this the consultation was sent to the online residents’ panel and remained open for a period of 4 weeks from 9 February 2021 to 12 March 2021.

5. The consultation sought to capture the views of a diverse as possible number of residents. In addition to publicising on the council’s online consultation hub, the consultation was also presented at area housing forums, published in two editions of the council’s newsletter; Southwark Life, and detailed information including posters were provided to the tenants and residents’ associations, with posters displayed on noticeboards at the entrance of all estates in the borough. The consultation was reopened and sent to the online resident panel with the view to seek additional responses. In pre pandemic times there would have been more opportunity to engage face to face with residents at various meetings to present the consultation, however, current circumstances have led to a reliance on virtual meetings due to the lockdown and the impact this has had on the level of responses is recognised.

6. The Great Estates Programme guarantees that every estate is clean, safe and cared for, and provides the tools for residents to carry out gardening which provides benefits for the estate, community, individual general wellbeing and health. The council has put forward a number of commitments to meet the vision of the programme and the consultation

aimed to identify areas where residents would be empowered to take an active role in the vision for Great Estates. The consultation also sought views about the level of involvement residents would be prepared to carry out on their estates.

7. Last year the consultation on the Estate Improvement Plan pilots was carried out across the borough. Methods ranged from workshops, drop-ins, wish list ballots and other methods of engaging and involving residents. The feedback received covered a range of areas, the most popular of which were gardening and landscaping, maintenance, cleaning and anti-social behaviour. These themes formed the basis of the consultation along with a number of commitments designed to enhance the estates and surrounding areas.
8. The Great Estate Improvement Plan pilots tested new ways of working to deliver resident-led approaches to estate improvements. Pilots have been run across the following estates: Canada and Rockingham estates in the north of the borough, Elmington and Brandon estates in the centre and Rye Hill, Kingswood and Friary in the South. A number of improvements have already been delivered including the launch of the Allotment scheme and progress of gardening projects. At Brandon two new playgrounds, disabled ramp access, redesign of planting and food growing plots are just some of the completed improvements already delivered. Digital notice boards have been installed at Kingswood and Friary estates along with the installation of new lighting columns to deter anti-social behaviour.

### **KEY ISSUES FOR CONSIDERATION**

9. Cabinet is requested to note the outcome of the consultation with residents summarised below, and to approve the Great Estates Guarantee and the set of commitments set out in Appendix 1.
10. Although the number of responses received from the consultation was not as high as expected, the responses and feedback provided valuable insight and reinforced the direction for the commitments set out. The demographics of the respondents and breakdown of results is provided below.

### **Demographic breakdown of respondents**

11. There were 45 responses received to the original consultation and a further 11 responses from the online residents panel, with the majority of respondents (79%) stating they had lived in the borough for 6 years or more as seen in the table below.

<b>Length of residence in borough</b>	<b>Total</b>	<b>Percent</b>
Less than 1 year	2	4%
Less than 2 years	2	4%
Less than 3 years	4	7%
3-5 years	4	7%

Length of residence in borough	Total	Percent
6-10 years	10	18%
More than 10 years	20	36%
Always lived in Southwark	14	25%
Total	56	100%

12. 79% of responses were received from residents aged 25-64 and 16% of respondents were aged between 65-84 years. In order to address the likelihood that residents aged 25-64 were more comfortable with accessing online communication, we liaised with RSO's to identify vulnerable residents, including those in sheltered housing to help them complete the consultation, with the aim to capture the views of as many of these residents as possible. Of those responding to the consultation 5% chose not to complete the question on age. The age profile is shown in the table below.

Age	Total	Percent
Under 25	0	0%
25 - 34	12	21%
35 - 44	12	21%
45 - 54	10	18%
55 - 64	10	18%
65 - 74	7	13%
75 - 84	2	4%
85 - 94	0	0%
95+	0	0%
Not answered	3	5%
Total	56	100%

13. In reference to disability and health, 73% of respondents stated they did not have a disability, 9% stated they did have a disability and 18% preferred not to say or did not answer the question.
14. With regard to ethnicity 61% identified as white British, 3% as other European and 5% other white. Black Caribbean or mixed heritage accounted for 7% of respondents, Chinese 3%, Asian British 2%, other Asian 2%, other ethnic background 2% and not answered 16%.
15. There were more female respondents (59%) than males (34%) who completed the consultation, and approximately 8% choose not to answer the gender question.

## Consultation results

### How likely were residents to take part in or contribute to estate inspections?

16. Over 95% of responses addressed this question with 64% stating they were either fairly likely or very likely to contribute to the estate inspections.

Likelihood of contributing to estate inspections	Total	Percent
Very likely	14	25
Fairly likely	22	39
Not very likely	12	21
Not at all	5	9
Not answered	3	5
Total	56	100

17. Where the response given was not likely or not at all, reasons for this ranged from difficulties in contacting the cleaner/call centre with any complaints, working hours preventing attendance and not knowing when the inspections were due to take place. One response stated they would like more information about what would be expected of the resident doing the inspection and without knowing this information they would not be willing to sign up. Responses from the online panel echoed not knowing when the inspections were due to take place. One comment stated the estates were not necessarily wheelchair friendly to enable full participation.

#### **To what extent did residents agree to keep the estate clean and tidy?**

18. Almost 98% of responses addressed this question with just over 95% stating they either definitely or tended to agree that residents should play a part in keeping the estate where they live clean and tidy. Responses from the online panel were slightly lower with just over 90% stating that they definitely or tended to agree to this statement.

Agreement of personal responsibility in keeping the estate clean and tidy	Total	Percent
Definitely agree	41	73
Tend to agree	12	21
Tend to disagree	2	4
Definitely disagree	0	0
Not answered	1	2
Total	56	100

#### **Do you agree with the commitments around keeping our estates clean?**

19. This question received 100% of responses with just over 95% stating either definitely or tended to agree with the commitments around keeping our estates clean. Two respondents (4%) stated they tended to disagree with the statement. One respondent said they partly agreed but felt the council had a much bigger responsibility to engage, while another response disagreed that residents should clean or clear a landing shared with another resident. The responses from the online panel were 80% stating that they definitely or tended to agree with the commitments. Where they did not agree comments received included the frequency of internal cleaning was not carried out, and another stated the commitments

were a long way from reality.

**Do you agree with the commitments around keeping our estates cared for?**

20. Almost 98% of responses addressed this question with just over 93% stating that they either definitely or tended to agree with the commitments around keeping our estates cared for. Although some responses made additional comments of agreeing in principle however they felt this was not happening in practice. Just over 80% of the online panel definitely or tended to agree with the commitments, again responding that the reality did not marry up with the intent.

Agreement to commitments around keeping estates cared for	Total	Percent
Definitely agree	35	63
Tend to agree	16	29
Tend to disagree	1	2
Definitely disagree	3	5
Not answered	1	2
Total	56	100

21. Where the respondents disagreed with the statement one stated that repairs have been poorly done in the past requiring several visits to fix one issue, leading to feelings of wasting public money. Although they welcome the commitment “Repairs are easy to arrange and done right first time” – they wanted to know how the council will ensure this happens. Another respondent felt the council had distanced itself from residents and they did not have good communication with council operatives. An example was provided concerning “blinding lights fitted to landings where front doors could be seen from Mars”. Despite raising the issue the respondent had not felt listened to and stated nothing had been done to address the issue.

**Are you interested in taking part in gardening activities on your estate?**

22. 98% of responses addressed this question with 64% stating they would either like to, or would occasionally be interested, in taking part in gardening activities as demonstrated in the table below.

Interest in taking part in gardening activities on the estate	Total	Percent
Yes	17	30
No	19	34
Occasionally	19	34
Not answered	1	2
Total	56	100

23. Additional comments made were that residents were very interested and

would like to make better use of estate land, they suggested tools should be provided and on site composting facilities for residents to recycle kitchen waste.

**To what extent do residents have a role to play in keeping their estate and surrounding areas free from fire, crime and anti-social behaviour?**

24. 96% of responses addressed this question with 87% stating that they either definitely or tended to agree with the statement. 9% stated they either tended not to agree or disagreed. The reasons for not agreeing with the statement were not provided.

**Do you agree with the commitments around keeping our estates safe?**

25. This question received 98% of responses with 91% stating either definitely or tended to agree with the commitments around keeping our estates safe. Three respondents (5%) tended to disagree with the statement and a further 1 respondent (2%) definitely disagreed. Additional comments received were requests for CCTV or an entry gate system to the block have not been responded to. Suggestions included frequent police presence and a council commitment to check that repairs are completed to a good standard; examples provided of snagging not carried out where smoke alarms and control panels have been fitted. Also the expense of fob keys where additional or replacement sets are needed leads some residents to leave doors propped open.

**How likely are you to get involved in resident involvement structures where you live?**

26. 97% of responses addressed this question with 80% stating they were either very likely or fairly likely to get involved. 11% stated it was not very likely and 5% stated not at all. Some comments were made that they were unsure if there was a TRA where they lived.

**NEXT STEPS**

27. As there was broad agreement to the proposals in the consultation, only very minor clarifications have been made to the final version included in Appendix 1. Therefore this report recommends that Cabinet approves the Great Estates Guarantee which states that:

*Southwark Council guarantees that we will listen to and respond to our residents and work effectively together to make our estates clean, safe and cared for.*

28. Cabinet is also asked to agree the set of commitments which will be reviewed on a regular basis.
29. Where a minority of comments were received that did not support the commitment; such as being unwilling to take part in estate inspections,



this provides the council with information that can be passed onto Resident Service Officers to develop actions or provide greater clarity regarding expectations which may encourage residents to take part.

30. The results of the consultation will be published on the Great Estates webpage and in the Southwark Life magazine. The information will also be displayed on the notice boards at the entrance to the estates across the borough. The results will be provided to the Tenant and Resident associations in the borough and a summary of the results will be emailed to any of the respondents who requested feedback in this form.
31. If the council does not meet its commitments within the guarantee, residents should first contact the resident services officer on the estate to advise what has not been carried out or omitted. The council has service standards in place to cover our commitments such as arranging repairs and cleaning and maintaining communal areas. Depending on the nature of the complaint, the local service manager will deal with the complaint at stage one. If the complaint has not been resolved at stage one, the customer resolution team will arrange for an investigation of the complaint to be carried out, which is stage two of the complaints procedure. In the event that both stages fail to resolve the complaint, residents will be informed of their right to refer the complaint to the Local Government Ombudsman or the Housing Ombudsman.

### **Policy implications**

32. Cabinet approved for consultation to be undertaken on the set of baseline standards in the Great Estates Guarantee and Commitments that underline the Great Estates programme on 7 April 2020. This paper is limited to detailing the results of the consultation on the commitments within the programme that residents are asked to support. Therefore there are no policy implications for consideration.

### **Community impact statement**

33. The council is committed to improve the local area and the quality of life for the whole community who live there. The Guarantee and Commitments paper has been developed with tenants to agree a baseline set of standards that ensure the council's estates are clean, safe and cared for and benefit all communities living in our estates. The consultation sought to find out the level of interest residents have in the proposed commitments and to provide a means of community engagement.
34. The consultation was carried out with due regard to the differing needs of the community and the protected characteristics under the public sector equality duty. We liaised with resident services officers (RSOs) to identify vulnerable tenants who may require extra support due to disability or language barriers and these residents were written to separately. We made translation services available to help any tenants with language

barriers. Telephone calls were conducted with our disabled tenants who may not have been able to complete the consultation online. In order to comply with social distancing during covid-19 we only visited homes in exceptional circumstances where there was cause to be concerned about a resident's welfare.

### **Resource implications**

35. The Great Estates Guarantee and Commitments will be managed within existing resources.

### **Legal implications**

36. The legal implications and other comments from the Director of Law and Governance are set out below in the advice from the Director of Law and Governance.

### **Financial implications**

37. Cabinet considered and agreed the financial implications at the onset of the Great Estates Programme. The Guarantee and the Commitments will be managed within existing resources.

### **Consultation**

38. The council held a public call for ideas on the Great Estates Programme - Estate Improvement Plans through an online survey on the Council's consultation hub. Hard copies of the survey were also provided at Community Councils. The consultation took place from 20 May 2019 to 01 July 2019. There was a large response; 388 responses were received, many of which were incredibly detailed and covered suggestions from across the range of issues; gardening projects, community art, waste, cleaning, community activities etc. These comments have informed the estate improvement plans pilots and formed the basis for the consultation on the resident commitments.
39. We sought to find out how residents felt about the commitments they had already expressed an interest in, and the level to which they may be prepared to get involved. The consultation questions are provided in full at Appendix 2. As stated in the background section of this report, the consultation was published on the council's consultation hub for a period of 6 weeks from 25 August 2020 to 18 October 2020. Following this the consultation was sent to the online residents' panel and remained open for a period of 4 weeks from 9 February 2021 to 12 March 2021.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Governance

40. The report sets out the consultation carried out on the council's commitments within the Great Estates Guarantee. Cabinet must take into account the outcome of the consultation, when taking a decision on the recommendations.
41. Due regard must also be given to the public sector equality duty (PSED) in section 149 of the Equality Act 2010. This requires the council to consider all individuals when carrying out their functions. Regard must be given, to eliminating discrimination, harassment, victimisation or other prohibited conduct; advancing equality of opportunity between persons who share a relevant protected characteristic and those who do not, and, fostering good relations between those who share a relevant characteristic and those that do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
42. In taking a decision on the recommendations, cabinet should consider the equality impact information provided in this report, in particular in the Community Impact Statement.

### Strategic Director of Finance and Governance

43. The Strategic Director of Finance and Governance notes the outcome of the consultation with residents on the set of baseline commitments for the Great Estates Programme. There are no financial implications arising as a result of this report, however, in addition to the costs arising from the agreed project commitments, the extra cost of dedicated project support and any on-going revenue costs associated with completed projects, need to be managed within the annual Great Estates base budget (£970k).

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Council Plan 2018-2022	Chief Executives Office	Stephen Gaskell 0207 525 500
<b>Link:</b> <a href="http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan">http://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan</a>		
Southwark Great Estates Programme - Paper 1 - Agreeing the Vision and Approach	Housing Strategy	Robert Weallans 0207 525 500
<b>Link:</b> <a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6665">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6665</a>		

Background Papers	Held At	Contact
Great Estates Guarantee Cabinet Report March/April 2020 (Moved to April due to the pandemic)	Housing Strategy	Sheryl Charles 020 7525 1858
<b>Link (please copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s88199/Report%20Great%20Estates%20Guarantee.pdf">http://moderngov.southwark.gov.uk/documents/s88199/Report%20Great%20Estates%20Guarantee.pdf</a>		

## APPENDICES

No.	Title
Appendix 1	The Southwark Great Estates Guarantee, resident responsibilities and council commitments
Appendix 2	Great Estates Guarantee and Commitments Residents' Survey

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Stephanie Cryan, Council Homes and Homelessness	
<b>Lead Officer</b>	Michael Scorer, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Sheryl Charles, Housing Strategy Implementation Officer	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	30 June 2021	

# Appendix 1 Great Estates Guarantee and Commitments

## The guarantee

Southwark Council guarantees that we will listen to and respond to our residents and work effectively together to make our estates clean, safe and cared for.

July 2021

# Council commitments

This component lists council commitments which are: currently funded and delivered; deliverable without significant increase in resources, or where there is an existing clear commitment to introduce a service. The set of commitments will be reviewed on a regular basis.

## Cared for:

Cared for estates
We will ensure every estate has dedicated staff who work with residents to make it a great place to live. Every estate will have:
A named Residents Services Officer (RSO) with their contact details and photos clearly displayed on estate noticeboards and online
Access to support and funding to set up and run a Tenants & Residents Association (TRA)
Monthly inspections of communal areas with residents invited to take part
The results of monthly inspections of communal repairs, are updated and made available to residents the following month
Well-presented signage and branding so people can identify the estate and find their way around
Comprehensive and tested engagement protocols in place that ensure residents remain at the heart of our investment and improvement projects. Members of the resident project team will continue to be actively engaged in this process where they add best value

Cared for homes and buildings
We will work with residents to ensure all of our blocks and homes are in good condition. We will invest in ensuring:
Homes meet the decent homes standard, so they are warm dry and safe
Kitchens and bathrooms are in good condition, generally kitchens are less than 20 years old and bathrooms less than 30 years old
Heating and hot water is affordable and increasingly low carbon
Repairs are easy to arrange and done right first time
Lifts work and are serviced regularly
Communal areas are maintained as necessary
External fixtures (including pipes and cables) are fitted with care, in keeping with the block and are not overly cluttered
Details of proposed major works schemes coming into the programme are available online for all residents to see

### Cared for gardens

We will work with residents to ensure green spaces on our estates are well maintained and to get the best out of them for the community. We will:

Cut lawns regularly

Maintain rose and shrub beds and hedge bases

Remove unwanted weeds

Support residents to set up and run community gardening projects on their estate

Explore how we can use more of our estate land for allotments and other growing opportunities

### Caring communities

We will work with residents to help build strong local communities on our estates and to support residents with particular needs. We will:

Fund activities that bring the community together and assist with publicising community initiatives. TRAs and TMOs can apply for the new Getting Involved Grants available for services and activities on council estates or council street properties, for the benefit of tenants and residents

Visit all tenants in their home in line with the visiting programme and maintain regular contact with those who need more support

Call on residents promptly when there is cause for concern about their wellbeing

Support residents who need aids and adaptations to their home (such as ramps and lever taps) to get them fitted

Proactively support residents who are hoarding

Ensure our staff and contractors are friendly, considerate and respectful

### Clean:

#### Clean blocks

We will work with residents to keep our estate clean. All of our blocks will have:

Daily (7 days per week) cleaning of internal communal areas (stairs spot cleaned) and lifts

Twice weekly mopping of internal communal areas

Weekly sweeping of external balconies

Monthly cleansing of internal fixtures and fittings, entry doors and canopies

Twice yearly cleaning of internal communal windows, walls and ceilings and polishing of vinyl floors

Cleaning schedules displayed on noticeboards and available online

### Clean estates

We will work with residents to keep our estates clear of waste and fly tipping. We will:

Keep refuse rooms, bin chambers and trailer bays clean, with daily tidying and sweeping and quarterly cleansing

Inspect refuse chutes daily and rapid response to blockages

Tidy recycling banks daily

Sweep and litter pick of hard surfaces and soft landscape areas daily

Cleanse dog fouling from external hard surfaces daily

Empty litter and dog bins so they never overflow and wash litter bins every year

Replace damaged litter bins and paladins quickly

Remove broken glass daily

Remove clinical waste and animal carcass rapidly

Develop more approaches to improved waste management using the learnings from the Estate Improvement Pilots

### Clear from fly posting, estate agent boards and graffiti

We will keep our estates clear of fly tipping, graffiti. We will:

Remove fly tipping quickly

Provide a rapid response to remove graffiti

Remove abandoned vehicles

Use planning enforcement powers to remove estate agents boards

### Clear from pests

We will work with residents to remove pests from our blocks by:

Providing a free pest control call out service for all council tenants, and a low cost service for all other residents, with a discount for those in receipt of benefits

Undertaking free whole block treatment for tenants where there is a block wide problem, leaseholders will meet the cost through their service charge.



**Safe:****Safer from fire**

We will work with residents and the fire and rescue service to help keep you safe from fire.

We will:

Undertake regular Fire Risk Assessments of every block and publish them online for all blocks of seven storeys and more and available on request for all shorter blocks

Fit automatic fire detection in every tenanted home and offered it to every leaseholder free of charge

Install clear fire safety signs in every block

Provide free advice to our residents to help you keep your home safe from fire

**Safer from crime and anti social behaviour**

We will work with residents to prevent and tackle anti social behaviour and crime on estates. We will:

Ensure all communal spaces and entrances are well lit and clear of obstructions

Install safe places to park bikes and mopeds

Take action against residents causing anti social issues

Provide a noise nuisance team to investigate complaints about neighbourhood noise and nuisance; including loud music, barking dogs and DIY.

Take action against residents who let out homes in our blocks through Airbnb style short term lets

**Safer from other hazards**

We will ensure any repairs that are a danger to your health and safety are undertaken quickly, with these repairs made safe within:

4 hours if they are heating, estate lighting, door entry systems, or any other emergency repair

# Resident Opportunities

Listed below are the opportunities provided to residents so they can take an active role in looking after their estates.

