

Cabinet

Monday 17 June 2024

11.00 am

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

Membership

Portfolio

Councillor Kieron Williams (Chair)	Leader of the Council
Councillor Jasmine Ali	Deputy Leader and Cabinet Member for Children, Education and Refugees
Councillor Evelyn Akoto	Cabinet Member for Health and Wellbeing
Councillor John Batteson	Cabinet Member for Climate Emergency, Jobs and Business
Councillor Stephanie Cryan	Cabinet Member for Equalities, Democracy and Finance
Councillor Helen Dennis	Cabinet Member for New Homes and Sustainable Development
Councillor Natasha Ennin	Cabinet Member for Community Safety and Neighbourhoods
Councillor Sarah King	Cabinet Member for Council Homes
Councillor James McAsh	Cabinet Member for Clean Air, Streets and Waste
Councillor Portia Mwangangye	Cabinet Member for Leisure, Parks and Young People

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Contact

Email: paula.thornton@southwark.gov.uk; constitutional.team@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 7 June 2024



Cabinet

Monday 17 June 2024

11.00 am

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

Order of Business

Item No.	Title	Page No.
	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	1
	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.	
5.	MINUTES	2 - 9
	To approve as a correct record the minutes of the open section of the meeting held on 6 March 2024.	

Item No.	Title	Page No.
6.	PUBLIC QUESTION TIME (15 MINUTES)	
	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 public questions is midnight Tuesday 11 June 2024.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of deputation requests is midnight Tuesday 11 June 2024.	
8.	CLOSURE OF COMBER GROVE PRIMARY SCHOOL	10 - 61
	To agree to the proposal for the closure of Comber Grove Primary School from 31 August 2024.	
9.	GATEWAY 1 – PROCUREMENT STRATEGY APPROVAL SCHOOL FOOD PROCUREMENT FRAMEWORK	62 - 80
	To approve the procurement strategy for the development of a school food procurement framework.	
10.	GATEWAY 1 – COUNCIL ENERGY CONTRACTS PROCUREMENT	81 - 114
	To approve the use of the LASER flexible procurement framework to administer the purchase and supply of the council's gas and electricity for a four-year period.	
11.	GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: REPLACEMENT OF THE ENTERPRISE RESOURCE PLANNING SYSTEM	115 - 137
	To approve the procurement strategy for the replacement of the Enterprise Resource Planning (ERP) system, on the basis of a fully integrated ERP solution.	
12.	APPOINTMENTS TO OUTSIDE BODIES 2024-25	138 - 153
	To agree appointments to outside bodies for the 2024-25 municipal year.	
13.	APPOINTMENTS TO PANELS, BOARDS AND FORUMS 2024-25	154 - 163
	To agree appointments to panels, boards and forums for 2024-25.	

DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING**EXCLUSION OF PRESS AND PUBLIC**

The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.

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

14. **GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL:
REPLACEMENT OF THE ENTERPRISE RESOURCE PLANNING
SYSTEM**

164 - 172

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

Date: 7 June 2024



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

Cabinet 17 June 2024

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 17 June 2024 at 11.00am Southwark Council offices, 160 Tooley Street, London SE1 2QH will be held partly in closed session for consideration of the following items listed on the agenda:

Item 14: Gateway 1 - Procurement Strategy Approval: Replacement of the Enterprise Resource Planning System.

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: 17 June 2024



Cabinet

MINUTES of the OPEN section of the Cabinet held on Wednesday 6 March 2024 at 11.00 am at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Kieron Williams (Chair)
Councillor Jasmine Ali
Councillor Evelyn Akoto
Councillor Stephanie Cryan
Councillor Helen Dennis
Councillor Natasha Ennin
Councillor Sarah King
Councillor James McAsh
Councillor Catherine Rose
Councillor Martin Seaton

1. APOLOGIES

All members were present.

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

There were 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

None were declared.

5. PUBLIC QUESTION TIME (15 MINUTES)

1. **Ralph Smyth**

Why has the climate SPD that was due to be published last year been further delayed, and how confident is cabinet that it will be submitted before the Levelling Up and Regeneration Act 2023 phases out SPDs?

Response by Councillor Helen Dennis, Cabinet Member for New Homes and Sustainable Development

The Climate Supplementary Planning Document (SPD) cannot come to cabinet until the end of the Local Government pre-election period, which is in force from 18 March – 2 May 2024, therefore the earliest date is 18 June 2024.

The SPD contributes to Southwark Council's commitment to make the borough greener and more sustainable.

The SPD will bring in much needed technical guidance on key issues such as:

- Energy and carbon reduction
- Minimising flood risk and water efficiency
- Environmental protection and improving air quality
- Green Infrastructure, biodiversity and trees (including new government requirement for biodiversity net gain)
- Movement and transport
- Avoiding waste and minimising landfill.