## Cared for

What residents can choose to do	The reasons why
<b>Cared for estates and buildings</b>	
Contribute/volunteer to attend regular estate inspections	You are best placed to know what is needed on your estate and your contributions with inspections will help us to achieve higher standards than we do currently
Set up and contribute to resident involvement structures such as tenant and resident associations.	Becoming involved with resident structures can provide you with a voice in the day to day management of your estate, enabling you to hold resident led community events, initiatives, estate days etc.
<b>Cared for gardens</b>	
Volunteering, where appropriate, to garden estates, using tools supplied by the council if required	Helps to encourage healthy activity by working with a community gardening coordinator on sustainable gardening projects
Development of Community gardens, herb gardens etc. working with voluntary groups, resident groups etc.	Can lead to healthy activity and reduce isolation by providing opportunities to get to know your neighbours and local community

## Safe

What residents can choose to do	The reasons why
<b>Safer from crime and anti-social behaviour</b>	
Create neighbourhood watch schemes and challenge anti-social behaviour where it is safe to do so (reporting to parents etc.)	Your actions can help us to keep you safe

## APPENDIX 2

### Great Estates Guarantee and Commitments Residents' Survey

This appendix contains a copy of the consultation questions that were asked. The consultation also included a copy of the guarantee and commitments, as per Appendix 1 of the report.

#### Great Estates Programme

Great Estates Programme is about celebrating our council estates. We want to encourage our communities to integrate. We want to make sure every estate is clean, safe and cared for, and a great place to live.

Residents are at the heart of our vision and we need your help to ensure we can fully implement our commitments in the Great Estates programme. The council is making a number of commitments to meet the vision of the programme. We are asking our residents to work with us so that in partnership we can make your homes and surrounding areas a better place to live. For example, you're invited to attend monthly inspections of communal areas and to take part in community gardening projects on the estate.

#### Why we are consulting

We want to find out how you feel about the programme and your ideas of how you want to get involved. We hope this will help:

- Create community ownership and pride in the estates where you live
- Health and wellbeing and community unity
- Encourage conversations through shared interests

If possible, please complete this survey on the council's consultation hub <https://consultations.southwark.gov.uk/>

If this is not possible, please **email** your response to [housingstrategy2@southwark.gov.uk](mailto:housingstrategy2@southwark.gov.uk)

If you would like further information the full report is available on the Southwark Council website at:

<http://moderngov.southwark.gov.uk/documents/s88199/Report%20Great%20Estates%20Guarantee.pdf>

In light of the Covid 19 (coronavirus) situation and to maintain social distancing we would urge you to use electronic means to submit your response, but if you are unable to do so you may use the address below to send your response to us:

Housing Strategy and Business Support, Southwark Council, London  
SE1P 5LX, P O Box 64529

By sending your response you give us permission to analyse and include your response in our results.

**Great Estates Guarantee– Resident survey 2020**  
**QUESTION 1 - How long have you lived in Southwark?**

Less than 12 months	
12 months but less than 2 years	
2 years but less than 3 years	
3 years but less than 5 years	
5 years but less than 10 years	
10 years or more	
Always lived in Southwark	

**QUESTION 2 - How likely are you to take part in or contribute to estate inspections on your estate?**

	Very likely	Fairly likely	Not very likely	Not at all
Please tick one				

Please use this space to tell us of any barriers to you getting involved

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**QUESTION 3 - To what extent do you agree or disagree that residents should have a part in keeping the communal areas clear and damage free?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

**QUESTION 4 - How likely are you to get involved in resident involvement structures such as tenant and resident associations where you live?**

	Very likely	Fairly likely	Not very likely	Not at all
Please tick one				

**QUESTION 5 - Are you interested in taking part in gardening activities on your estate?**

Please tick one	Yes	No
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Please use this space if there is anything else you want to tell us

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**QUESTION 6 - To what extent do you agree or disagree that residents should play a part in keeping the estate where they live clean and tidy?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

**QUESTION 7 - To what extent do you agree or disagree that residents have a role to play in keeping their estate and surrounding areas safe from fire, crime and anti social behaviour?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

**QUESTION 8 – Do you agree with the commitments around keeping our estates clean?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

If not please explain why, or say what else you feel is missing?

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**QUESTION 9 - Do you agree with the commitments around keeping our estates safe?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

If not please explain why, or say what else you feel is missing?

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**QUESTION 10 - Do you agree with the commitments around keeping our estates cared for?**

	Definitely agree	Tend to agree	Tend to disagree	Definitely disagree
Please tick one				

If not please explain why, or say what else you feel is missing?

<b>Item No.</b> 18.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Borough Emergency Plan 2021	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Kieron Williams Leader of the Council	

**FOREWORD - COUNCILLOR KIERON WILLIAMS, LEADER OF THE COUNCIL**

Every year the cabinet reviews the borough’s emergency plan to give us assurance that our arrangements to manage and respond to an incident are appropriate and effective. Put simply, in an incident, is Southwark ok? Whilst our ongoing response to COVID-19 continues to shape our thinking we still need to maintain preparedness to other incidents that have the potential to harm the borough.

COVID-19 is the longest, single incident the borough has faced. Back in March 2020 Southwark was quick to set up a borough emergency control centre in the face of the coming pandemic and was one of the first to move to a virtual operation. All set within the framework outlined in the attached plan and as part of a London wide response. In the time since that original activation many in our community have been affected in different ways by this horrid virus, with the detail of our borough wide response reported to Cabinet. Once again, I’d like to thank all those who worked on bringing our borough safely back to business and those residents who patiently acted with responsibility and respect in keeping themselves, their loved ones and the loved one of others safe.

Although the government have reduced the UK wide virus alert level, COVID-19 remains in general circulation. As a council and borough we must remain vigilant and prepared – and assurance on the generic emergency plan is key to that planning. As we move forward together as a community the lessons learned by ourselves and other organisations will further shape and develop the generic emergency plan. Protecting our local community and keeping residents, businesses and all those who visit our borough safe is a priority, a basic moral duty and one in Southwark that together we will always put first.

**RECOMMENDATION**

1. That the cabinet agrees the annual review of the generic borough emergency plan with the understanding that further lessons from both the

ongoing response to COVID-19 and other incidents will continue to be incorporated into future learning and planning.

2. That updated councillor briefing sessions are put in place to further explore the role of councillors in emergency planning and to inform future development of incident management.
3. That the cabinet note that the council's emergency arrangements will continue to be guided by pan-London standards and approach, including any ongoing arrangements resulting from the city-wide COVID-19 response.
4. That in the light of the fluidity in Covid infection rates across London, that the Council reserves the right to activate council wide emergency response arrangements, acting on the advice of public health locally and regionally as appropriate.

## **BACKGROUND INFORMATION**

5. The council has clear legal and moral obligations to provide effective, robust and demonstrable emergency arrangements to mobilise its resources at short notice to deal with a broad range of incidents. This may be on a localised departmental level where a simple out-of-hours activity is required, or on a much larger scale, where a multi function response requires dedicated coordination, liaison and communication. In either case, high quality planning provides the foundation for this flexible response, whatever the initiating event may be.
6. The generic plan is being presented at this time to ensure that the organisation is satisfied that the annual review and post incident reviews of the plan and of the supporting plans/handbooks provide assurance that our arrangements are both appropriate and effective.
7. The generic emergency plan sets out the council's strategy for dealing with a broad range of incidents. It ensures that the local authority is meeting its moral responsibility to the community and as a designated Category 1 responder it is meeting legal obligations in accordance with the Civil Contingencies Act 2004.
8. The London Borough of Southwark Generic Emergency Plan is available for public view and outlines the structure of the council's response in the event of an emergency.
9. The Civil Contingencies Act, 2004, requires that emergency plans are in situ and recommends they be reviewed annually. To ensure the overall generic plan remains effective each supporting hand book and specific individual plans are reviewed on a regular basis. This ensures Southwark Council's moral and legal compliance to maintain our reputation of good practice and to capture additional response capability.

10. Detailed operational procedures are not captured in the generic emergency plan due to the complexity and occasional sensitive nature; they are captured in the supporting handbooks.

## **KEY ISSUES FOR CONSIDERATION**

11. Southwark has in place a generic emergency plan which sets out the framework that is used to deploy and control its resources during emergency incidents. The framework within the plan is flexible enough to be adapted dependent on circumstances but sufficiently structured to allow the same principles to be employed for all incidents which in turn gives a better understanding of specific responsibilities and roles.
12. During our response to Covid 19 the plan has been activated in response to the differing needs at the time. It has provided the structure to coordinate and support the delivery of our critical services both during the initial outbreak, the subsequent waves and into the renewal phase. The arrangements were found to stand up well and have been adapted to utilise remote ways of working whilst maintaining the overall framework.
13. The purpose of cabinet agreeing this plan on an annual basis is so that the council can be satisfied the generic plan provides a simple but robust framework that enables the council to respond to emergency incidents affecting the borough. It is also so that the council is satisfied that our arrangements meet pan-London requirements and that our arrangements effectively align with other boroughs ensuring an effective cross-London response if and as required.
14. Agreeing the plan will enable the council to effectively deploy its resources to mitigate the effect of any incident and facilitate the return to normality for local residents, businesses and the community more generally.
15. The arrangements detailed in the plan also support the deployment of London Local Authority Gold (LLAG). It also gives due regard to the requirements detailed in the pan London Concept of Operations for Emergency Response and Recovery document (ConOps).
16. The overarching generic plan is supported by a range of supporting handbooks that cover specific roles integral to the effective management of emergency incidents and a further raft of individual plans covering identified risks that reflect the National Risk Register, the London Risk Register and local Risk Register.

## **Ongoing learning to inform emergency and business continuity planning**

17. In response to an internal audit in 2017 and the realignment of cabinet member portfolios in May 2018 the Leader took responsibility for Emergency Planning and Business Continuity with the emergency planning and resilience section part of the Chief Executive's Departmental operations. This ensures that an organisational response to incident can



be swiftly deployed and effectively managed with limited impact on 'business as usual' activities during the period of an incident and into recovery.

18. Whilst the framework of our plan has been used to good effect it will continue to evolve reflecting lessons learned and best practice from within and outside of London, including – in recognition of the international nature of our borough - learning from other global cities where appropriate.
19. Our own Business Continuity planning process will be subject to ongoing review and revision incorporating the experiences from our COVID 19 response and renewal phases continuing to strengthen our own resilience and emergency response capability.
20. The generic plan includes the recommendations contained in the Riordan/Ney report and to support the Resilience Standards for London contained in the Sean Ruth report. Compliance with the Resilience Standards has been peer reviewed in conjunction with the other members of the Central Sub Regional Resilience Forum.

### **Role of councillors**

21. In line with the both the Riordan/Ney and the Sean Ruth reports lead elected members received a briefing on the generic emergency plan and the Borough emergency scheme on 1<sup>st</sup> December 2020. Following updates to Cabinet and Opposition portfolios at the annual general meeting of Council Assembly, further briefings will take place to ensure councillors have the most up to date position on emergency scheme arrangements, especially in the light of the ongoing pandemic.
22. Guidance on the role of councillors is also set out in London wide planning documents, as part of the London Resilience Framework and approach to consistent standards in emergency planning across the city.
23. Briefings will include new member induction and training on the role of Councillors during an event which invokes the Council's Business Continuity response

### **Policy implications**

24. The refreshed Borough Plan 2020-22, describes the vision to build a better future for the people of Southwark by creating a fairer and more just society, deliver quality affordable homes, tackle the climate emergency, rebuild the local economy and give or young people the best start in life. Covid-19 has had significant impact on the borough and responding to and recovering from the pandemic will require working together with all in our community. This will include having a robust emergency plan in place with supporting arrangements not only meets important statutory duties in relation to Civil Contingencies Act 2004 but moreover supports our aim for a borough where everyone has the right to feel safe and be safe.

## Community impact statement

25. The Civil Contingencies Act 2004 (CCA) requires each Category 1 responder to put in place plans deal with emergencies. As a Category 1 responder the council must ensure that its arrangements are robust, agile and able to respond to the differing needs of the community in any single incident (or multiples of incidents). In activating arrangements, either in response to an incident or through recovery, the council is mindful of its commitments for equality and fairness and in ensuring that no group is detrimentally impacted as a result of actions arising from emergency response.
26. As with other plans and strategies, the council will give due consideration to the Public Sector Equality Duty (PSED) as a positive duty to in assessing our local emergency planning response arrangements. For example, in setting up Humanitarian Assistance Centres (and other such centres) the council will be mindful of access and other such equalities considerations to ensure that all individuals affected by an incident are given equal opportunity for support (e.g. providing support where language is a barrier in communications).

## Resource implications

27. A broad range of facilities and equipment are in place to support any emergency response. These include:
  - A fully equipped Borough Emergency Control Centre (BECC).
  - A fully equipped Alternative Borough Emergency Control Centre (ABECC)
  - The technical equipment and ability to operate a fully remote BECC
  - A general use van to assist in emergency operations.
  - A range of rest centre equipment including a stock of PPE
  - An ongoing pan London MOU with British Red Cross to support staffing and equipment provision in rest centres.
  - Nominated rest centres within the borough (usually schools, leisure centres and halls).
  - Tools and equipment associated with specific council services.
  - A range of communications & data infrastructure and equipment.

## Legal implications

28. The Civil Contingencies Act 2004 (CCA) requires each Category 1 responder to put in place plans deal with emergencies. As a Category 1 responder the council is required to co-operate and liaise with a broad spectrum of stakeholders in the planning process. The Southwark Borough Resilience Forum (BRF) provides the opportunity to liaise and interact with these parties on a regular basis. Outcomes from this regular liaison informs the review and revision of the generic emergency plan.

### **Financial implications**

29. The resources identified above are all in place. There are no additional financial implications arising from agreement of the plan.
30. Given the unpredictable nature in which emergency incidents can arise, it may be that responding to some incidents will require additional resources to ensure an effective, efficient and safe response for residents and businesses in the borough. The council will seek to deploy resources as best appropriate in this instance and would seek additional support from central government and other such bodies where this was felt to be appropriate to the scale of incident.

### **Consultation**

31. The generic emergency plan is agreed annually and published on the website, in line with the council's values with regards openness and transparency. Feedback received on the plan and associated arrangements will be taken into account when re-assessing and refreshing the plan each year.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

32. Cabinet has the power to make this decision under Part 3C of the constitution.
33. As detailed in this report, pursuant to the Civil Contingencies Act 2004 schedule 1, Southwark as a category 1 responder has statutory responsibility for emergency planning
34. The decision maker needs to have regard to the PSED when making this decision

### **Strategic Director of Finance and Governance**

35. The report is requesting the cabinet to agree the annual review of the generic borough emergency plan.
36. The strategic director of finance and governance notes the resource implications in the report and notes that there are no additional financial implications arising from the report

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Southwark Generic Emergency Plan 2021-2022	Emergency Planning section 160 Tooley Street London SE1 2QH	Andy Snazell 020 7525 3517
<b>Link:</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7014&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7014&amp;Ver=4</a>		

**APPENDICES**

<b>No.</b>	<b>Title</b>
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Kieron Williams, Leader of the Council	
<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Andy Snazell, Emergency Planning and Resilience Manager	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		30 June 2021

<b>Item No.</b> 19.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 - Procurement Strategy Approval Main contractor procurement – Wickway Community Centre redevelopment	
<b>Ward(s) or groups affected:</b>		Electoral ward(s); Peckham	
<b>Cabinet Member:</b>		Councillor Stephanie Cryan, Council Homes and Homelessness	

### **FOREWORD - COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS**

The scale of the housing crisis cannot be underestimated and the need for council homes is paramount in Southwark. With just over 15,000 households on our housing allocations list and 3,000 households living in temporary accommodation it is vital that we continue to deliver on our commitment to build 11,000 new council homes by 2043. We are on track to have 2500 new council homes either completed or on site by May 2022 and this report sets out the contractor procurement route for the new homes we want to build on the Gloucester Grove Estate at the Wickway Centre.

The Wickway proposals will see 86 new homes built with 50 percent of these being high quality new council homes providing local home for local residents. We are also proposing to create a route and linkage to Burgess Park, build a new multi-purpose community centre and a nursery with active frontages to the estate, all of which will help create a greater sense of community. We will also be committing to public realm and environmental improvements on the wider estate.

In line with all other procurement contracts on new council homes, this report sets out that the successful appointee will have to sign up to the Considerate Constructor scheme, provide jobs and apprenticeships for local residents, commit to paying all workers a minimum of at least London Living Wage and not blacklist trade union members.

I am pleased to recommend this procurement route for a high quality scheme that will deliver much needed new council homes.

### **RECOMMENDATIONS**

That the Cabinet:

1. Approves the procurement strategy outlined in this report for a single stage tender through the Crown Commercial Services (CCS) framework – RM6088 for Construction Works and Associated Services, for the redevelopment of the Wickway Community Centre for an anticipated period of 32 months commencing on 31 March 2022, at an estimated contract value of £27m.

2. Approves the delegation of the award decision in the Gateway 2 report for the main works contract to the strategic director of housing and modernisation in consultation with the cabinet member for council homes and homelessness for the reasons noted in paragraph 27.

## **BACKGROUND INFORMATION**

3. These works were originally included in the Southwark Regeneration in Partnership Programme (SRPP) as part of its commitment to deliver 11,000 new homes. The programme identified a number of council owned sites which had development potential. The programme of works were awarded to Affinity Sutton Homes Limited (Affinity Sutton) parent company, Clarion Housing Group Limited (Clarion).
4. Following mutual termination of the agreement with Clarion, it was decided that the council would deliver the site directly. A review of the design proposals was undertaken and a decision was made to seek a new perspective of the scheme with emphasis ensuring the height and massing of the new residential dwellings respond to the context of the surrounding area.
5. The site currently houses the Wickway Community Centre which is managed by The Wickway Community Centre Association. The site will require vacant possession, this process is currently underway and being managed by the property and legal team alongside the Regeneration Programme Manager.
6. In September 2019 the Strategic Director of Housing and Modernisation approved a GW2 report to appoint Stephen Taylor Architects to this project following competition through the GLA Architecture, Design and Urbanism Panel (ADUP) Framework. Their scope was to develop the design for this scheme to RIBA stage 3 (including gaining planning consent).
7. As part of Stephen Taylor Architect's appointment an extensive consultation took place starting from March 2020 with the first event being held at the community centre in the form of an all-day pop in exhibition. Following this, due to COVID-19 and the government imposed national lockdown all consultation took place virtually through Zoom sessions and using the Commonplace website at key stages through the design throughout 2020.
8. A planning application was submitted in January 2021 to redevelop the current community centre with the erection of two buildings, nine storey in height comprising of a new community centre, a nursery and 86 new homes with 50 per cent council homes, associated landscaping, highways improvement and car and cycle parking. The decision is expected to be taken at Planning Committee in September 2021.
9. Extensive consultation took place with planning colleagues and the schemes were reviewed at the Design Review Panel where it received very good feedback. The design team worked collaboratively with the planning officers

throughout each stage of the design to ensure where appropriate policy requirements were met and the design is in line with Southwark standards.

### **Summary of the business case/justification for the procurement**

10. The council has an ambitious target to deliver 11,000 new council homes by 2043. These will be delivered through a combination of in-fill development on our existing estates, purchasing some directly from developers, and developing land that the council owns.
11. The delivery of the Wickway Community Centre scheme will maximise and enhance the utility, value and quality of council owned land and will deliver high quality homes with improved streetscapes and permeability. The scheme will provide 86 new homes with 50 per cent council homes by habitable room (39 social rent units and 47 private sale units) and re-provision of the Wickway Community Centre which includes nursery facilities (563 sqm).
12. It is currently proposed that the private units will be sold by the council, however contractors will also be asked to include in their tender, proposals to manage sale of the private units, alongside an after sales process. This may provide a better partnership model for the council and the contractor and will be included as part of the tender documentation.

### **Market considerations**

13. Given the scale of regeneration in Southwark, many contractors have expressed an interest in working with the council.
14. Despite the COVID-19 pandemic the construction market has remained buoyant and open as per government guidelines. As such, there is sufficient interest within the construction market to bid for new work. However, it is recognised that COVID-19 has had a significant impact on businesses, as such it is proposed that initial discussions will take place as part of soft market testing with contractors to confirm their willingness to continue to work and bid for new work.

### **KEY ISSUES FOR CONSIDERATION**

#### **Options for procurement route including procurement approach**

15. As the value of this scheme is above the current contract value for works at which the full requirements of the Public Contract Regulations (PCR) 2015 apply, it means that the full tendering requirements of those Regulations are applicable. In choosing the preferred method of procurement, the following options have been considered:
16. Do nothing – this is not desirable due to the council’s commitment to deliver this project and the need to provide new council homes in the borough.

17. Use an existing third party framework – the frameworks relevant to this procurement are detailed below:
- The Crown Commercial Services (CCS) Framework – the CCS framework commenced in 2019 and expires in October 2026. The framework is arranged in 11 lots of varying levels of complexity and value of work from £0 – £3m up to £80m+. This includes general construction and also specialist market areas. The framework allows for both competitive and direct award. The Lot appropriate for this procurement is RM6088 Lot 3.2 Construction Works and Associated Services South England value band £10-£30m which consists of 19 suppliers. CCS do not charge a fee for authorised users to access this framework. This framework requires the council to sign up to a framework alliance which has been signed by the Head of Regeneration Capital in line with the department’s Scheme of Management.
  - The Notting Hill Genesis (NHG) Framework – In 2017 Notting Hill Genesis set up four new development frameworks; one for contractors and three for consultants (CF1, CF2 and CF3). The frameworks commenced on 31 May 2017 and will run for 4 years. The constructor’s framework consists of 23 contractors which can be selected directly or a selection invited to a mini-competition following an initial assessment of contractors’ capability. A formal capability assessment is also able to be utilised as set out in the framework agreement. NHG do not charge a fee for authorised users to access this framework.
18. **PCR 2015 Procurement** – this route would allow the council to procure from the greatest number of contractors and could provide the means to secure a competitive tender from contractors who have the skills and capabilities to construct these housing schemes who are not on the established frameworks. However, due to the length of the process, this route would delay the commencement date for the works starting on site.

### **Proposed procurement route**

19. Taking the above into consideration, using a framework will be the fastest route for procurement as it enables the council to tender directly without having to go through the SQ stage. Out of the frameworks listed above, the CCS framework offers a large number of contractors who are experienced in building new homes, working on major construction projects in constrained inner London sites. The council is confident that it will receive sufficient market interest through the direct delivery approach as the site has been designed to RIBA Stage 3 and it is currently awaiting planning permission which makes it attractive to contractors. At the time of tendering these works, a decision on the planning application will have been received.
20. The regeneration capital and new homes team have recently used the NHG framework on a number of new schemes and have been receiving tenders from the same interested contractors, as such it is felt that use of a new



framework will bring new interest from varied contractors to tender for this scheme as there are no overlaps with the contractors on both frameworks.

21. The project team will undertake further design work necessary with the existing architects (Stephen Taylor Architects) and procure any necessary surveys, to help mitigate design and construction risk prior to tender. This will enable the contractors to develop robust construction strategies and firm subcontractor packages.
22. The CCS framework consists of 19 suppliers. The contractors which the council can access are:
  1. Balfour Beatty Construction Limited
  2. B&M Construction Limited
  3. Bouygues (UK) Limited
  4. Galliford Try Construction Limited
  5. ISG Construction Limited
  6. John Graham Construction Limited
  7. John Sisk & Son Limited
  8. Kier Construction Limited
  9. Laing O'Rourke Construction Limited
  10. McLaughlin & Harvey Limited
  11. Midas Construction Limited
  12. R.G. Carter Cambridge Limited
  13. Skanska Construction UK Limited
  14. Speller Metcalfe Limited
  15. Tarmac/Farrans/Griffiths Joint Venture
  16. Tilbury Douglas Construction Limited
  17. Volkerfitzpatrick Limited
  18. Wates Construction Limited
  19. Willmott Dixon Construction Limited
23. All these contractors are of significant size and scale, and the majority of them have experience of working on housing projects in London.
24. The CCS Framework provides optional pre tender exercises which include market engagement to assess the interest of the contractors within the Lot as well as a capability assessment offering suppliers the opportunity to bid or withdraw prior to invitation to tender. It is proposed that the project team will carry out a market engagement exercise with the contractors listed above and advice will be taken from the appointed Employers Agent (which is subject to a separate procurement exercise and gateway approval) as to whether a capability assessment is required.
25. The contract will be a single stage JCT 2016 Design & Build contract containing the council specific amendments procured using the CCS framework. A single stage tender is the preferred procurement route for this development because it provides a fixed price for the council and transfers appropriate risk over to the contractor.

26. Either a Parent Company Guarantee or performance bond will also be required from the main contractor, this will be confirmed in the Gateway 2 report.
27. In order to expedite the process the council is seeking to attain delegated approval for the contract award (Gateway 2) for main contractor works. This will enable a quick transition process from contract recommendation to award which is necessary for the council to meet its targets. If there was a requirement for a Gateway 2 to be presented to Cabinet for the main works contract, this may have a serious impact upon the delivery timescales.

#### Identified risks for the procurement

Risk No.	Identified Risk	Likelihood	Risk Control
1.	Insufficient interest from framework providers in the tender which results in no bids.	Low	The project team will carry out soft market testing prior to tendering to ensure there is sufficient market interest and capacity. The council will also develop a procurement brief that is sufficiently detailed and clear, so that providers can make an informed choice as to whether they wish to pursue this opportunity.
2.	Does not achieve competitiveness and value for money.	Low	The tender will be assessed on a Price, Quality and Social Value basis. Working with the quantity surveyor the council will ensure a robust price evaluation is carried out and value for money is achieved.
3.	Construction market inflation.	Medium	In evaluating the pricing submission the quantity surveyor will work to mitigate and foresee construction market inflation risks. The project team will ensure that there is an adequate project contingency.
4.	Contractor becomes insolvent or no longer has the capacity to deliver scheme	Low	Robust financial assessments will be undertaken including independent financial and credit checks of businesses prior to award.
5.	Mobilisation/construction delayed due to unforeseen site issues	Low	Council to ensure that the internal and external resources are in place to deliver the project in a timely manner. Site has been de-risked through extensive site investigations. The process to obtain vacant possession of the site has

			commenced with the property team to ensure this is achieved in a timely manner and does not cause any delays to starting on site.
6.	Mobilisation/construction delayed due to COVID-19 or Brexit	Medium	The construction market has remained opened during the COVID-19 pandemic and most contractors have adopted new processes and procedures to deal with the effects of COVID-19. Implications on supplies due to the Brexit could delay materials reaching site, the contractor should look to programme in early orders to mitigate this.

### Key /Non Key decisions

28. This is a key decision.

### Policy Implications

29. The new homes programme was originally shaped by the promises and commitments made in the Council Plan 2018-2022, such as building more quality affordable homes of every kind and revitalising our neighbourhoods making them places in which we can all be proud to live and work.

30. The Borough Plan sets out our regeneration strategy from 2020 to 2022 and will also be used to make decisions on planning applications. The Borough Plan sets policies for:

- Homes for all - provision of new homes including 11,000 new council homes with
- Keeping Southwark safe during COVID-19.
- Southwark Together – tackling racism and inequality
- A green and inclusive economy
- Thriving neighbourhoods
- A great start in life
- Tackling the climate emergency
- Tackling health and inequalities.

### Procurement Project Plan (Key Decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	21/04/2021
DCRB Review Gateway 1	17/05/2021
CCRB Review Gateway 1	27/05/2021

Activity	Complete by:
Brief relevant cabinet member (over £100k)	17/05/2021
Notification of forthcoming decision - Cabinet	05/07/2021
Approval of Gateway 1: Procurement strategy report	13/07/2021
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	22/07/2021
Completion of tender documentation	13/08/2021
Invitation to tender	16/08/2021
Closing date for return of tenders	26/11/2021
Completion of any clarification meetings/presentations/evaluation interviews	17/12/2021
Completion of evaluation of tenders	07/01/2022
DCRB Review Gateway 2:	17/01/2022
CCRB Review Gateway 2	27/01/2022
Notification of forthcoming decision	04/02/2022
Approval of Gateway 2: Contract Award Report	14/02/2022
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	23/02/2022
Debrief Notice and Standstill Period (if applicable)	25/02/2022
Contract award	30/03/2022
Add to Contract Register	31/03/2022
Place award notice on Contracts Finder	31/03/2022
Contract start	31/03/2022
Initial contract completion date	30/11/2025
Contract completion date – (if extension(s) exercised)	<dd/mm/yyyy>

### TUPE/Pensions implications

31. There are no TUPE implications for the council as an employer as there are no, nor will there be, council employees undertaking these works being procured through the CCS framework. TUPE should not apply to the appointment of a contractor to deliver the contract for construction works for the Wickway Community Centre scheme. These are new contracts for discrete works and there is currently no existing contractor nor are there any council staff delivering the work which is being procured. TUPE should not apply on the expiry of the contract as the works will have been completed. However, the position will need to be reviewed in the event that during the course of the contracts the council has to appoint a

replacement contractor or brings the work in-house or if a contractor appoints a replacement sub-contractor during the course of any relevant sub-contracted works.

### **Development of the tender documentation**

32. It is proposed to use a JCT 2016 Design Build contract, with council specific amendments.
33. Consultancy services have been procured separately by the council to undertake the following activities: development of the tender documentation, commissioning of any remaining surveys; and finalise the details of the RIBA Stage 3 plus design.
34. The consultancy team and Southwark project management team will ensure a comprehensive set of tender documents are prepared. The design team are developing the designs to RIBA stage 3 plus which will be issued with the tender pack and used to obtain a confirmed price from the tenderers. It is proposed to novate Stephen Taylor Architects to the successful contractor upon award so they can work collaboratively to develop the Stage 4 design.

### **Advertising the contract**

35. Companies listed under the CCS framework will be invited to tender framework via the council's e-procurement portal.

### **Evaluation**

36. The assessment of the tenders will be based on price: quality: social value ratio of 50:40:10 in recognition of the need to ensure the level of quality and skills required are achieved and will follow the Most Economically Advantageous Tender (MEAT) protocol. This percentage split is permitted when using the CCS Framework. It should be noted that the CCS Framework does not allow a higher percentage than 50% for the pricing evaluation.
37. Price (50%) shall be evaluated by the Quantity Surveyor who will compile a report with recommendations based on the cost submitted for the works.
38. Quality (40%) and social value (10%) shall be evaluated by the project manager and programme manager.
39. The tender panel will evaluate the quality of submissions and will score each question out of 5 as detailed in the following table. Contractors scoring 1 point or less on any method statement question will not proceed to the next stage of the evaluation process.

40.

<b>Assessment</b>	<b>Score</b>	<b>Basis of score</b>
Cannot be scored	0 points	No information provided or incapable of being taken forward either because the supplier does not demonstrate an understanding of our requirements or because the solution is incapable of meeting our requirements
Unsatisfactory	1 point	Although the supplier does demonstrate an understanding of our requirements there are some major risks or omissions in relation to the proposed solution to deliver the service and we would not be confident of our requirements being met
Satisfactory	2 points	A response which is capable of meeting our requirements but is unlikely to go beyond this
Good	3 points	A response which shows that the supplier demonstrates an understanding of our requirements has a credible methodology to deliver the service and could evolve into additional benefits.
Very Good	4 points	A response which shows that the supplier demonstrates an understanding of our requirements, has a credible methodology to deliver the service alongside a clear process and plan to deliver additional benefits and deliver value
Excellent	5 points	A response which shows how the service can comprehensively be taken to the next level in terms of exceeding our requirements and/or offering significant added value to the council's overall strategic requirements and objectives.

41. Tenderers will be required to provide information to support their quality submission that demonstrates their ability to fulfil the requirements that were outlined in the Employers Requirements. The quality assessment will be based on the criteria detailed below, with each criterion weighted in relation to the level of importance put upon it:

- Resources to meet the requirements of the contract
- Quality control
- Contract management and delivery
- Experience in delivery complex housing schemes, qualifications and track record of the team proposed by the contractor.

42. Tender evaluation guidelines and criteria will be included in the tender documentation.

43. All scores will undergo a consensus scoring process. Post tender clarification will be raised if required
44. The overall score for evaluation will be calculated by adding the scores for price, quality and social value together. The contract will be recommended for award to the highest ranked tenderer.
45. Where there are joint scores for the highest place the award will be based on the highest score achieved on price. This will be declared in the tender document.

### **Community impact statement**

46. Indicative groups the council will seek to consult with will be service users, internal stakeholders and affected businesses.
47. Officers will conduct an equalities impact assessment to ensure that there is no disproportionate or discriminatory impact on groups with protected characteristics. This assessment is done during the consultation period to ensure that all groups are fully engaged and consulted to ensure a fair development and delivery process. The views of various groups will be taken on board during the design and delivery process.

### **Social Value considerations**

48. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.

### **Economic considerations**

49. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that contractors and subcontractors engaged by the council to provide works or services within Southwark pay their staff at a minimum rate equivalent to the LLW rate. It is expected that payment of the LLW by the successful contractor for this contract will result in quality improvements for the council. These should include a higher calibre of multi-skilled operatives that will contribute to the delivery of works on site that will provide best value for the council. It is therefore considered appropriate for the payment of LLW to be required. The successful contractor will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the tender documents. As part of the tender process, bidders will also be required to confirm how productivity will be improved by payment of LLW. Following award, these quality improvements and any cost implications will be monitored as part of the contract review process.

50. The council can exclude companies who break the law by blacklisting or have not put into place genuine actions concerning past black listing activities. The council can require “self cleaning” which enables a potential contractor to show that it has or will take measures to put right its earlier wrongdoing and to prevent them from re-occurring and to provide evidence that the measures taken by the economic operator are sufficient to demonstrate it has:
- “owned up”: clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities.
  - “cleaned up”: taken concrete technical, organisational and personal measures that are appropriate to prevent further criminal offences or misconduct, and
  - “paid up”: paid or undertaken to pay compensation in respect of any damage caused.
51. The council will request the necessary information from tenderers (using the council’s standard documentation in relation to blacklisting). The contract conditions will also include an express condition compliance with the blacklist regulations, and include a provision to allow the contract to be terminated for breach of these requirements.

### **Social considerations**

52. The council’s commitment on apprenticeships for large schemes is one apprenticeship per £1m spend, however previous projects of a similar nature have struggled or been unable to achieve this target within the feasibility of the project constraints. As such, the project team will aim to ask for what the project can reasonably accommodate and work in partnership with contractor to provide a sustainable apprenticeship through this scheme. The outcome of this will be reported within the Gateway 2 report.
53. Under the CCS framework contractors are required to identify social value initiatives relevant to each project. Such requirements may include the following:
- Creating Supply Chain opportunities for Small Medium-sized Enterprises (SMEs)
  - Appointment of apprenticeships and supporting skills development
  - Providing additional opportunities for individuals or groups facing greater social or economic barriers
  - Supporting work placements to school children and young adults
  - Recruitment of locally engaged labour
  - Recruitment of long-term unemployed labour
  - Recruitment of Young People Not in Education, Employment or Training (NEET) labour
  - Recruitment of local Supply Chain partners



- Procurement and sourcing of sustainable works, supplies and services
  - Encouraging ethical and fair-trade procurement and
  - Community engagement.
54. As part of the tender process, the project team will ask contractors to include proposals for the Wickway scheme which will be evaluated as part of the social value submission.
55. The contract will be let in compliance with section 149 of the Equality Act 2010 under which the council has a duty to have due regard in its decision making processes to the need to:
- Eliminate discrimination, harassment, victimisation or other prohibited conduct
  - Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
  - Foster good relations between those who share a relevant characteristic and those that do not share it.

### **Environmental/Sustainability considerations**

56. The council's approach to procurement of the design, development and construction processes will ensure a requirement to maintain and improve sustainability at each stage in the project.
57. At design stage, requirements were in place to meet sustainable specifications. including the following:
- Energy efficiency
  - Reduce carbon emissions
  - Conserve water & energy
  - Mitigate flooding risk
  - Safeguarding biodiversity
58. During construction the appointed contractor will be required to adhere to guidelines outlined in the London Construction Guide which include and are not restricted to the following:
- Procuring and using materials sustainably
  - Selecting materials with low lifecycle impacts
  - Using local materials
  - Use of materials with high recycled content
  - Meet minimum standards set out in Building Regulations
59. Specifications outline that there should be an efficient approach to waste management. At design stage there is direction for designers to exercise reasonable skill care and diligence in the selection of materials. At construction stage contractors are required to minimise construction waste and maximise the use of recyclable /reusable products and materials.

60. Specifications stipulated within the Employers Requirements will ensure that development activity is controlled in a way that positively contributes to achieving sustainability.

### **Plans for the monitoring and management of the contract**

61. The council's contract register publishes the details of all contracts over £5,000 in value to meet the obligations of the Local Government Transparency Code. The Report Author must ensure that all appropriate details of this procurement are added to the contract register via the eProcurement System.
62. The Project Manager oversees a delivery team consisting of a lead consultant design team, employer's agent and quantity surveyor to ensure effectively delivery of the project and works.
63. Annual Performance Reports will be presented to DCRB and CCRB in accordance with contract standing orders.

### **Staffing/procurement implications**

64. The Programme Manager is responsible for the delivery of the overall programme, under the management of the Head of Regeneration Capital who will be responsible for ensuring that the programme is adequately resourced and coordinated to deliver its objectives and procured efficiently and effectively in accordance with best practice for major projects procurement.

### **Financial implications**

65. The report is recommending a procurement strategy, so at this stage there are no financial implications arising directly from the report's recommendations. The estimated construction cost is £27m (of which circa £1.5m is for the provision of the community centre) which is based on the latest cost plan for the RIBA Stage 3 design produced by the quantity surveyor.
66. The cost of these works has been included within the council's Housing Investment Programme and will be met from HRA capital resources, identified for new builds including RTB receipts, grants, S106 and borrowing as appropriate.
67. In order to calculate the expected value of receipts generated from the private sale units a financial model was completed. Property values were provided through an assessment by a Principal Development Surveyor in the council's property team in March 2021. Based on this, the development is expected to generate sales receipt in the region of £22m, which can be used to support further development.

**Investment implications**

68. Please see strategic director of finance and governance commentary below.

**Legal implications**

69. Please see concurrent from the director of law and governance.

**Consultation**

70. Consultation of this scheme took place from March – December 2020, due to the COVID-19 pandemic and the government imposed national lockdown all consultation took place virtually through Zoom sessions and use of the Commonplace website. Exhibition boards were posted in the TMO office as well as leaflet drops to all residents on the existing Gloucester Grove Estate.

**Other implications or issues**

71. None.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS****Strategic Director of Finance and Governance (H&M 21/026)**

72. This report is requesting cabinet approval for the procurement strategy to redevelop the site at the Wickway Community, which will provide 86 new homes, of which 39 will be council homes, as well as the re-provision of the Wickway Community Centre, including nursery facilities. At this stage, there are no financial implications arising directly from the report's recommendations, however, the cost of the main works is estimated at £27m, and the financial implications section of the report sets out how this will be funded. The council will also benefit from the sales of private homes, with estimated receipts of £22m being available to support future developments of new council homes. The proposed procurement strategy, which is the use of the Crown Commercial Services framework, is designed to ensure the council receives competitive bids and to minimise the duration of the procurement process.

**Head of Procurement**

73. This report seeks the approval of cabinet for the procurement strategy for a single stage tender through the Crown Commercial Services (CCS) framework, RM6088 for Construction Works and Associated Services, for the redevelopment of the Wickway Community Centre. The anticipated contract period is 32 months, commencing on 31 March 2022, at an estimated contract value of £27m.

74. The report also asks that Cabinet approve the delegation of the award decision in the Gateway 2 report for the main works contract to the strategic director of housing and modernisation in consultation with the cabinet

member for new homes and homelessness for the reasons noted in paragraph 26.

75. The report details in paragraph 48 that London Living Wage will be paid under the contract, whilst paragraph 51 confirms that apprenticeship will be asked for as part of the tender process, with the outcomes to be reported in the gateway 2 report to recommend awarding the contract.
76. The evaluation of tenders is set out in paragraphs 36-44, with quality at 40%, price 50% and social value 10% of the available marks. The plans for the management and monitoring of the contract are set out in paragraphs 60-62 of the report.

### **Director of Law and Governance**

77. This report seeks the approval of the cabinet to the procurement strategy for redevelopment of the Wickway Community Centre as further detailed in paragraph 1. As the estimated contract value comes within the definition of a Strategic Procurement the approval of the procurement strategy is reserved to Cabinet, after consideration of the report by CCRB.
78. The nature and value of the works to be procured are such that they are subject to the Public Contract Regulations 2015 (as amended). However as noted in paragraph 19, the proposed procurement strategy is to undertake a mini-competition through the CCS. This framework has been established following a PCR 15 compliant tendering process, and is established to allow local authorities to use for their own requirements. The tendering requirements of the PCR15 are therefore satisfied by using this framework.
79. Cabinet is also asked to delegate the approval of the gateway 2 decision for the reasons noted in paragraph 27 to facilitate award of the contract.
80. The Cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, which requires public bodies to have regard, when making decisions, to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not share it. The cabinet is specifically referred to the community impact statement at paragraphs 45-46, setting out the consideration that has been given to equalities issues which should be considered when approving the recommendations in this report.

### **BACKGROUND DOCUMENTS**

<b>Background Documents</b>	<b>Held At</b>	<b>Contact</b>
None		

## APPENDICES

No	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Stephanie Cryan, Council Homes and Homelessness	
<b>Lead Officer</b>	Bruce Glockling, Head of Regeneration Capital	
<b>Report Author</b>	Hemali Topiwala, Programme Manager	
<b>Version</b>	Final	
<b>Dated</b>	1 July 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		1 July 2020

<b>Item No.</b> 20.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 - Procurement Strategy Approval Older People’s Residential Care Provision	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Evelyn Akoto, Health and Wellbeing	

**FOREWORD – COUNCILLOR EVELYN AKOTO, CABINET MEMBER FOR HEALTH AND WELLBEING**

The council owns four buildings that provide older people residential care. These buildings have rooms that becomes the residents’ homes for as long as the contracted provider, Anchor Hanover, can meet their needs. Residential care is a regulated service. CQC has rated the homes as Good throughout the life of the contract. The four homes are known as Bluegrove, Greenhive, Rose Court and Waterside. These homes have 48, 64, 64 and 48 rooms respectively.

The attached report seeks to undertake a competitive tendering process and award contracts commencing on 1 April 2022 for residential care provision including reablement services for older people in the four council owned properties. The tender process will be publicly advertised and using the open procedure for one or more contracts for a period of up to ten years. The contract would include a break clause which would be exercisable by either party, following the expiry of a minimum period to be confirmed.

Anchor was awarded a 25 year contract that comes to an end in 2025. Given that the contract was coming towards an end, both parties began discussions about the future of the homes. The council has been looking at the changing and current needs of the population and considering the future needs in relation to projected prevalence of dementia. Over the last few years, Anchor has identified a care model that does not include nursing care and has led to some referrals from the council not being accepted into Southwark homes. Given that the council is keen to have local residents benefit from local assets, both parties agreed that the council should seek a provider that could meet the current and future needs of Southwark residents.

In addition, there is the opportunity to address the identified gap for reablement provision with a care setting for individuals who have reablement potential and need a short term residential care bed to fulfil that potential. This form of provision would complement the community-based service which has seen residents regain their independence and therefore either need comparatively smaller care packages, and, sometimes no need for care services, following the reablement intervention.

There are three lots in this tender to allow the tender evaluation to consider bids from SMEs in lots 2 and 3. Although this is a regulated service the council's evaluation will not rely on CQC ratings from bidders. Officers will follow the model of selection used for the nursing residential care procurement and, as set out in paragraph 78, residents, their loved ones, social care and health professionals will be involved in the development of the specification. A reference group of key stakeholders will be involved in the evaluation process and this will include, where possible with C19 restrictions, visiting the homes already run by bidders.

Social Value will feature in this procurement at 15% and payment of the London Living Wage is part of the price evaluation. Both of these aspects will contribute to value for money in terms of the wider community.

I support this procurement strategy, which through the lotting system enables competitive bidding from small and medium enterprises. The tender evaluation will include payment of the London Living Wage for a workforce that is predominantly women and from Black, Asian and Minority Ethnic backgrounds and live locally. The inclusion of social value at 15% ensures that the selected provider will be an asset to local communities where the homes are based and will focus on the recruitment and retention of a workforce that has faced considerable challenges over the last 12 months.

## **RECOMMENDATIONS**

1. Cabinet approves the procurement strategy for residential care provision including reablement services for older people in the four council owned properties (Rose Court, Bluegrove, Waterside and Greenhive), involving a publicly advertised competitive tender using the open procedure for one or more contracts for a period of up to ten years commencing 1 April 2022 to include a break clause which would be exercisable by either party, following the expiry of a minimum period to be confirmed.
2. Cabinet delegates the approval of the award of contract/s, to the Strategic Director for Children's and Adults' Services, in consultation with the Cabinet Member for Health and Wellbeing.
3. Cabinet notes that the total estimated maximum value of the contract/s is in the region of £6.5m per annum, £65m over the term of the contract.

## **BACKGROUND INFORMATION**

4. The council uses residential care provision to fulfil its statutory social care duties under the Care Act 2014 towards those residents with social care needs who can no longer live independently in their own homes or safely in less dependent accommodation such as extra care sheltered schemes. Residential Care homes are extensively used by local authorities and in addition by a portion of people who purchase their own care privately outside of any statutory arrangements.

5. Residential Care homes are regulated by the Care Quality Commission (CQC) to provide both general and dementia care. Services usually tend to operate from large buildings, usually purpose built to meet generic and specialist care requirements of their residents.
6. Southwark's vision for adult social care is to deliver coordinated personalised health and social care services to prevent, delay or reduce the need for care and support for older people to live as independent lives as possible. The emphasis is to support residents to live in their own homes or assisted living in the community. Thus, within this context of other service options available to older people, residential care placements will largely apply to those with dementia and complex support needs.
7. The council commissions residential care placements for older people through block and individually negotiated contracting arrangements with both in borough and out of borough providers. Residential care for older people in Southwark accounts for 58% of placements, the remaining 42% is individually negotiated by the council's placement team.
8. There is a long term 25 year contractual arrangement (started December 2020) between the council and Anchor Hanover that is due to expire in November 2025. As the contract nears its natural end, it is the right time for both parties to consider the future arrangements based on their organisational responsibilities and priorities.
9. The council has been conducting a strategic assessment of what is needed in relation to residential care home provision in Southwark in the future. The assessment is an opportunity for the council to review its use of these four council owned care homes in acknowledgment of the changing landscape of care and in particular the profile of care needs.
10. This report seeks Cabinet approval for a procurement strategy that delivers on the council's statutory duty, responds to the range of needs of Southwark residents and enables provision of good quality residential care.

### **Summary of the business case/justification for the procurement**

11. In June 2021, the Cabinet Member for Health and Wellbeing approved the strategic options assessment for delivery of residential care provision for older people taking into consideration the spend analysis and needs of Southwark residents.
12. The total spend on residential care placements for older people for 2020 to 2021 is £8m for 212 residents including void cost on the in borough block contract. Of these 124 residents (58%) were supported in borough through a block contract with Anchor Hanover in four council owned properties. The remaining 88 residents (42%) are placed out of borough through individual negotiated contracting arrangements. The price paid for each placement is negotiated by the council's placement team.



13. The main reason for this level of out of borough usage of care homes is mainly lack of suitable provision within the borough meeting needs, and to some extent resident and/or family choice. The council only places in homes that have a CQC rating of “Good” unless the family request a specific home for personal reasons that may be rated as “Requires Improvement”.
14. The level of spend for 2021 to 2022 for older people residential care is projected to be in the region of £8m based on the trend over last three years. The current commissioning arrangements are not able to meet the changing needs of residents and fully maximise funds invested within the local economy and support most Southwark residents to stay in the borough.
15. The demographic case for investment in the UK elderly residential care sector is well rehearsed. People are living longer, over the next 20 years the population in England is expected to grow by almost 60% an additional 2.7 million people.
16. As per ONS figures, there were approximately 27,130 residents over 65 in Southwark in 2020. The population is set to increase by 41% to 38,253 by 2030.

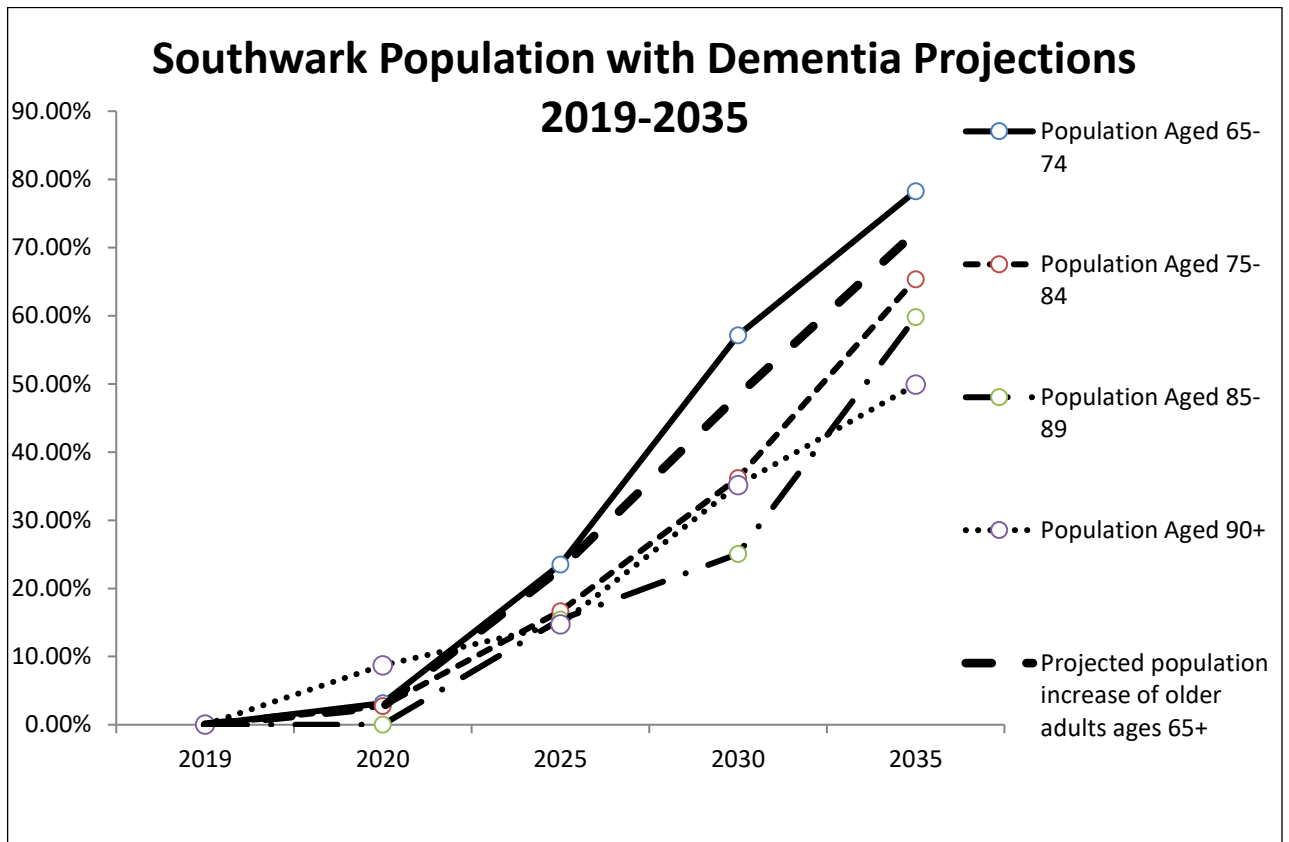
Table 1. Population growth projection in Southwark for over 65

	<b>2020 data</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>	<b>2040</b>
% Increase in over 65s		22%	41%	71%	88%
Total population over 65	27,130	33,099	38,253	46,392	51,004

Source – ONS

17. As a result of improvements in medical care, the demand for social care is predicted to increase significantly as more people live longer but with increasingly complex and multiple health conditions. The proportion of people aged 65+ with four or more health conditions is set to almost double by 2025, with around a third of these people having a mental health problem. Covid-19 has exacerbated these trends. (Source: Integration and Innovation: Working together to improve health and social care for all)
18. Improvements in population health, for example increasing disability free life expectancy could contribute to the increasing age. However, the increasing age of the population means that in future, more people will require some form of care during their lives. It is also important to note, that the level of required care could become more intensive, since the oldest (those aged 85 and over) are more vulnerable to conditions requiring high levels of support.

Figure one. Predictions of population aged 65+ whose day-to-day life is limited due to a long term condition.



Source projecting older people population information POPPI

19. The council is proactively continuing to deliver and further develop initiatives that support older people including frail elders to remain in their own home through good quality home care and community reablement and rehabilitation services. The council also has plans to increase extra care sheltered units from 135 to 189 by 2022. This increases availability means that the forecast for high demand for residential care provision will be part met by extra care sheltered services.

### Demand for residential care provision in Southwark

20. Southwark projects a significant increase in dementia prevalence amongst older people as indicated in the table below:

Figure two Relative increase in dementia prevalence 2019-35

Dementia cases in adults 65+	2019	2020	2025	2030	2035
People aged 65 to 69	141	146	194	234	243
People aged 70 to74	204	210	232	308	372
People aged 75 to79					

<b>Dementia cases in adults 65+</b>	<b>2019</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
	283	290	349	390	517
People aged 80 to 84	378	389	422	510	576
People aged 85 to 89	363	363	419	454	580
People aged 90+	401	436	460	542	601
<b>Total</b>	<b>1,770</b>	<b>1,834</b>	<b>2,076</b>	<b>2,438</b>	<b>2,889</b>

21. In the context of the demographic projection and the council's offer of a range of community based services to Southwark residents, the greatest demand for residential care will continue to come from people with dementia and mental health support needs. A regulated 24 hour care environment will be required for people lacking capacity and/or who are at risk of wandering and hence are not able to live independently in their own homes or extra care sheltered schemes.
22. In addition, there is an identified gap in Southwark for reablement provision for individuals who have reablement potential and need a short term residential care bed where they can be supported to regain their confidence and physical independence so that they can return home, some with a low level of care need and others fully independent. This would need to be delivered through a dedicated unit of 16 beds with support from multidisciplinary health and social care team which would be based in one of the four homes.
23. As the current contract comes to an end in November 2025, the council has an opportunity respond to local demand and support residents with dementia and complex needs through a tendering process.
24. In summary the council has need for:
  - i. Good quality care that meets the need of the population with residential placements in borough so that families/friends can easily visit and reduce the expensive out of borough placements Increased access to dementia specialist residential care provision for Southwark residents.
  - ii. Access to short term reablement care beds to improve independence of older people.
  - iii. A stable and diverse market that responds to the changing needs of the residents and delivers high quality care in "Good" rated CQC homes.
25. The proposed procurement strategy of a competitive tendering process will enable the delivery of these strategic objectives.

## **Market considerations**

26. Officers conducted a soft market testing exercise to gain insight of the market and assess the level of interest from potential bidders. The survey received a reasonable level of interest from the residential care provider sector. Responses were received from small to national level organisations with a broad range of experience providing residential care services for the over 65s, some with experience of supporting people with dementia and providing reablement.
27. Some of the common challenges in provision of residential care in London highlighted by providers are well known. These include unprecedented funding pressures on local authorities affecting fee rates; staff recruitment and retention, variable skills, and knowledge base of care staff, and need to provide a responsive service to a culturally diverse resident profile.
28. Providers also articulated that in the recent years, because of changing demographic profile and people living longer, they have increasingly complex needs. This requires additional staff, and inadequate staffing in care homes is a significant challenge and requires investment in ongoing training, recruitment and retention initiatives and reliance on agency staff which affects the continuity and quality of care for residents.
29. The Covid-19 pandemic has presented its own set of challenges for the sector, such as effective infection prevention to protect residents and staff; maintaining highest level of infection control, mitigating challenges caused by social distancing, such as reduced capacity in the homes; reduced contact by residents with their families due to visiting restrictions, impacting on the mental and physical wellbeing of residents. Providers have shared a well evidenced impact of Covid-19, which has been a disproportionate effect on some people with protected characteristics: people from Black, Asian and Minority Ethnic backgrounds, older people and people with some long term health conditions and other disabilities. These unequal effects have affected the care staff and residents.

## **KEY ISSUES FOR CONSIDERATION**

### **Options for procurement route including procurement approach.**

30. The strategic objective of this procurement exercise is to enable a good quality of residential care provision in Southwark that provides value for money to respond to the care and support needs of the residents. Several options have been considered which are summarised below including the recommended option.

Table two Procurement Options

Option	What it entails
<p>1. Commission external provider/s through a competitive tendering process</p> <p><b>Recommended</b></p>	<p>The Council places a notification on Find a Tender Service (FTS) and invites providers to bid for residential care provision in the four council homes.</p> <p>Through an open tendering process, (single stage) the Council has the option to select one provider across all four homes or two providers for two homes each. The decision to opt for two/four homes will be evaluated during the tender process using the agreed criteria.</p> <p>This option gives the Council an opportunity to select provider/s who have a track record of supporting people with complex needs including reablement. They will have the requisite expertise and governance in place to run large residential care homes. This option will also fulfil the council's statutory duty to facilitate a vibrant, diverse, and sustainable market for high quality care and support in their area, for the benefit of its residents.</p>
<p>2. An in house residential care provision</p> <p><b>Not recommended</b></p>	<p>The council provides residential care by directly employing all the care staff.</p> <p>The council registers with CQC for operating a regulated residential care service.</p> <p>The council sets up the necessary infrastructure and governance systems to support the delivery of the provision.</p> <p>Although the council has experience of running CQC regulated services, it does not currently have the expertise that an outsourced provider would bring. The homes run by Anchor Hanover are formerly council run homes. The council made the strategic decision to outsource care provision but retain ownership of the buildings. This provides two significant advantages. Firstly, the council can determine who runs the homes in Southwark and ensure contract requirements met needs and reduce voids and secondly self funders will have access to care homes which for an in house provision would not be possible.</p>

Option	What it entails
<p>3. Shared service delivery</p> <p>Not recommended</p>	<p>Jointly commission the service with neighbouring authorities.</p> <p>Alignment of timescales between the participating authorities.</p> <p>Officers have contacted neighbouring boroughs are not aware of any that are planning to commission their residential care provision that aligns with Southwark indicative timescale cross borough commissioning is likely to take longer to procure due to several complexities, these include the requirement to assess need in other boroughs and ensuring that services are commissioned that sufficiently meet the needs of Southwark residents and that of other boroughs. There is no suitable framework agreement or dynamic purchasing system (DPS) that the council can opt to join.</p>
<p>4. Cooperative/Mutual model</p> <p>Not recommended</p>	<p>Engaging with the current provider's workforce to explore the possibility of a cooperative/mutual model.</p> <p>The current workforce will set up a legal structure such as mutual or a cooperative to run the homes.</p> <p>Officers contacted the current provider with the intention of engaging with their staff, however, there has been no response.</p>
<p>5. Do nothing and decommission the service</p> <p>Not recommended</p>	<p>Decommission the service at the end of the contractual period. This will significantly impact on the safety and wellbeing of vulnerable older people.</p> <p>This is not an option as the council has a statutory duty to provide the service. Decommissioning the service will adversely, impact on the safety and wellbeing of frail and vulnerable older residents</p>
<p>6. Continue the current arrangement</p>	<p>Continue the contract with the current provider until the contract comes to an end in November 2025.</p>

Option	What it entails
Not recommended	The Council have an obligation to tender and review the current contract because of the contract end date. The needs profile of residents requiring residential care has changed and does not fit the current model of care. The contract comes to a natural end in November 2025; hence the council would have to make alternative arrangements to ensure continuity of care for its vulnerable older residents.

### Proposed procurement route

Option one is recommended for the following reasons.

31. The current commissioning arrangements consist of a block contract for in borough placements and individual out of borough negotiated placements. Review work has shown this is because of the changing needs of residents. Officers will also be looking to make savings through reducing the number of voids through a robust procurement and contracting arrangement. This will see a reduction in out of borough placements where needs can be met locally.
32. The current rate paid for the in borough residential provision is approximately £570 per week, which is significantly cheaper than the current out of borough average weekly placement costs which are on average £300 more expensive per week. By commissioning new residential care provision in the council's four properties, there is significant opportunity to decrease the out of borough spend, by reducing the weekly rate and enable Southwark residents to stay in the borough close to their family and other social connections. However, it should be noted that repairs and maintenance costs are not reflected in the block contract price. There is currently a repairs and maintenance budget of £40k which is used to support maintaining good standards.
33. By commissioning this provision, through external provider/s, there is an opportunity for the council to consolidate the capital costs with care costs and achieve efficiency and better value for money. A cost benefit analysis of this consolidated approach will be undertaken as part of the tendering process and a final decision will be taken at the award stage and will be detailed in Gateway 2 report.
34. The total number of rooms across the four homes is 224 and it is expected that the provider/s will use the beds outside of the block for self funders and other local authorities which will enable the provider/s to competitively price their tender. The amount of self funders beds will be defined prior to going out to tender.

35. Through the procurement process the council will seek a contractual arrangement with the new provider/s which would seek to reduce void levels. We will endeavour to gradually build up from the current occupancy levels with Anchor Hanover when letting the contract and then building up the block in multiples of five. It is expected the maximum capacity will be 170 which is 80% of the 212 (the total number of older people in residential care in 2021). It is likely that the remaining 42 (20%) will be out of borough placements due to residents and/or family choice.
36. In addition, a significant reason for recommending this option is for the council to enable a fit for future and high quality residential care provision from provider/s who have the expertise and track record of supporting the needs of older people with dementia and complex health needs and are also able to operate a specialist short term reablement service.
37. The open tendering process will invite providers with the necessary experience of CQC regulation and governance structures to bid for contract/s to run a large scale residential care provision across four homes.
38. Through the tendering process there will be flexibility to either select one single provider for all four homes or two providers across four homes. The market warming exercise indicated that the providers would be interested in bidding for either whole or partial provision. Whilst having a single provider is likely to provide better economy of scale, with two providers there will be diversity and scope for more than one provider to operate in Southwark.

#### Identified risks for the procurement.

Risk	Mitigation	Level
Lack of response from suitably qualified and experienced providers to invitation to tender	Soft market testing has demonstrated that there is reasonable interest within the sector to deliver good quality residential care provision	Low
The procurement approach recommended is unaffordable	<p>Robust financial modelling will be undertaken to ensure that the price remains within the overall spend on residential care provision.</p> <p>The council can achieve efficiency by reducing the expensive out of borough placements and agreeing a standard block contract price which would reduce costs.</p> <p>The council will ensure through the procurement and contracting arrangement that it does not incur</p>	Medium



Risk	Mitigation	Level
Lack of response from suitably qualified and experienced providers to invitation to tender	Soft market testing has demonstrated that there is reasonable interest within the sector to deliver good quality residential care provision	Low
	high void costs.	
Procurement might not get completed within timescales of the agreed exit strategy with the current provider	Robust programme management is in place and this tender will be given priority by the officers.  The council will seek to agree with Anchor Hanover to continue delivery of service in case of any delay in the procurement	Low
Impact of Covid-19 pandemic on the personal preference of care options:  Less people are likely to choose care homes as a first choice.  Service user's needs may change over a longer period of time for those who have suffered from Covid-19.	The council will continue to monitor the impact of Covid-19 on demand for services and the needs of those who have suffered Covid-19/Long Covid-19. The new contract will contain sufficient flexibility to be able to meet the needs of any potential change in service user profile.	Medium
Brexit Impact on the health care system's international workforce	Recruitment for this contract will be very minimal as majority of the staff will have TUPE rights and will transfer employment to the new provider.	Low
TUPE If there is more than one care provider selected through the process	TUPE information requested early on from Anchor to consider	Low

### Key /Non-Key decisions

39. This is a key decision.

## Policy Implications

40. Southwark Council's vision is to achieve a fairer future for all in Southwark. A core value of Southwark Council is to treat residents as if they are a valued member of our own family. In 2018, the council, working with the CCG, Age UK and Healthwatch engaged with older people and carers to develop a set of "I" statements for older people in care homes, as stated below:
- I have my own room in a safe, comfortable, and pleasant home near my family and supporters that has been designed and contains facilities for people like me. There is indoor and outdoor space available for socialising.
  - I am treated with dignity and compassion, and to feel safe and protected always, even if I do not have family or supporters to look out for me.
  - I want staff to get to know me and what is important to me.
  - To want respect for my values, my beliefs and my way of life, monitoring any changes in my health and wellbeing.
  - I am supported to eat and drink nutritious and tasty food, that I like and reflects my culture and beliefs.
41. Tackling inequality and injustice is a key priority for the council. Southwark's Borough Plan 2020 to 2022 sets out the council's ambition to strengthen their approach to equalities, close the gap in health inequalities and build trust and confidence of Black, Asian and Minority Ethnic patients in the health and care system. Residential care providers can respond to, embrace, and enhance the cultural diversity of their residents, staff group and the community.
42. Southwark vision for adult social care is to deliver coordinated personalised health and social care services to prevent, delay or reduce the need for care and support for older people to live as independent lives as possible. The emphasis is to support residents to live in their own homes or assisted living in the community such as extra care sheltered schemes. Thus, within the context of other service options available to older people, residential care placements will largely apply to those dementia and complex needs. In addition, there will be a cohort of older adults who will have rehabilitation capacity to move to more independent living following rehabilitation support to manage their condition or injury.
43. Partnership Southwark was established in 2019 to bring together a range of health and care statutory organisations with a view to working together with non statutory providers and service users/carers in our communities to better join up services and support, tackle the causes of inequality, improve the health and wellbeing of Southwark residents. Following the global Covid-19 pandemic, a recovery plan was developed to address longstanding health, care and racial inequalities that have been brought to the forefront by Covid-19. Joined up care is a golden thread that runs throughout the delivery of Partnership Southwark recovery plan.

44. The Care Well strand of the Partnership Soutwark recovery plan aims to support the development of integrated neighbourhood based networks. These networks should keep people as healthy and independent as possible in their home, and for those admitted to hospital enables safe and timely discharge, building on the learning and the council response to the pandemic. The characteristic of care and support the council are seeking to deliver are:

- Provision of integrated personalised and proactive care to residents in partnership with all care home providers, including those who are most vulnerable (e.g., adults all ages, older people with dementia, working age adults with learning disabilities and with mental health needs).
- Consistent and equitable model of care across all care homes, which is tailored to care needs within population segments and size and nature of homes.
- Support to care homes, supported living and extra care settings for managing future outbreaks, prevent and control infection.
- A supportive efficient infrastructure that has clear access points for different services/support and advice, enabling timely response.
- Review the clinical support that can be provided for care settings within their regulatory frameworks, for staff to be skilled up to manage enabling early identification of resident deterioration and moving to a prevention model.
- Safeguard and support residents of care settings, providing personalised and proactive care.
- As part of the new model of care, ensure every care home resident is supported by multi disciplinary team through a person centred approach.
- Development of a residential and nursing home charter that formalises an approach around valuing and protecting this workforce.

#### Procurement project plan (key decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	15/04/2021
DCRB Review Gateway 1	20/05/2021
CCRB Review Gateway 1	03/06/2021
Brief relevant cabinet member (over £100k)	08/06/2021
Notification of forthcoming decision Cabinet	16/06/2021
Approval of Gateway 1: Procurement strategy report	13/07/2021
Scrutiny Call in period and notification of implementation of Gateway 1 decision	29/07/2021
Completion of tender documentation	23/07/2021
Publication of Find a Tender Notice	30/07/2021

Activity	Complete by:
Publication of Opportunity on Contracts Finder	30/07/2021
Invitation to tender	30/07/2021
Closing date for return of tenders	24/09/2021
Completion of any clarification meetings/presentations/evaluation interviews	21/10/2021
Completion of evaluation of tenders	29/10/2021
Forward Plan (if Strategic Procurement) Gateway 2	21/05/2021
DCRB Review <b>Gateway 2</b> :	24/11/2021
CCRB Review <b>Gateway 2</b>	02/12/2021
Notification of forthcoming decision – despatch of Cabinet agenda papers	07/01/2022
Approval of Gateway 2: Contract Award Report	06/01/2022
End of scrutiny Call in period and notification of implementation of Gateway 2 decision	24/01/2022
Debrief Notice and Standstill Period (if applicable)	24/01/2022
Contract award	31/01/2022
Add to Contract Register	01/02/2022
TUPE Consultation period (if applicable)	01/02/2022
Place award notice on Find a Tender portal	01/02/2022
Place award notice on Contracts Finder	01/02/2022
Contract start	01/04/2022
Initial contract completion date	31/03/2025
Contract completion date – (if extension(s) exercised)	31/03/2032

### **TUPE/Pensions implications**

45. There will be TUPE implications for staff of all four care homes from the current provider. As part of the tendering process, all the TUPE information will be obtained from the current provider and shared with the incoming provider.
46. There will be no TUPE implications for the council as there are no staff on Council's terms and conditions employed by the current provider.

### **Development of the tender documentation**

47. The joint commissioning team for older adults and complex needs will oversee the procurement process with support from Adults and Children procurement team and council's legal team.

### **Advertising the contract**

48. The contract will be advertised on the London Tenders Portal via ProContract and also, on the Find a Tender Service.

### **Evaluation**

49. The tender submissions will initially be subjected to a suitability assessment and will be evaluated by officers from commissioning, procurement, and finance teams.
50. The evaluation methodology for the Invitation to Tender (ITT) stage will be agreed in conjunction with finance, legal and procurement colleagues. However, the proposed evaluation methodology will consider a combination of bids from organisations who are bidding for whole and/or partial provision.
51. The responses to the market questionnaire have indicated providers are interested in bidding on this basis. The evaluation process will comprise a methodology that assesses the best outcome for either a sole provider or two providers taking into account the highest scores for quality and price which will inform this decision.
52. The evaluation criteria will include weightings based on 55% quality, 30% price and 15% social value. The proposed balance reflects the necessary emphasis upon the quality of care and outcomes to be achieved for vulnerable residents.
53. In consideration of the market and the size and nature of care provision, the tender will include three lots:
- Lot one is for four residential homes;
  - Lot two is for two residential homes; and
  - Lot three is for two residential homes, including reablement beds.
54. The homes will be grouped into the lots based on geographical location and/or size. Not all lots will be awarded, the number of lots awarded will either be one (lot one) or two (lot two and lot three) depending on the scores of the successful bidders for each lot.
55. Bidders are permitted to bid for one or more lots but will only be awarded one lot. For example, a bidder who has submitted a bid for all lots can be awarded lot one therefore providing a service for all four homes as long as they have scored higher than the highest scoring bidders in lot two and three.

If the bidder has scored higher than the highest ranking bidder in lot two but not lot three, then they will be awarded lot two but not lot three.

56. Bidders who can only bid for two homes, can bid for lot two and lot three and state their preference should they score highest in both lots and higher than the first ranked bidder in lot one. Whichever lot is their second preference, the second highest ranking bidder will be awarded the contract.

### **Community impact statement**

57. Southwark is an extremely diverse borough, and this applies both to users of adult social care, the general population, and its care workforce. The residential care population is predominantly frail older adults or older people with dementia and mental health support needs. In line with the demographic profile of old frail population, this group of residents is more likely to be female and white than the general population.
58. It is believed the council's procurement plans will not have a negative impact in relation to the groups identified as having a "protected characteristic" under the Equality Act 2010 and the councils' equality agenda, age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It will however directly benefit the older population including those with mental health support needs.
59. Initial Equalities Impact Assessment (EIA) has been conducted and further EIA will be conducted as part of the tendering process and following aspects will be considered:
- Ensure the new provider/s can provide culturally sensitive personal care and activities.
  - Ensure processes are in place for carers to deliver culturally competent end of life care to Black, Asian, Latin American, and Minority Ethnic residents.
  - Ongoing monitoring of satisfaction levels across all residents on person centred quality of care.
  - Provider/s to understand how to support and manage with language barriers for those with dementia, as people can lose the ability to communicate in their language, as their dementia progresses.
  - Take specific action to improve digital access for older people.
60. Care homes provide employment opportunities for local people.
61. The council's Borough Plan includes a commitment to create a Residential Care Charter. The Charter will ensure that our most vulnerable residents are supported by a workforce (predominantly women and from diverse communities) who work for employers committed to paying the London Living Wage and providing access to training and support.

### **Social Value considerations**

62. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic, and environmental benefits that may improve the wellbeing of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.

### **Economic considerations**

63. As set out in the community impact assessment (above) the award of the contract/s will continue to support the local economy. The service will have specialist dementia and reablement provision which will provide opportunities for career progression for care workers. Staff in these homes will be paid the London Living Wage (LLW) in advance of adopting the council's commitment to establishing a Residential Care Charter, which will be the equivalent of Southwark's Ethical Care Charter.

### **Social considerations**

64. Residential care providers create employment opportunities for local people. As part of service development there will be joint working by the provider with health and care professionals in training the care staff. There is commitment to improve the skills and expertise of their employees to deliver outcomes for residents.
65. During 2020, the average turnover of staff in residential care homes was 6.7% in London, this is lower than the social care sector average of 9.4%; as was the turnover rate in care homes at 20% compared to the sector average of 30%. The Residential Care Charter will seek to reduce the turnover rate by requiring providers to recruit apprentices and retain them in the sector so that turnover reduces. This is particularly important in the care home sector, which has a relatively aging workforce compared to the wider sector with 31% of staff aged 55 or more years old. <sup>1</sup>

### **Environmental/Sustainability considerations**

66. The successful provider will be required to comply with the council's environment and sustainability policy and would review as part of climate Action plan if they were to be awarded repairs and maintenance contract.

Areas to be explored for inclusion are opportunities:

- To reduce carbon emissions
- To reduce waste
- To increase recycling for use of recyclable or reusable products
- For greener versions of staff transport.

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<sup>1</sup> <https://www.skillsforcare.org.uk/adult-social-care-workforce-data/Workforce-intelligence/publications/regional-information/London/London.aspx>

### **Plans for the monitoring and management of the contract.**

67. The council's contract register publishes the details of all contracts over £5K in value to meet the obligations of the Local Government Transparency Code. The Report Author must ensure that all appropriate details of this procurement are added to the contract register via the eProcurement System.
68. The future contracts will be monitored through both the quality and performance team along with annual reviews in line with the contract standing orders as well as regular reviews of individual residents that will be undertaken by social workers.

### **Staffing/procurement implications**

69. The procurement will be carried out from existing staffing resources within the council's commissioning and social work teams, drawing upon technical support (such as legal, procurement, finance) from the council's existing resource.

### **Financial implications**

70. The proposed annual contract value is estimated to be between £6m and £6.5m for the older people residential care provision which can be calculated by contracting for up to 170 beds with an assumed rate range between £678 and £735 per week and includes payment of the London Living Wage.
71. The proposed 170 beds will be made up of 154 residential care beds and 16 reablement beds. The current rate with the current provider is £570 per week on average, excluding any repairs and maintenance costs in which there is a budget of £40k annually. However, in recent times the council has had to place a significant number of clients in out of borough homes through negotiated contracting arrangements. The price paid for each placement is a negotiated rate and is subject to volatility. The primary driver for this enhanced utilisation of the out of borough placements is mainly driven by a declining provision within the borough and family circumstances.
72. The council has spent approximately £8m over the last three years on the older people's residential care provision on approximately 212 clients annually. There is sufficient budget to accommodate for the proposed gateway. However, it should be highlighted that the proposed gateway assumes a reduction in out of borough placements in the future, whereby failure to do so could lead to potential future void costs and consequently lead to a pressure on the budget. Additionally, to meet the current older people's residential budget, the potential provider must be willing and able to take on our complex EMI clients. This is to ensure a reduction in the average of out of borough costs in the future.



73. The current utilisation of the out of borough placements, combined with the current number of voids incurred has resulted in an inflated average weekly placement cost. The proposed gateway emphasises the use of an in borough model to reduce future placement costs, thus promoting an opportunity for an enhanced value for money for the council. The implementation of the proposed procurement strategy would seek to achieve efficiencies of approximately £200k to £400k annually by reducing the number of voids and reducing the usage of potentially more expensive out of borough provision.
74. The additional inclusion of the 16 reablement beds as part of the contract would seek to achieve further efficiencies by reducing costly short term residential placements. It has been agreed that the reablement beds will be fully iBCF (Improved Better Care Fund) funded for the first two years of the pilot.
75. The four residential buildings are council owned, therefore there is a commitment to ensure that the properties are maintained to an appropriate standard. Hence, the council has an annual repairs and maintenance budget of £40k to maintain these standards. To ensure that the properties are maintained to a strong standard, the council will incur future repairs and maintenance costs depending on the building requirements.

### **Investment implications**

76. None

### **Legal implications**

77. Please see concurrent from the Director of Law and Governance.

### **Consultation**

78. Residents and families as well as staff members have been informed about the exit strategy and their views are being sought. There will be regular meetings with residents and their families to keep them informed about the progress of the procurement process. A service user reference is being set up in May 2021 to enable a structured process of engaging them in the tendering of the service.
79. Social workers will inform the development of the service specification and will provide pen portraits of residents that will likely be placed in the care homes. As part of evaluation process, service users and residents from the reference group will engage with providers to assess their expertise in supporting the needs detailed in the pen portraits.

### **Other implications or issues**

80. N/a

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (REF: 10AS2020-21)**

81. The Strategic Director of Finance and Governance notes the recommendations of this report to develop a fit for future residential care provision including the additional reablement services in the four council properties to improve outcomes for Southwark residents and maximise funds invested. The contract value of £65m over 10 years has also been noted.
82. The Strategic Director of Finance and Governance also notes the commitment to ensure the four council properties are maintained to an appropriate standard. The financial and investment implications for this proposal have been highlighted in points 67 to 70.

### **Head of Procurement**

83. This report seeks approval from Cabinet to go out to open tender for residential care provision for older people in the four council owned properties (Rose Court, Bluegrove, Waterside and Greenhive) for a period of ten years commencing 1 April 2022 at an approx. Cost of £6.5m per annum and includes the option to include for repair and maintenance of the four properties at a cost of £40k per annum. Total approx. spend of £65m for ten years.
84. This is allowable under the Public Contract Regulations 2015 (PCR) and the councils Contract Standing Orders (CSO).
85. The report details the procurement options, the risks are detailed in paragraph 46 and the procurement exercise are detailed in paragraphs 55 to 59 confirming inclusion of social value and payment of London Living Wage (LLW).

### **Director of Law and Governance**

86. This report seeks approval of the procurement strategy for residential care provision for older people in the four council owned properties (Rose Court, Bluegrove, Waterside and Greenhive).
87. The procurement is subject to the requirements of the Public Contracts Regulations (PCR) 2015 and the report notes that, to satisfy those requirements officers will conduct a publicly advertised competitive tendering exercise, using the open procedure prescribed under the PCR.
88. The proposed procurement strategy will also be compliant with the council's Contract Standing Orders and Public contract regulations.
89. In making procurement decisions Cabinet should be mindful of the Public Sector Equality Duty under section 149 of the Equality Act 2010, and to have regard to the need to (a) eliminate discrimination, harassment, victimisation,

or other prohibited conduct, (b) 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). Cabinet is specifically referred to the community impact statement from paragraph 60, which sets out the consideration that has been given to equalities issues and notes how the service will be kept under review by way of equality analysis in order to measure the likely and actual effect and impact of the services on individuals and groups, in particular those having a protected characteristic under the Act. Cabinet is also referred to paragraphs 79 and 80 which confirm how appropriate consultation in relation to the procurement is being undertaken.

## BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Gateway 0 - Strategic Options Assessment for Older People's Residential Care Provision	Joint Commissioning Team 4 <sup>th</sup> floor 160 Tooley Street SE1 2QH	Gemma Clayton 07908 669 001
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7014&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=7014&amp;Ver=4</a>		

## APPENDICES

No.	Title
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Evelyn Akoto, Health and Wellbeing	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Preeti Sheth, Head of Service Older People and Complex Needs Commissioning Programme	
<b>Version</b>	Final	
<b>Dated</b>	13 July 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Director of Exchequer (For Housing contracts only)	N/a	N/a
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	<b>Yes</b>	<b>Yes</b>
<b>Date final report sent to Constitutional Team</b>		2 July 2021

<b>Item No.</b> 21.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 - Procurement Strategy Approval The Provision of Mental Health Supported Housing and Outreach Services	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Evelyn Akoto, Health and Wellbeing	

### **FOREWORD – COUNCILLOR EVELYN AKOTO, CABINET MEMBER FOR HEALTH AND WELLBEING**

The council funds 275 units of supported housing for people with mental health needs. This housing includes a range of housing related support so that the tenants can live independently in the community where the housing is. If we describe supported housing as a static form of support where the person needs to live in a particular property to get the support, then we can describe outreach support as a mobile form of housing related support and we fund 85 people to receive this type of support. Altogether we support 360 people at a total cost of £2.66 million to live independently. Some of this funding includes contributions from the clinical commission group (CCG), which is a historic arrangement that they have confirmed they will continue to make for the life of the new contracts as set out in Table 1. This confirmation is a demonstration of the organisation's continued commitment to integration between our two organisations.

The report seeks to undertake a competitive tendering process and award contracts commencing on 1 July 2022 for Mental Health Supported Housing and Outreach services. The contract would have an initial term of three years with options to extend for up to 2 years, with an estimated total budget for five years of £13,309,345, which is inclusive of the CCG element (totalling of £1,859,565 for the 5 years).

The supported housing services were established as part of the Supporting People Programme which had ring-fenced funding in 2002. The ring-fencing of funding ended over 10 years ago. Whilst there has been extensions in contracts and redesigns in service delivery over the years, the current services have not been subjected to a competitive process for a considerable length of time. A GW0 Strategic Options Assessment report came to Cabinet in February 2019 about this area of spend and our spend on hostels. A separate GW1 procurement strategy report about hostels will be brought to cabinet in the autumn of this year.

An open procedure is not recommended due to the specialist nature of the services and the skills and expertise necessary to meet the needs of the most vulnerable Southwark residents, therefore the council requires prospective bidders

to pre-qualify by completing a Selection Questionnaire (SQ). This is known as a restricted procedure and is recommended in this report.

Social Value will feature in this procurement at 10% and payment of the London Living Wage is part of the price evaluation. Both of these aspects will contribute to value for money in terms of the wider community.

Tendering these services will allow for a full reconfiguration across all forms of housing related support for people with mental health needs. The inclusion of outreach services means that the reconfiguration of the services will provide an opportunity to look at the end to end journey of independence for these members of our community.

## **RECOMMENDATION**

1. That cabinet approve the recommendation to proceed with the procurement strategy by competitive tendering to award contracts commencing on 1 July 2022 to provide Mental Health Supported Housing and Outreach detailed in paragraph 72, for an initial three years with an option to extend for two further periods of one year, with an estimated total contract value for five years of £13,309,345, which is inclusive of the CCG element (totalling of £1,859,565 for the 5 years).

## **BACKGROUND INFORMATION**

2. The Gateway 0 (GW0) strategic options assessment for the provision of mental health supported housing services and next steps detailed in this report were approved by the cabinet member in February 2019.
3. The strategic delivery option, recommended in the GW0 report, approved is for:
  - A procurement exercise in line with the Public Contract Regulations 2015 for some or all of the support and accommodation services for people with mental health issues, in order to secure best value within these services, and ensure sufficient services are available to meet need locally
  - The exploration of an increase in in-house services
  - Further discussions with other local authorities in order to explore potential joint approaches
  - Further detailed work to consider both procurement and in-house options in the coming period prior to the presentation of a GW1 report,
  - Service user engagement, a review of move on strategies and consideration of value added from these types of services – for example, contributions to employment and social value.
4. In January 2018, Southwark Council and NHS Southwark Clinical Commissioning Group (CCG) agreed the Southwark Joint Mental Health and Wellbeing strategy 2018-21. A key component of the strategy is for the

council and local CCG to bring forward a common approach to ensure that eligible individuals can access supported housing services.

5. Following the launch of the Southwark Joint Mental Health and Wellbeing Strategy implementation plan, in October 2018, the council and the CCG formed the Mental Health Supported Housing group. The focus of the group is on a wider review of acute, community and primary mental health services, including referral of patients within those settings, typically service users would be those requiring higher need supported housing.
6. The Mental Health Supported Housing group, the membership of which includes adult social care, mental health professionals, housing and commissioning noted through the strategic options assessment that:
  - There will be an ongoing need for supported housing for people in Southwark with mental health problems
  - More service users are presenting with complex multiple needs both in terms of their mental health and physical health
  - The pathway needs to be responsive to the (evolving) support needs of service users, equipping them with the skills and strategies to live a fulfilling life in their local community
7. Through the local authority review, the reconfigured mental health supported housing pathway will provide clarity in terms of eligibility, referral process and levels of support provision. It is hoped that both parties can identify areas for future partnership working.
8. The scope of the review has been focussed on services where the council is the lead commissioning authority.
9. The review has sought to clarify:
  - Whether current services are fit for purpose
  - The emerging service model
  - Service user support needs, demand
  - Indicative levels of support provision
  - Referral routes into schemes
  - Potential in-sourcing
10. This GW1 relates to Mental Health Supported Housing and Outreach Services. The procurement strategy relating to Mental Health Homelessness Hostels will be detailed in a separate GW1 report.

### **Scope of Services**

11. The services that are in the scope of the review, contract value and where indicated CCG funding are detailed in Table 1 below:

**Table 1 – Mental Health Supported Housing**

<b>Scheme</b>	<b>Support Provider</b>	<b>No. of units</b>	<b>CCG funding (£)</b>	<b>Annual Contract Value (£)*</b>
Southwark Bridge Road	Look Ahead Care and Support (LACS)	28		248,084
New Kent Road	LACS	9		135,609
Southwark Resettlement Service	LACS	28		232,600
Riverside	Peabody Trust	42		249,037
De Crespigny Park	Metropolitan Thames Valley Housing Association (MTVHA)	12	238,633	491,169
Dispersed Accommodation	St Mungo's	75		324,232
Bermondsey Project	Thames Reach Broadway (TRB)	30	71,157	300,909
Short-term and Medium Support Service	Certitude – Southside Partnership (CSP)	43	62,123	378,395
<b>Total</b>		<b>267</b>	<b>371,913</b>	<b>2,360,035</b>

\*Supported Housing contracts are block contracts.

12. The CCG has confirmed that funding at the level indicated will continue for the type of support service provided by a current contract for a period of five years.

### **Mental Health Outreach**

13. As of 12 March 2020, there were 83 mental health service users<sup>1</sup> receiving a spot purchased mental health outreach service from ten different service providers, as detailed in Table 2. Although there are ten providers, two of the providers deliver 89% of all provision.

<sup>1</sup> Based on information provided by mental health team



**Table 2 – Mental Health Outreach**

<b>Support Provider</b>	<b>Total cost per Week (£)</b>
Care Elite Ltd	34
Choice Support (Head Office)	165
CMG (Care Management Group)	32
Complete Works	250
Haridol Care Services	3,721
Lambeth Chinese Community Association	60
Oasis Care And Training Agency	186
Profad Care Agency	35
SDA - Southwark Disablement Association	1,408
Servesoul Limited	34
<b>Total</b>	<b>5,925</b>

14. Based on the current number of users (83) and the current cost per week, the service has an estimated cost of £308k per annum.
15. A twelve-month extension was approved in April 2019 for the mental health supported housing and homelessness hostels to enable:
  - the review of services to be completed
  - development of a business case to consider potential in-sourcing of the homelessness hostel
  - development of the commissioning plan and
  - completion of procurement activity to commence new services from 1 April 2020.
16. A GW3 contract variation was approved in March 2020 to extend services up to 10 January 2021, to enable the procurement activity to be completed. However in March 2020, a global pandemic was declared due to Covid-19. For the council to respond to the immediate needs of Southwark residents, commissioning and procurement activities were paused. Due to the ongoing Covid-19 crisis, in December 2020 a GW3 contract variation approved a further contract extension of current services up to 30 September 2021.
17. The extension which has been wholly supported by service providers, ensures services continue to support vulnerable service users due to the Covid-19 crisis and continuity of care whilst the procurement activity is restarted and completed. The Strategic Director of Children's and Adults' Services in May 2021 approved a further extension of current contracts up to 31 July 2022.

18. Once the procurement has commenced a further GW3 may be necessary to enable the completion of the procurement activities and to mobilise new services.
19. The review has involved the following activities:
- Service review of each contracted service
  - Joint working with operational teams to understand emerging needs and forecast demand
  - Engagement, consultation and co-production with support service providers
    - emerging needs
    - support staff skills and expertise
    - service design
  - Engagement, consultation and co-production with supported housing landlords
    - emerging needs
    - future proofing
    - support provider relationships
    - Staffing costs analysis and benchmarking
  - Further engagement with services users
    - Experience of current services
    - Service changes, gaps
20. The intended outcomes from the review are to have:
- Established the 'as is' mental health supported housing and outreach
  - Have a plan to move to from the 'as is' to a redesigned service that is dynamic, responsive to service user need
  - Services and accommodation that are fit for purpose in terms of future-proofing
  - Services that support the aims and objectives of the borough plan
  - Considered whether it is appropriate to insource some, or all, of service delivery
  - Reflected the views of service users.

## **Summary of the business case/justification for the procurement**

### **Service Review Findings**

21. A service review has been completed for each service in the scope of this project. The service review considered the following areas:
- Support provided to service users
  - View of service users

- Service performance
- Throughput
- Staffing
- Value for money

22. In summary the service reviews revealed the following:

	<b>Challenges</b>	<b>Positives</b>
<b>Service user feedback</b>	<ol style="list-style-type: none"> <li>1. Some length of stays are over two years</li> <li>2. People have physical health problems</li> <li>3. People are older and have long-term conditions</li> <li>4. Vulnerability to abuse when living independently</li> <li>5. Move on planning/outcome focussed objectives</li> </ol>	<ol style="list-style-type: none"> <li>1. People felt safe and supported by staff</li> <li>2. They felt supported to access training &amp; employment.</li> <li>3. Benefitted from support sessions</li> <li>4. Liked their support staff</li> <li>5. Living in Southwark</li> <li>6. Self-contained accommodation</li> </ol>
<b>Service performance</b>	<ol style="list-style-type: none"> <li>1. Private rented sector housing options</li> <li>2. Timing of move on not available when service users are ready</li> <li>3. Service performance variable</li> <li>4. Challenging to evidence value for money, in outcomes</li> <li>5. Staffing stability</li> <li>6. Outreach provision lacks the consistent quality</li> </ol>	<ol style="list-style-type: none"> <li>1. Provided stability to most vulnerable residents</li> <li>2. Providers managing service users with additional needs i.e. drug, alcohol issues, anti-social behaviour</li> <li>3. Providers accessing community mental health services</li> <li>4. Provider accessing community services</li> </ol>

### **Emerging Service User Needs**

23. Commissioners and operational teams have reviewed the current profile of service users and have identified the following emerging support needs, which are challenging for the current services and would benefit from more tailored support. These are:

- Longer term supported housing for people with a long-term condition and mental health
- Older service users with alcohol, substance misuse and mental health
- Outreach, resettlement and floating support for service users who live independently
- Service users with Autism or challenging behaviour and mental health

- Women only scheme, priority for those placed out of the borough
- Support to service users who have moved to independent accommodation vulnerable to abuse

### Throughput and Move On

24. Support providers are required to submit quarterly data detailing the movement of service users through the service. Submissions have been inconsistent, however an overview of submitted data for 2018-19, indicates that:
- Planned moves, which includes a move to independent accommodation has improved year on year from 2016-17
  - Service users tend to move on at a higher rate from mental health homelessness hostels. This highlights the different referral routes into services
  - There are unplanned moves, which can include abandonment of placement, tenancy issues or mental health need
25. Timely move on has been hindered by lack of supported accommodation that meets the emerging needs of service users. Particular areas are the limited availability of longer-term accommodation to support older service users with physical health, long-term health conditions or life-limiting illness and residential care.
26. Securing permanent accommodation continues to be challenging. However between 1 April 2019 and 31 March 2020, the Move On Support Team was involved in moving people as follows:

Placement Type	Number
Supported Living	15
Residential or Nursing Care	9
Own tenancy	2
Extra Care	0
Total	26

### Predicting Demand for Accommodation-based Support

Public health – ‘Specialist accommodation in social care: Estimating future need to 2030’

27. Housing estimates predict a 7% increase in housing requirements for those aged 18-64 with a primary mental health support need by 2030. Data relating to predicted demand for over 65 population is being analysed. This indicates an additional demand for 22 units of supported housing by 2030 for those aged 18-64. Housing requirements include:
- Nursing Care
  - Residential Care

- Supported Housing
  - Sheltered Housing
  - Extra Care Housing.
28. This Public Health analysis combined with the complex care data indicates a modest need for additional supported housing units, which are targeted to meet the changing support needs of residents.

### **Predicting Demand for Outreach Support**

29. The commissioned service will be defined to deliver outreach rather than homecare packages that should be commissioned through the care at home contract. There is an annual spend of £308k in relation to outreach services and this procurement provides an opportunity to formalise these arrangements and therefore better monitor quality and delivery these services.
30. The number of new outreach users in 2018 and 2019 were 23 and 71 respectively. The 2019 figures were impacted by an exercise to re-code placements that were miscoded as homecare, as such the number of new placements was more consistent with 2018. During 2019 there were 17 users who no longer needed support. Between January and March 2020 there was an additional three service users requiring support.
31. Commissioners worked with the Service Manager and Team Manager in Mental Health Social Care in spring 2020 to model the demand of outreach provision. The new outreach users and throughput has steadied with a number of people moving on from the provision following a period of support. Based on intelligence from operational leads, the demand is anticipated to remain within current levels which sit between 80-90 users at any one time.
32. Operational leads note that there is an ongoing need for an assertive outreach approach which should be flexible, build relationships with people and use a graded approach with the aim of independence.

### **Market considerations**

33. Engagement activities to develop the service model have taken place with support providers and landlords. Through these activities providers have been informed, consulted and worked with commissioners to develop the emerging service model and service outcomes in the following ways:
- Adults Provider Forums
  - Children and Young People Provider Forums
  - Market Position Statement Workshops
  - Information Gathering Exercises
  - Individual provider Meetings
  - Engagement Sessions

## Landlord Intentions

34. As previously stated, the supported housing provision often involves a landlord usually a Registered Social Landlord (RSL) and a support provider. The support provider enters into a management agreement with the RSL to deliver the support service and may also agree to deliver the housing management activity e.g. collection of rent on behalf of the RSL.
35. As part of the service review an information gathering exercise was conducted with current support housing landlords. The purpose of the exercise was to ascertain current landlord intentions to continue to make available their properties for mental health supported accommodation.
36. Responses were received from 6 RSL's, the responses fell into three categories:
  - Yes the properties will continue to be made available
  - Properties are available subject to a review of the council's commissioning intentions
  - Only available if the RSL has the contract to provide support. This response was received by one RSL.
37. Current RSLs attended a series of engagement sessions and made the following suggestions for inclusion in a redesigned service model:
  - Networking approach to managing voids
  - Longer term accommodation up to 5 years
  - Longer Southwark contract 3 (+2) or 5 (+2)
  - Foyer model with smaller clusters
  - Move on options nearer to where the service user currently lives
38. To mitigate any potential withdrawal of properties by current landlords and also to understand the potential opportunity for access to a wider range of self-contained accommodation a review was undertaken to identify whether there is additional RSL capacity in Southwark and who can make their properties available to the council for this procurement.
39. This activity revealed that there are 15 RSLs with a presence in Southwark, who indicate properties could be made available to the council.
40. As a significant social landlord, and given the extent to which social care services include accommodation-based support, any suitable council-owned redundant buildings would be considered for the delivery of this service.

## Support Provider Intentions

41. Support providers attended a series of engagement and consultation sessions. The recommendations of which were incorporated into the emerging service model for mental health supported housing pathway.
42. Support providers expressed their willingness to continue to work with the council and bid for the upcoming tender opportunities.
43. Through the engagement and consultation activities with operational colleagues across health and social care, providers, service users and support staff, the preferred model for mental health supported housing pathway will include the following supported housing and outreach services:
  - LA & CCG Medium supported housing (Step down and step up)
  - Extra Care & Residential Care Options
  - Longer Term (2-5 years) medium supported housing
  - Short term (up to 2 years) medium supported housing – on site support and Out Of Hours (OOH)
  - Dispersed low supported housing with day support
  - Dispersed low supported housing with visiting
  - Outreach & Floating support
  - Peer mutual support.
44. To achieve the emerging model which illustrates the service user pathway, will require the development of Extra Care and Residential Care that can meet the needs of service users who have both mental health and physical health issues and/or managing long term conditions.
45. Through the development of the pathway commissioning, operational colleagues in adult social care, housing and health through development of the service specifications the opportunity to define:
  - entry points into service
  - referral processes
  - in-reach community mental health services
46. There are a significant number of service users residing in services for more than two years, for whom a move to independent housing may not be possible. Through this procurement activity services will be commissioned that meet the enable service users to be supported environment where they have a level of independence that meets their housing and support needs.
47. Following the development of the service model with incumbent housing and support providers, an interactive session with operational colleagues in attendance, took place with the wider market in July 2019. The consensus was that:
  - the model was appropriate and providers present highlighted the need to provide ongoing support to service users who have moved on to an independent tenancy.

- putting in place a longer contract would provide stability and would provide the service with sufficient time to reconfigure to the new pathway model

## **KEY ISSUES FOR CONSIDERATION**

### **Options for procurement route including procurement approach**

#### **Option 1 – cease providing services**

48. The council has a duty to provide housing and support services for eligible vulnerable Southwark residents, who would be homeless and without support if these services are no longer provided.

#### **Option 2 – continue with existing contracts**

49. Services need to be reconfigured to better meet the needs of Southwark's residents, as demonstrated by the emerging service model. It is not possible to reconfigure the current accommodation and support provision to deliver the redesigned model.
50. Outreach services are currently spot purchased. A contracted approach is required in order to better evidence value for money and quality of service, delivering a standardised service model with defined outcomes for services users.
51. Since March 2020, service providers have needed to respond to the Covid-19 pandemic. The response to the pandemic is ongoing and service providers now need to adapt their service delivery to ensure that they operate in a Covid secure manner to safeguard their staff and vulnerable service users.

#### **Options 3 – single supplier negotiation**

52. There are a sufficient number of RSLs in the current market to conduct a competitive tender process, therefore a single supplier negotiation (SSN) is neither necessary nor desirable.
53. However, where a RSL is refusing to enter in a management agreement for the delivery of support with a third party provider and has expressed a desire to deliver the support itself, a single supplier negotiated process may be required, should the council find that the service is strategically important and may therefore wish to retain the property. The RSL would need to evidence that they have the necessary qualifications, skills and expertise to deliver the specified support service.



#### **Option 4 – join supported housing frameworks**

54. Potential opportunities to join existing or planned frameworks were explored. No appropriate frameworks exist or are currently being developed.
55. The council has until recently had a framework for supported housing services in place which expired in 2018. The framework approach proved limited in scope and was underutilised. The supported housing contracts currently in place are block contracts rather than cost and volume, apart from the current outreach services.
56. Frameworks have been utilised by local authorities to provide supported housing and outreach services, however the council does require high quality accommodation and an experienced support provider, who can provide services for the target duration of up to two or five years. To purchase via a framework may not provide the stability that providers need as they continue to respond to the Covid-19 pandemic; it could also reduce the opportunities for providers to offer value for money and innovation from a certainty of cashflow; and may also hinder the relationship that the council wishes to build with local organisations in Southwark.

#### **Option 5 – provide in-house**

57. The supported housing and outreach services are contracted with a number of accommodation only landlords and support only provider organisations. The council does not currently provide specialist mental health supported housing or outreach services. The cost to in-source the range of contracts which would include TUPE and pension costs would be prohibitive and is therefore not a recommended option.

#### **Option 6 – competitive tender (restricted) Recommended Option**

58. A competitive tender in the form of a restricted procedure is the recommended procurement approach for all services in the scope of this report. An open procedure is not recommended due to the specialist nature of the services and the skills and expertise necessary to meet the needs of the most vulnerable Southwark residents, therefore the council requires prospective bidders to pre-qualify by completing a Selection Questionnaire (SQ).
59. Current services have not been subjected to a competitive process for a considerable length of time and have exhausted all possible contract extensions. It is appropriate therefore to test the expertise of the wider supported housing market by tendering these contracts to bring innovative and dynamic organisations to Southwark.
60. The current model of delivery is a reflection of its time. Through a competitive tender process, the council will discontinue historical supported housing arrangements that were established through the former Supporting People

programme in 2003. New services will be procured that enable a service user to be accommodated and supported in services that are appropriate to their assessed needs through bespoke service specifications that deliver high quality outcomes. Key features of the change are:

- Staff skilled in supporting people mental health issues and additional support needs e.g. substance misuse
- Access to out of hours support with experienced support staff, which includes visiting support to dispersed units, which seeks to address anti-social behaviour and cuckooing
- Support that considers age and enduring health conditions with a pathway to Extra Care and Residential Care options
- Outreach support as part of supported housing provision to support a move to an independent tenancy
- Increase in self-contained accommodation
- Good quality, well maintained accommodation
- Specialist mental health outreach support through commissioned contract, that is flexible to meet support service users at times of crisis.

### **Proposed procurement route**

61. A competitive tender will provide the council with the opportunity to secure value for money, reconfigure services in accommodation that is 'fit for purpose' and provide a level of future proofing for the duration of the contract. The competitive tender will grant the council the opportunity to redress any issues and safeguarding measures arising from Covid-19, ensuring these services meet their health and safety obligations going forward.
62. The council intends to procure services that will:
  - deliver the emerging service model
  - demonstrate value for money, through the evaluation process and
  - provide stability to mental health supported housing and outreach services
63. The competitive tender will offer block contract arrangements for a range of supported housing and a cost and volume arrangement for outreach services.
64. The competitive tender will consist of two stages; the Selection Questionnaire (SQ) stage and the Invitation to Tender (ITT) stage.
65. The SQ stage is used to assess an applicant's suitability to meet the selection criteria. The selection criteria includes a self-declaration regarding whether or not any of the exclusion grounds apply and whether or not the company meets the economic financial technical and professional requirements. If the number of applicants exceeds ten for any of the lots, the council reserves the right to shortlist applicants and invite up to ten applicants to participate in the ITT Stage.

66. The ITT Stage will be evaluated on a 65:35 quality/price weighting. The quality evaluation will consist of method statements with a weighting of 55% and a 10% weighting for social value.
67. An evaluation panel consisting of council officers will individually score the method statements and then will convene to moderate the scores and reach a consensus score for each method statement.
68. Submitted contract prices will be evaluated and the lowest price will receive the highest score. The quality and price score will then be combined which will result in an overall score. The bidder/s will be ranked and the bidders who have achieved the highest overall score in each lot will be awarded contracts.

### Lotting Approach

69. The service model proposes services in five categories of support and accommodation needs:

**Table 3 - Service Model Categories** - Target duration up to two years unless stated otherwise

Lot	Description
<b>Lot 1 – Complex and challenging support needs</b>	For example, forensic and complex needs. Staff will be on site 24/7.
<b>Lot 2 – Medium + 24 hour support</b>	Service users will receive up to nine hours support a week, and there will one experienced support worker at night per scheme and either concierge or security.  Fluctuating need - Target duration up to five years for users who have additional health needs e.g. Long Term Condition or physical disability.
<b>Lot 3 – Medium + out of hours</b>	Service users will receive up to nine hours support a week. There will be some out of hours support at four hours per night per scheme and either concierge or visiting security.
<b>Lot 4 – Medium/Low dispersed units</b>	Dispersed units in clusters with an office. Staff will visit these dispersed units, office based and 1:1 support is available. Service users will receive up to four hours of support a week.  Services will have visiting security allocated at one worker per block of 30 units to tackle the risk of “cuckooing” (a form of crime, termed by the police, in which drug dealers take over the home of a vulnerable person in order to use it for illegal purposes including as a base for county lines drug

Lot	Description
	trafficking).
<b>Lot 5 - Outreach</b>	<p>Service users will receive up to four hours support per week which will be flexible to meet their support needs</p> <p>The service users will have support for up to one year, although this duration may be extended on a case by case basis to ensure the service user is able to maintain their independence on the support ceases.</p>

70. The target duration for outreach service has been benchmarked against the people who have left the service, of which 76% left the service within one year. The remaining service users ceased to receive support within 15 months.

**Table 4 - Current contract aligned to proposed Lots**

Lot	No. of people	Proposed No. of Providers
<b>Lot 1 Complex and challenging support needs</b>	15	1 - 2
<b>Lot 2 Medium + 24 hour support</b>	28	3 - 5
	9	
	18	
<b>Lot 3 Medium + out of hours</b>	24	2 - 2
	43	
<b>Lot 4 Medium/Low dispersed units</b>	30	3 - 5
	57	
	63	
<b>Lot 5 Outreach</b>	85	1
<b>Total</b>	<b>372</b>	10 - 15

71. It is important to note that the outreach service will be designed to be flexible enabling support to be scale up and down, within the four hour limit, depending on needs. This therefore means that there is a potential for more than 85 service users to receive support at any one time.

## Benchmarking to inform cost per support hour

72. Financial analysis has been undertaken for mental health accommodation-based services through the following methods:
- Incumbent providers submitted staffing costs utilised to understand current hourly rates
  - Benchmarking with four statistically similar London boroughs for comparable mental health housing related support services.
  - Developing hourly rates based upon London Living Wage for 2020, set at £10.91, based on anticipated uplift. Added to this were support worker costs, overheads, travel etc.
  - Costs were reviewed by finance colleagues to confirm that they were appropriate and reasonable.
73. The hourly rates have informed the lotting strategy and pricing schedule detailed in Table 5.

**Table 5 - Proposed Lots and Contract Value**

<b>Lot</b>	<b>No. of Units</b>	<b>Support hours per week</b>	<b>CCG Contribution (£)</b>	<b>Contract Value (£)</b>
<b>Lot 1 – Complex and challenging support needs</b>	15	360	238,633	491,169
<b>Lot 2 – Medium + 24 hour support</b>	28 9 18	322 151 232	0	292,686 137,253 210,879
<b>Lot 3 – Medium + out of hours</b>	24 43	244 415	62,123	221,787 377,218
<b>Lot 4 – Medium/Low dispersed units</b>	66 72	341 372	71,157	297,898 324,979
<b>Lot 5 - Outreach</b>	85	352	0	308,000
<b>Total</b>	<b>360</b>		<b>371,913</b>	<b>2,661,869</b>

74. This methodology was applied to Lots 2 and 3 in the first instance to ensure the number of units available for this level of needs was no less than is being currently provided. Following which, the same pricing approach was applied to the remaining budget to develop the units and contract values in Lot 4.
75. The remodelled service provision has a net reduction of 12 units. The reduction will mitigate for the number of unlet units that are currently in the service. The units are unlet mainly due to the share nature of the

accommodation and the need to ensure service users are appropriately safely accommodated together.

76. Bidders will be restricted to tender for maximum of one Lot for Lots 1-5. Bidders may submit a tender for two Lots which includes Lot 5 – Outreach only as the second Lot.

### Identified risks for the procurement

77. The following risks have been identified for this procurement:

Risk	Description	Risk Rating	Mitigation
Poor service design - specification	Service insufficiently specified	Low	Service specifications are developed with operational colleagues across mental health services.  Specifications are reviewed and signed off by the Mental Health Board for the project
Financial – Pricing Schedule	Basis of contract price reflects the cost per support hour	Medium	Budget for each lot is based on 2019-20 London Living Wage (LLW) and associated costs. Economic considerations may need further clarification to align for 20-21 impacts. Will be reviewed before procurement is commenced
Capacity for market to participate in procurement activity	Providers lack capacity to participate in procurement activities	Medium	Market sounding questionnaire will be communicated to providers via ProContract
Staff recruitment	Provider securing sufficient support staff due to Brexit	Medium	Staff recruitment, training and retention will be part of the tender evaluation
Insufficient interest in bidding	Providers do not meet criteria	Medium	Alternative options will be considered
Quality of bids Successful contract award	Poor quality bids submitted	Medium	Opportunity within procurement to hold provider interviews and presentations
Sufficient accommodation is available	Landlords do not continue to make their properties	Medium	Market sounding will also include landlord within the borough

<b>Risk</b>	<b>Description</b>	<b>Risk Rating</b>	<b>Mitigation</b>
	available		
Covid-19 Pandemic	Covid secure/safe services	Medium	Method statements will include evaluation relating to Covid. Social value includes Covid TOMS
Mobilisation of services	Services cease before new provider is in place	Low	A detailed mobilisation plan will form part of the procurement method statements

### **Key /Non Key decisions**

78. This is a key decision.

### **Policy Implications**

79. The refreshed Council Plan 'Southwark's Borough Plan 2020-2022' has a commitment to 'protect adult mental health services' which includes changes following the conclusion of the consultation period for the refined borough plan, to reflect new priorities and to set out the actions we will take between now and May 2022 to continue delivering a fairer future for all.
80. The borough plan 2020-2022 reaffirms the commitment to continue to protect mental health services and close the gap in health inequalities that affect black, Asian and minority Ethnic communities in Southwark.
81. In response to the impact of Covid-19 on Black, Asian and Minority Ethnic residents, the council embarked on a listening exercise with the communities of Southwark to gain an insight into the barriers and experiences of inequalities Black, Asian and Minority Ethnic communities face in their daily lives. Southwark Stands Together commits to root out inequalities by implementing the recommendation from the Southwark Stands Together work against racial inequalities and injustice.
82. There are a number of overlapping statutory duties set out in legislation in relation to the provision of health, care, support and housing for people with mental health problems. Under the Mental Health Act 1989 (s117), the council and CCG have a joint duty to make provision for health, care and support to individuals leaving hospital or prison settings and to reduce the risk of a deterioration of these individuals' mental health condition. These duties remain with the council and the CCG until such time as the person is deemed to no longer require this support.

**Procurement Project Plan (Key Decisions)**

<b>Activity</b>	<b>Complete by:</b>
Enter Gateway 1 decision on the Forward Plan	01/01/2021
DCRB Review Gateway 1	03/03/2021
CCRB Review Gateway 1	11/03/2021
Brief relevant cabinet member (over £100k)	30/03/2021
Gateway 1 Report - Cabinet	13/07/2021
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	21/07/2021
Approval of Gateway 1: Procurement strategy report	22/07/2021
Completion of tender documentation	27/08/2021
Publication of Notice on UK Find a Tender	13/09/2021
Publication of Opportunity on Contracts Finder	13/09/2021
Closing date for receipt of expressions of interest	19/10/2021
Completion of short-listing of applicants	19/11/2021
Invitation to tender	23/11/2021
Closing date for return of tenders	03/01/2022
Completion of any clarification meetings/presentations/evaluation interviews	07/02/2022
Completion of evaluation of tenders	16/02/2022
DCRB Review Gateway 2	30/03/2022
CCRB Review Gateway 2	07/04/2022
Notification of forthcoming decision – despatch of Cabinet agenda papers	16/05/2022
Approval of Gateway 2: Contract Award Report	14/06/2022
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	22/06/2022
Debrief Notice and Standstill Period (if applicable)	05/07/2022
Contract award	06/07/2022
Add to Contract Register	07/07/2022
Place award notice in UK Find a Tender	07/07/2022
Place award notice on Contracts Finder	07/07/2022



Activity	Complete by:
Contract Mobilisation	30/09/2022
TUPE Consultation	30/09/2022
Contract start	01/10/2022
Initial contract completion date	01/10/2025
Contract completion date – (if extension(s) exercised)	01/10/2027

### **TUPE/Pensions implications**

83. The procurement may have implications for incumbent external service providers where they do not participate or are unsuccessful in the tendering exercise.
84. There will no TUPE implications for Southwark employed staff as no Southwark staff are involved in delivery of the current services in scope of this procurement.
85. Whether TUPE will apply at the point of contract award will depend on an incumbent provider being successful through the tendering process and other relevant factors.
86. Should a contract be awarded to a provider not currently contracted with the council, then it is anticipated that TUPE will apply.
87. Due diligence will be undertaken to obtain relevant TUPE information from incumbent providers. Where required additional information may be requested from incumbent providers to provide assurance that the full TUPE (and any pension implications) obtained and therefore due diligence is completed. This information will then be made available to bidders at the appropriate stage during the procurement.
88. The project plan allows sufficient time for the relevant parties to comply with their obligations under TUPE should TUPE apply.

### **Development of the tender documentation**

89. The tender documents will be developed jointly with commissioning and colleagues delivering Mental Health services. Resident and service user engagement sessions have taken place as part of the review of current services and their feedback will be incorporated into service specifications.
90. The tender documents will be reviewed and approved by the Mental Health Board. Members of the Board include:
  - Operational colleagues
  - Finance

- Legal
- Procurement.

### **Advertising the contract**

91. The council shall publish one contract notice for this tender via the new UK Find a Tender online service against which bidders will be asked to register their interest in the tender through the council's e-procurement portal.

### **Evaluation**

92. The council's Fairer Future Procurement Framework (FFPF) requests that commissioners should consider the need to balance price and quality, and to be explicit about the relative importance of both.
93. The tender evaluation is weighted as follows:
- Quality 55%
  - Social Value 10%
  - Price 35%
94. The financial evaluation approach for the outreach service will be a floor and ceiling pricing. The financial evaluation approach for the supported housing contracts will be a price cap.
95. The quality requirements will be articulated in the Method Statements which form part of the tender pack.
96. The contracts are being commissioned on the block pricing basis. The budget for each Lot has been identified and confirmed by finance colleagues.
97. The Social Value portal will be used to evaluate and measure the social impact of bids. The social value Themes, Outcomes and Measures (TOMs) identified for mental health supported housing and outreach services are:
- No. of employees (FTE) who are long term unemployed (unemployed for a year or longer) and are hired on the contract as a result of a recruitment programme
  - No. of employees (FTE) who are Not in Employment, Education, or Training (NEETs) and are hired on the contract as a result of a recruitment programme
  - No. of hours of support into work provided to unemployed people through career mentoring, including mock interviews, CV advice, and careers guidance
  - No. of weeks of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4

## 98. Covid-19 specific TOMs

- Initiatives to provide support to staff working remotely or on furlough around mental health and wellbeing
- Initiatives to further support staff delivering essential work as defined by the UK Government both within the company and the supply chain

99. An evaluation panel will be formed, which will include colleagues from across relevant service areas, procurement and finance.

### **Community impact statement**

100. The commissioned services provide support and accommodation to people in Southwark with mental health issues, which meet their assessed social care and accommodation needs. A review of the profile of people living in/using the services is being completed.

101. Key impacts that the recommissioned services will aim to address which predate the pandemic but now are even more prominent are for example:

Increased poor mental health burden

- Fear, stress and anxiety
- Isolation from social support
- Limited access to both mental health and substance misuse treatment

Worsened mental health for people with existing chronic mental and physical conditions

- Loneliness and social isolation
- Fear, stress and anxiety related to higher risk of severe Covid-19 if infected
- Manage mental and physical health when support is limited

Experiencing direct impacts due to the pandemic

- Financial loss
- Bereavement
- Unemployment

### **Social Value considerations**

102. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.

103. Additional social value considerations have been included with regard to Covid-19, as part of the social value TOMs and part of the quality assessment of each bid.

104. The council now as part of the FFPF has incorporated the key area of social value commitments, into the commissioning and procurement of services, which includes:

- 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.

### **Economic considerations**

105. The impact on support providers of the ongoing Covid-19 pandemic will need to be assessed and reflected in the service specifications and procurement documentation, where appropriate.

### **Social considerations**

106. The procurement will seek to encourage, suitably experienced Small Medium Enterprise's (SME), Black, Asian and Minority Ethnic providers and the local Southwark provider market to submit bids, an aim of the borough plan 2020-22.

107. Providers of services in Southwark will be working to deliver the Southwark Ethical Charter Commitments (SECC), thus ensuring that they pay their staff at least the London Living Wage (LLW).

### **Environmental/Sustainability considerations**

108. Service providers should have in place an environmental policy which includes promoting sustainable processes, waste management and recycling reduction of paper use and energy efficient processes. This will be confirmed during the tendering activity.

### **Plans for the monitoring and management of the contract**

109. The council's contract register publishes the details of all contracts over £5,000 in value to meet the obligations of the Local Government Transparency Code. The Report Author must ensure that all appropriate details of this procurement are added to the contract register via the eProcurement System.

110. Contracts will continue to be managed and monitored by the Children, Adult and Families commissioning team. Annual contract performance reports will be in line with Contract Standing Orders.

### **Staffing/procurement implications**

111. There are no specific staffing implications. The procurement and commissioning requirements will be managed within the current staffing and resources of the commissioning, procurement, legal and finance teams.

### **Financial implications**

112. The contracts listed in Table 1 are currently funded from the Adult Social Care budget and where indicated the CCG. The current CCG funding is £371,913. The CCG confirmed their commitment of this continued funding for a further five years. This commitment would include annual or other frequency increases determined by the council.

113. The proposed new estimated contract values are calculated as cost per support hour per lot multiplied by the support hours per week. The proposed new estimated contract value of £2,661,869 is inclusive of the CCG's element which is £371,913. This means that the council's element will be £2,289,956 per year and £11,449,780 for the 5 years while the CCG element will total of £1,859,565 for the 5 years.

114. There is sufficient budget available from the current Adult Social Care budgets to fund the proposed contract. Lot 1-4 will be funded from existing Housing Related Support budgets while Lot 5 Outreach element will be funded from the MH supported living care packages budget.

### **Investment implications**

115. Not applicable.

### **Legal implications**

116. Please see concurrent from the Director of Law and Governance.

### **Consultation**

117. An ongoing programme of engagement with residents, services users, service providers, operational colleagues and wider stakeholders has been taking place. The most recent engagement being the supported living provider forum on 04 June 2021.

118. A resident, service user and market engagement events will be timetabled prior to the commencement of the procurement activity.

### **Other implications or issues**

119. Not applicable.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Finance and Governance (15RV2122)**

120. The Strategic Director of Finance and Governance notes the recommendations of this report to proceed with the procurement strategy by competitive tendering to award contracts to provide Mental Health Supported Housing and Outreach for five years at a cost of ££2,661,869 per year. Funding for the contract has been identified within the Adult Social Care budget and CCG commitment to continue funding the relevant services as illustrated in Table 1 and in the Finance concurrent section of the report in paragraph 112-114.

#### **Head of Procurement**

121. This report seeks approval from cabinet to go out to procurement for Mental Health Supported Housing and Outreach services for an initial three years with an option to extend for two further periods of one year, with an estimated total budget for the five years of £13,309,345 should both extensions be exercised.

122. The procurement is in line with Public Contract Regulations and the councils contract standing orders (CSO) and is looking to award a maximum of 15 contracts as detailed in paragraphs 61 to 76.

123. The risks are detailed in paragraph 77 and tender evaluation methodology is detailed in paragraph 89 to 99. The report confirms payment of London Living Wage paragraph 107.

#### **Director of Law and Governance**

124. This report seeks approval of the procurement strategy for the provision of Mental Health Supported Housing and Outreach services, leading to the award of a maximum of 15 contracts for a potential duration of five years.

125. Due to the nature and estimated value of the services their procurement is subject to the full application of the Public Contracts Regulations 2015 ("PCR"). Paragraphs 61 to 76 of this report explain the proposed procurement route and approach which is intended to satisfy the requirements of the PCR and the council's Contract Standing Orders ("CSOs").

126. The decision to approve the recommended procurement strategy is one which is expressly reserved to the Cabinet under the council Constitution.

127. When making procurement decisions the council must consider and have due regard to any effects of the decision on the community at large and on people identified as possessing “protected characteristics”, as defined in the Equality Act 2010 – the “Public Sector Equality Duty”. As noted in the community impact statement set out from paragraph 100 of this report a review of the profile of people living in/using the services is being completed for the purpose of understanding the likely effect of this procurement and the impact of the procured services on those individuals and groups during the lifetime of the contract.

## BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
GW0 Strategic Options Assessment for the provision of mental health supported housing services	Commissioning, Children’s and Adults’ Services	Abigail Garraway 02075255000
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50018822&amp;PlanId=543">https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50018822&amp;PlanId=543</a>		
GW3 Contract Variations – Supported Housing for Mental Health and Mental Health Homelessness up to 31 March 2019	Commissioning, Children’s and Adults’ Services	Abigail Garraway 02075255000
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50017745&amp;PlanId=530">https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50017745&amp;PlanId=530</a>		
GW3 Contract Variations – Supported Housing for Mental Health and Mental Health Homelessness up to 10 January 2021	Commissioning Team, Children’s and Adults’ Services	Abigail Garraway 02075255000
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50022011&amp;Opt=0">https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50022011&amp;Opt=0</a>		

## APPENDICES

No.	Title
None.	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Evelyn Akoto, Health and Wellbeing	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Abigail Garraway, Strategic Commissioning Manager for Prevention and Inclusion, Children's and Adults' Services	
<b>Version</b>	Final	
<b>Dated</b>	13 July 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional</b>		1 July 2021



<b>Item No.</b> 22.	<b>Classification:</b> Open	<b>Date:</b> 13 July 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 3 – Variation Decision Special Educational Needs and/or Disabilities (SEND) School Bus Service	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

### **FOREWORD – COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

We have many reasons to be proud of the quality of our services and the educational outcomes for our children and young people with special educational needs and or disabilities in Southwark.

Our Special Educational Needs and/or Disabilities (SEND) school bus service is an important part of our offer for children and young people who struggle to walk or travel by public transport to school.

This GW3 report seeks to extend the Special Educational Needs and/or Disabilities (SEND) Bus Service contract, provided by Olympic South Limited (trading as HATS), for a period of 24 months from 1 September 2021 at an estimated value of £4.6m, making an estimated lifetime contract value of £16.5m. The 24-month extension is required due to the delays that have been experienced in commencing the re-procurement of the contract due to the COVID-19 pandemic.

The provider has successfully mitigated the negative impact of losing the Verney Road site by finding a practical and comparatively affordable alternative. The full details attached in the report. The provider, education services and legal have worked together to bring this contract extension together at great speed. Which is important because at least 371 of our 600 plus children and young people relying on transport - currently travel on the SEND bus service.

HATS is currently meeting the needs of our children and young people well. This service have been flexible throughout the COVID-19 pandemic. Working closely with council officers to adjust its operations to meet and exceed the Government's covid-19 travel guidance to support children/families and schools. Through the implementation of 'bubbles', enhanced cleaning measures, and picking up passenger assistants en-route as opposed to them going into the depot.

HATS also worked flexibly with the council throughout the early stages of the pandemic, by using their vehicles and staff to transport children, that do not

usually travel on the service and staff to their school destinations where capacity allowed. They also delivered education materials from schools to children around the borough to support their home learning

It is also good to see that HATS employs local Southwark residents to deliver the service, works with Social Enterprise UK and supports local employment opportunities, apprenticeships and charitable causes.

Recent parental surveys show that 100% of parents and carers were satisfied with the service. A sentiment repeated in the recent report to the Corporate Contract Review Board in May 2021, which confirmed HATS as being 'consistently good quality'.

The extension of this contract is therefore both necessary and viable.

## **RECOMMENDATIONS**

1. That cabinet approves an extension of the Special Educational Needs and or Disabilities (SEND) Bus Service contract, provided by Olympic South Limited (trading as HATS), for a period of 24 months from 1 September 2021 at an estimated value of £4.6m, making an estimated lifetime contract value of £16.5m.
2. That cabinet notes that the estimated value of the variation includes additional depot facility costs of £283k for 2021-22 and £182k for 2022-23, as set out in paragraphs 13 to 18.

## **BACKGROUND INFORMATION**

3. The council has a statutory duty to provide travel assistance for children of statutory school age and young people up to 25 years who are eligible (having been assessed against the Southwark travel assistance policy) to receive travel support, to and from school or other educational establishment as set out in The Education Act 1996 and Education Inspection Act 2006. A total of 657 children receive a range of travel assistance as appropriate to meet their needs including - travel assistance training, a direct payment to the family to support their journeys or, travel in a vehicle procured via the council's taxi framework/SEND bus service. 371 of these children and young people currently travel on the SEND bus service, this number varies throughout the year as school placement arrangements for some children change
4. Some of Southwark's most vulnerable children and young people with special educational needs, who have Education, Health and Care Plans (EHCPs), use the service. All passengers served by this service are Southwark residents. The needs of children and young people may include:
  - Physical disabilities
  - Additional learning needs

- Autism
  - A range of communication, emotional, behavioural challenges
  - Visual or hearing impairment.
5. The SEND bus service contract was awarded in January 2015 to Olympic South Limited (trading as HATS) for an initial period of five years and eight months to 31 August 2020, with two x 12 month extension periods. Due to the high level of safeguarding, health and safety and SEND support specialisms linked to delivering this service, a key aim of the tender process sought to engage *one service provider to work with the council, adopting a shared, partnering approach to achieve an efficient and well managed service.* This has been an important feature of the contract to enable the council to meet its obligations via a third party organisation and has worked well.
  6. The SEND bus service contract requires the provider to ensure that it has access to sufficient, safe and secure premises to meet the service standards which includes a depot with office and restroom facilities. A fleet of specialist vehicles, which includes vehicles that are fully wheelchair accessible, drivers, passenger assistants and operational staff to manage the logistics are also provided. The bus service operates for 38 weeks each year during the school terms and comprises the core SEND bus service and a facility for 'Special Rounds' (there are currently four), which provide transport for children with an extremely high level of medical needs and/or special needs that must not be adjusted, unless requested by the council, once arrangements are made.
  7. Most journeys require one or more passenger assistants to support children or young people on their journeys due to their additional needs. At the commencement of the contract, the council directly employed 60 passenger assistants to work on the service. These staff, remained council employees and were integrated into the day to day service operations by HATS as the service specification required. The number of Southwark employed passenger assistants has reduced each year due to retirements and resignations, and now stands at 29 (including one Passenger Assistant Supervisor). The council does not replace these staff. Any additional passenger assistant staff required to meet any shortfall to deliver the service are sourced and employed by HATS.
  8. The SEND bus service, excluding additional passenger assistant costs, operates on a fixed cost basis within set ranges of passenger numbers, irrespective of how many vehicles HATS may require to transport service users. This is achieved through fixed passenger numbers (with tolerances built in to allow adjustments during the school year) rather than pricing for individual bus rounds/routes or for individual service users. This has worked well and allowed the stated contract price to remain stable over the years without the levels of price creep that can occur through other travel models e.g., being charged by each route.

9. The contract operated within three bands up until January 2019, when the limits in band three were exceeded due to the increasing demand for the service, which mirrored the increase in the number of children in the borough with an EHCP. The Strategic Director of Children's and Adults' Services approved the extension of passenger numbers and pricing 'bands' for the SEND bus contract as set out in the tender Pricing Schedule in April 2019.
10. The nine passenger bands used for pricing of the contract, ranging from a minimum of 338 to a maximum of 438 passengers, is attached as appendix 1 of this report.
11. Travel assistance officers, monitor punctuality and performance daily and report a good level of satisfaction with the service. Monitoring has shown that the provider meets all key performance indicators (KPIs) as set out in the specification and contract. When last surveyed in September 2019, parents/carers were asked 'how competent do they find the transport staff?' 100% of parents reported that they were satisfied. Annual Contract Performance Reports (APRs) for the SEND bus service, (last presented to Corporate Contract Review Board on 20<sup>th</sup> May 2021), have also demonstrated and confirmed that, overall, it has been of a consistently good quality.
12. During the COVID-19 pandemic, the service continued to operate to transport vulnerable and key worker children and young people to their educational establishments as required. HATS worked closely with council officers to adjust its operations to meet and exceed (where possible), the Government's COVID-19 travel guidance to support children/families and schools. This included the implementation of 'bubbles', enhanced cleaning measures, office staff working at home where possible and picking up passenger assistants en-route as opposed to them going into the depot. HATS also worked flexibly with the council throughout the early stages of the pandemic, by using their vehicles and staff to transport children, that do not usually travel on the service and staff to their school destinations where capacity allowed. HATS also, delivered education materials from schools to children around the borough to support their home learning.

## **KEY ISSUES FOR CONSIDERATION**

### **Key Aspects of Proposed Variation – provision of a depot facility**

13. At the time of tendering for this SEND bus service in 2014/15, the biggest challenge faced by tenderers was, securing suitable premises to deliver the service from and, the high cost of premises which in turn, increased the cost that bidders put forward.
14. HATS currently delivers the SEND bus service using two sites: A main HQ site at Verney Road SE16 for staff, vehicles and an overflow depot to store vehicles used on the service at Gibbon Road SE15.

15. In January 2021, HATS informed the council that its Verney Road site had been sold and that they had been notified that the three month break clause on the lease could be applied by the new owners and asked for assistance from the council to find a new site to operate from. At the end of March 2021, HATS was served notice to vacate. It has not been possible to negotiate an extension of the lease at Verney Road therefore, HATS must vacate by 9 August 2021.
16. HATS has worked with support from officers to identify an alternative site, large enough to deliver the service from and to accommodate all vehicles used to deliver Southwark's service from September 2022 when the lease on their overflow depot at Gibbon Road expires.
17. HATS has identified a depot at Stockholm St which has a higher rent and rates value than their current depot, it is well equipped with office space, telecoms, toilet facilities and is ready for use – any relocation costs would be minimal. The site has been offered to HATS for a seven year period with a six month break clause to HATS at 18 months which would enable them to end the lease after two years if they are not successful when tendering for Southwark's SEND bus service from 2023. This option therefore provides a suitable solution for the service, and is supported by officers.
18. The additional cost of securing this depot is £289k per annum, £7,607 per week for the period 1 September 2021 to 31 August 2022 which would need to be added as a variation to the weekly, passenger band, contract price. This figure would reduce to £182k per annum £4,795k per week for the period 1 September 2022 to 31 August 2023 when HATS would no longer have the cost of the lease for its overflow depot facility at Gibbon Road.

### **Key Aspects of Proposed Variation – extension period**

19. It is proposed that the contract is extended for a further 24 months to 31 August 2023.
20. The contract value for the 24 month extension will be an estimated £4.6m, for the extension period and the total estimated contract value will be approximately £16.5m.
21. The contract started on the 1 April 2015 for a period of five years and eight months and has the option for extension by a further two years. The Strategic Director for Children's and Adults' Services approved a one-year extension in July 2020 which ends on 31 August 2021. A 24 month extension is requested in this Gateway 3, of which 12 months is included within the current contract and an additional 12 month period is requested as a variation to the current contract. The 24 month extension is required due to the delays that have been experienced in commencing the re-

procurement of the contract due to the COVID-19 pandemic and to allow continuity of this statutory service.

22. As set out in paragraph 11 of this report, the service provided by HATS has been of a consistently good quality.

### Reasons for Variation

23. The proposed extension will allow the council sufficient time to review the service. The data and lessons learned from the contract will be used to further develop a future specification and procurement strategy. The proposed extension will also allow time to review other delivery models, benchmark and undertake market development and testing. It will also enable officers across the council to consider options for securing depot facilities on a long term basis to provide this service and also, to develop long term environmental factors to support climate change considerations. The SEND bus service is critical as the contract supports the council's ability to deliver its statutory responsibility to provide transport to eligible children and young people from statutory school age through to 25, as set out in The Education Act 1996, The Education and Inspection Act 2006 and Southwark's travel assistance policy.

### Future Proposals for this Service

24. During the extension period, a review of the current service specification and a full procurement will be undertaken, ready for a new contract to start in September 2023, as outlined in the table below:

Service reviewed	August to December 2021
Consultation held with young people/parents and Southwark colleagues engaged on this service. Benchmarking, exploring alternative bus transport models as well as to understand any changes which may impact this service/the transport sector resulting from COVID, Brexit and environmental factors affecting passenger transport.	September 2021-January 2022
Early market engagement/testing undertaken	January - February 2022
Approval of Gateway 0	March – April 2022
Approval of Gateway 1	June 2022
Approval of Gateway 2	January – March 2023
New contract in place	June 2023

<b>Table 1: Procurement process</b>	
Service to commence	September 2023

### Alternative Options Considered

25. The following options have been considered in relation to exercise the option to extend the contract.

<b>Table 2: Procurement options</b>		
<b>No.</b>	<b>Option</b>	<b>Impact</b>
1.	Do nothing	<ul style="list-style-type: none"> <li>- When the current contract expires on 31 August 2021 there would be no SEND bus service provision for children and young people.</li> <li>- Children and young people would have no transportation to enable them to access their educational settings. Emergency/business continuity arrangements have been considered but they would not be suitable to introduce as an alternative to this contract extension.</li> <li>- The council would be at risk of not meeting its statutory duty as set out in the Education Act 1996 and Education Inspection Act 2006.</li> </ul>
2.	Extend the contract	<ul style="list-style-type: none"> <li>- This is a good performing, well-respected service.</li> <li>- The intention has always been to exercise the option to extend the contract if service continued to be of good quality and value.</li> <li>- This extension will allow for a service review to be undertaken and sufficient time for a re-procurement.</li> </ul>
3.	Provide the service in-house	<ul style="list-style-type: none"> <li>- This would require additional investment, with potential TUPE implications and recruitment of a full complement of skilled staff to provide the service.</li> <li>- The council does not have a fleet to operate the service with, an appropriate depot facility would also have to be sourced and managed. This could not be implemented within the time frame available.</li> </ul>

<b>No.</b>	<b>Option</b>	<b>Impact</b>
4.	Call off from a framework	<ul style="list-style-type: none"> <li>- A framework would need to be developed, there is insufficient time to consider this option.</li> <li>- There are very few SEND School Bus frameworks currently available and none identified that would be able to meet the council's specific requirements.</li> <li>- The intention has always been to exercise the option to extend the contract if service continued to be of good quality and value.</li> </ul>

### Identified risks for the Variation

26. The following risks have been identified for this service:

<b>No.</b>	<b>Risk</b>	<b>Risk Level</b>	<b>Mitigating Action</b>
1.	The provider is required to source a depot under the contract. This presents challenge with limited options available in borough.	Low	<ul style="list-style-type: none"> <li>• The council has been supporting the provider to identify a new depot, potentially using council land, which would provide greater security and control over the depot for the future delivery of the contract. HATS has secured a lease arrangement at a depot facility in SE16 for up to seven years from 1<sup>st</sup> September 2021 – subject to extension of contract with Southwark as detailed in this Gateway report. This provides security for the service to operate for the next two years of extension and, allows time for a full, procurement of the service to be undertaken.</li> <li>• Ensure the provider has a business continuity plan in place to secure a depot or continue to deliver the service as per the contract</li> </ul>



No.	Risk	Risk Level	Mitigating Action
			requirements by September 2021.
2.	The provider not agreeing to the extension unless they have secured a suitable depot after August 2021	Low	<ul style="list-style-type: none"> <li>The provider has agreed in principle to the extension and, is prepared to enter into a lease agreement on a depot with a single break clause to provide a release from contract if the company is unsuccessful in the next procurement of the SEND bus service.</li> </ul>
3.	The impact of COVID 19 and Brexit on the economy with risks of having a negative effect on the economic viability of business	Low	<ul style="list-style-type: none"> <li>The financial stability of the provider will be monitored closely over the period of the extension.</li> <li>This is a well-established business with whom no previous financial concerns have been raised.</li> <li>Vehicle and passenger transport regulations may change following the UK's exit from the EU. This situation is under constant review by HATS and will be reported to the council/addressed as appropriate.</li> </ul>
4.	Legal challenge from other providers	Low	<ul style="list-style-type: none"> <li>The terms of the contract make express provision for a 12-month extension at the council's discretion.</li> <li>The additional year to the extension period are permissible within the Public Contract Regulations 2015 Regulation 72 1c. The additional year extension period will enable more time for the council to stimulate the market in preparation for the tender and new contract.</li> </ul>

No.	Risk	Risk Level	Mitigating Action
5.	Company might withdraw from the contract due to service/financial/other difficulties	Low	<ul style="list-style-type: none"> <li>• The relationship between the provider and the council is good and well established.</li> <li>• During the recent pandemic the provider has adopted a flexible approach to support the council and its service users' needs outside of its contractual obligations. Due to this, it provides the council with the confidence there will be a continuity of service during the period of the extension.</li> </ul>

### Policy implications

27. This contract will enable the council to fulfil its statutory duty to provide transport services to eligible children and young people as set out in the Education Act 1996 and in the Education and Inspection Act 2006 and will support delivery of the Southwark school travel assistance policy.
28. The contract assists the council in meeting its statutory public sector equality duty (PSED) under 149 of the Equality Act 2010 and supports the council's published approach to equalities.
29. The service supports the council's Fairer Future commitments including ensuring the 'Best Start in Life' for its residents and the values of treating every resident as if they were a valued member of our own family; and spending money as if it were from our own pocket.

### Contract management and monitoring

30. The council's contract register publishes the details of all contracts over £5,000 in value to meet the obligations of the Local Government Transparency Code. The appropriate details of this contract will be updated on the contract register via the eProcurement System.
31. Day to day monitoring of the contract will be reported through monthly review meetings between the Travel Assistant Manager and the provider. Spot checks on transport rounds will be undertaken by the council, producing highlight reports on performance. In addition to regular monitoring arrangements, quarterly performance and service improvement planning meetings will be held.
32. HATS Annual Performance Report will continue to be presented in line with the Contract Standing Orders (CSO's). Travel Assistance officers

will continue to monitor punctuality and performance of the service on a day-to-day basis to include:

- Compliance with the specification and contract terms and conditions
  - Contractor performance
  - Cost
  - User satisfaction/complaints
  - Risk management
  - Key performance indicators.
33. The travel assistance team also receives tracking reports weekly from HATS. Individual risk assessments are carried out annually on rounds and updated, if required, when a new child accesses the service. Any additional adaptations are carried out promptly to support passenger safety and comfort. The council has spot checks carried out annually by an independent Risk Assessor to check for compliance with all passenger travel, health and safety requirements.

### **Community impact statement**

34. The council is mindful of the need to have due regard to the Public Sector Equality Duty imposed under Section 149 of the Equality Act 2010. The service is a specialist service for children and young people with special educational needs and/or physical disabilities. Service users represent a wide range of communities living in Southwark.
35. A full, equality impact analysis will be undertaken as part of the future procurement exercise in 2021-22.
36. As this service is used by some of the most vulnerable members of the community, it is essential that the service is of a high standard and can meet the needs of all passengers. This transport service supports this cohort of students to attend their educational establishment which in turn ensures that they are able to achieve their full academic potential.
37. During the extension of the service, officers will continue to have due regard to the needs of those individuals and groups having a protected characteristic under the Equality Act 2010, including but not limited to age, disability, sex and race.

### **Social Value considerations**

38. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured.
39. The social value considerations included in the tender (as outlined in the Gateway 1 and 2 report) included that the provider will support the local

community by providing free transport to enable children to attend Christmas events every year, arrange an awards ceremony for HATS and council staff and hold annual events for staff and family, including Southwark staff. It should be noted that during the COVID-19 pandemic, as already outlined in paragraph 12, some events have been on hold due to government restrictions. These events will resume as restrictions lift.

### **Economic considerations**

40. HATS employs local Southwark residents to deliver the service, works with Social Enterprise UK and supports local employment opportunities, apprenticeships and charitable causes. In doing so, it aligns to the council's Fairer Future Commitments, Theme 3, 'a green and inclusive economy and Theme 7 'a great start in life'. This is because young people who are able to attend school are able to work towards a qualification and increase their life chances/and ability to gain long-term employment if they are able to do so.

### **Social considerations**

41. The provider employs local Southwark residents, actively recruits locally and pays the London Living Wage.
42. Under the Social Value Act (2012), the provider supports the local community in relation to health and well-being (Fairer Futures Procurement Framework (FFPF)), by providing free transport to enable children to attend Christmas events every year (as government restrictions allow); arranging an award ceremony for their staff and council staff and holding annual events for staff and family, including the council staff.

### **Environmental/Sustainability considerations**

43. The provider complies with all environmental legislation this aligns to the council's Fairer Future Commitment, Theme 3 'a green and inclusive economy'.
44. All vehicles maintained by the provider must adhere to a standard that meets or exceeds the Driver Vehicle Standard Agency (DVSA) requirements, for example MOT and vehicle Service History and the Ultra-Low Emission Zone (ULEZ) requirements.
45. Within the recommissioning of the contract, the council will explore available options for electric vehicles and other green solutions.

### **Financial implications**

46. The contract has an estimated value of £4.6m for the extended period, making the total estimated contract value approximately £16.5m to 31 August 2023.

47. The budget for the service comes from the general fund, the annual cost of the service will depend on variances caused by the number of children and young people using the service throughout the year, which will be monitored and reviewed within the Education department's financial management arrangements.

### **Legal Implications**

48. Please see the concurrent report of the director of law and governance below.

### **Consultation**

49. During the last Operational Performance 'Annual Parents Survey/feedback' carried out in September 2019, 131 parents completed seven questions. Parents/Guardians made comments relating to their experiences and suggestions on ways that HATS could improve the service. The vast majority of feedback from the survey was extremely positive with the staff being recognised for their polite and friendly service.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (CAS21/005)**

50. This report seeks cabinet approval to extend the Special Educational Needs and Disabilities (SEND) Bus Service contract for a period of 24 months from 1 September 2021. The extension is estimated £4.6m for the 24 months period.
51. The strategic director of finance and governance notes that this is an estimated contract value as actual spend will depend on the demand during the year as described in the finance implications paragraph (paragraph 47).

### **Head of Procurement**

52. This report seeks approval from cabinet to extend the Special Educational Needs and or Disabilities (SEND) Bus Service contract, provided by Olympic South Limited (trading as HATS), for a period of 24 months from 1 September 2021 at an estimated value of £4.6m, making an estimated lifetime contract value of £16.5m.
53. Cabinet also notes that the estimated value of the variation includes additional depot facility costs of £283k for 2021-22 and £182k for 2022-23, as set out in paragraphs 13 to 18.
54. The rationale for the variation is detailed in paragraphs 13 to 25, the risk are detailed in paragraph 26, contract monitoring and management is

detailed in paragraphs 30 to 33 and paragraph 41 confirms payment of the London Living Wage (LLW).

### **Director of Law and Governance**

55. This report seeks approval to extend an existing contract with Olympic South Ltd (trading as HATS), as detailed in paragraphs 1 and 2.
56. As noted in paragraph 21 the terms of the existing contract contain express provision for extension for a period of 12 months, from 1 September 2021. Any further extension beyond 31 August 2022 would be subject to the application of the Public Contracts Regulations 2015, which permit contract modifications in certain limited circumstances, including where the following conditions have been fulfilled:-
  - the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
  - the modification does not alter the overall nature of the contract;
  - any increase in price does not exceed 50% of the value of the original contract or framework agreement.
57. It is considered that the proposed extension for a second year meets the requirements set out above.
58. The community impact statement set out from paragraph 34 notes that officers intend to conduct an equality analysis as part of its compliance with the Public Sector Equality Duty under the Equality Act 2010, in order to assess the effect and impact of the service (in particular, on those having a protected characteristic under the Act) and to inform the future procurement exercise.
59. The proposed contract variation is consistent with the council's contract standing orders and the decision to approve the report recommendation is one which is reserved to the cabinet.

**BACKGROUND PAPERS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Gateway 1 – Procurement Strategy Approval – Special Educational Needs and/or Disabilities (SEND) School Bus Transport	Education Access, Education Department, 160 Tooley Street, London SE1 2QH	Glenn Garcia 0207 525 2717
<b>Link (copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=4554&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=4554&amp;Ver=4</a>		
Gateway 2 – Contract Award Approval – Special Educational Needs and/or Disabilities (SEND) School Bus Transport	Education Access, Education Department, 160 Tooley Street, London SE1 2QH	Glenn Garcia 0207 525 2717
<b>Link (copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/documents/s50473/Report%20Gateway%202%20SEND%20Buses.pdf">http://moderngov.southwark.gov.uk/documents/s50473/Report%20Gateway%202%20SEND%20Buses.pdf</a>		
Gateway 3 – Contract Variation Extension Approval – Special Educational Needs and/or Disabilities (SEND) School Bus Transport	Education Access, Education Department, 160 Tooley Street, London SE1 2QH	Glenn Garcia 0207 525 2717
<b>Link (copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50022812&amp;Opt=0">http://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50022812&amp;Opt=0</a>		

**APPENDICES**

<b>No</b>	<b>Title</b>
Appendix 1	SEND bus service, passenger bands

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director for Children' and Adults' Services	
<b>Report Author</b>	Glenn Garcia Assistant Director of Education and Statutory Services	
<b>Version</b>	Final	
<b>Dated</b>	30 June 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Director of Exchequer (for housing contracts only)	N/a	N/a
Director of Education (for schools contracts only)	Yes	Yes
Cabinet Member	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes/No	Yes/No
<b>Date final report sent to Constitutional Team</b>		30 June 2021



**APPENDIX 1****SEND bus service – passenger bands with prices****Academic Year from September 2020 – July 2021**

	<b>Number of passengers</b>
Band 1	338 - 347
Band 2	348 - 368
Band 3	369 - 378
Band 4	379 - 388
Band 5	389 - 398
Band 6	399 - 408
Band 7	409 - 418
Band 8	419 - 428
Band 9	429 - 438

**CABINET AGENDA DISTRIBUTION LIST (OPEN)****MUNICIPAL YEAR 2021-22**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
[Paula.thornton@southwark.gov.uk](mailto:Paula.thornton@southwark.gov.uk)

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