This guidance will help planning applications consider green initiatives in line with the Southwark Plan 2022, and it is also an important step ahead of the Early Review of the Southwark Plan.

The Government have confirmed that SPDs will remain in force until planning authorities adopt a new style local plan, as set out in the Levelling Up and Regeneration Act (2023). The legislation still includes a requirement for local authorities to prepare 'Supplementary plans', with the focus shifted to site specific or area wide policies and design codes. Therefore, much of the guidance in the Climate SPD references can be repurposed under the requirements of the new Act, continuing to play a vital role in the council achieving its net zero carbon target for 2030.

2. **Jess Hinings**

Why does the council's technology and digital strategy not propose anything more ambitious on climate than printing less paper? Such as the digital

dashboard XR Southwark suggested to improve accountability, and enable residents and businesses to track the borough's progress on its climate targets and goals.

Response by Councillor Stephanie Cryan, Cabinet Member for Communities, Democracy and Finance

Southwark Council is dedicated to doing our utmost for the environment and combating climate change through tangible actions outlined in our Technology and Digital Strategy 2024-2026.

To prioritise energy efficiency, we have implemented various Green IT practices, such as:

1. **Virtualised Environments:** Instead of using lots of separate servers, we make one server act like many, which saves energy and helps us manage things better.
2. **Not Oversizing Systems:** We make sure we only give our computer systems the resources they really need, which saves money and makes them work more efficiently.
3. **Using Test and Backup Systems when necessary:** We only turn on extra systems when we really need them, using smart technology to save resources and energy consumption.
4. We are also encouraging everyone to print less to help the environment.
5. Our plan doesn't stop there, as our strategy supports the many actions we are doing within the Council to end the climate emergency. For example, we use digital tools so people don't have to travel as much, which helps cut down on pollution.

The Technology and Digital service's performance is tracked within the council's delivery plan through key performance indicators and targets. Our future goal is to automate these reports using the data platform and PowerBi.

We welcome feedback on our strategies so we can continue to take a holistic approach to making the council greener and more sustainable.

The questioners were not in attendance. The leader confirmed their questions and responses would be included in the published minutes of the meeting.

6. DEPUTATION REQUESTS

There were none.

7. MINUTES**RESOLVED:**

That the minutes of the meeting held on 6 February 2024 be approved as a correct record and signed by the chair.

8. MARIE CURIE - RESIDENT REHOUSING

Councillor Ian Wingfield, addressed cabinet on behalf of local ward councillors.

RESOLVED:

1. That the ongoing resident engagement to date be noted and that the Sceaux Gardens tenants and residents association (T&RA) (comprising resident volunteers that meets at key stages) be thanked for their continued work and engagement with the council to date.
2. That the progress on the rehousing of the remaining secure council tenants within Southwark and the buy-back of properties owned by non-resident leaseholders be noted.
3. That it be agreed that any remaining Marie Curie secure tenant(s) beyond 1 May 2024, are afforded pre advert, direct offer status to allow rehousing to be completed at pace and no later than the end of the first quarter of 2024-25.
4. That officers be instructed to report back in 4 months, in July 2024 on the progress of rehousing all the remaining residents and ultimately confirming a date when the building will be decommissioned.
5. That it be noted that the ongoing cost of maintaining the waking watch does not represent best value for money, as the WW costs are circa £400,000 per annum (for a building with 7 remaining tenants and 4 non-resident leaseholders).

9. CLOSURE OF ANN BERNADT NURSERY SCHOOL**RESOLVED:**

That it be agreed to close Ann Bernadt Nursery School from the 31 August 2024 onwards.

10. DRAFT HOMELESSNESS AND ROUGH SLEEPING STRATEGY

Councillor Helen Dennis requested that her cabinet member foreword be included in the strategy document.

RESOLVED:

1. That the re-drafted homelessness and rough sleeping strategy (Appendix 1 of the report), re-drafted supplementary data review (Appendix 2 of the report), re-drafted engagement and consultation plan (Appendix 3 of the report), equalities impact and needs analysis (Appendix 4 of the report) and re-drafted action plan (Appendix 5 of the report) be noted.
2. That the actions and priorities arising from the draft homelessness and rough sleeping strategy be agreed.
3. That the re-drafted homelessness and rough sleeping strategy be agreed for formal consultation and the strategy be brought back for consideration by the decision maker with the consultation outcome.

11. FRAMEWORK FOR STRATEGIC COMMUNITY INFRASTRUCTURE LEVY FUNDING

RESOLVED:

1. That the framework for allocation of strategic community infrastructure levy (CIL) as set out in paragraphs 12 and 13 of the report be agreed.
2. That the allocation of strategic CIL of £350,000 towards the Elephant and Castle over ground station be agreed.
3. That the allocation of strategic CIL of £250,000 towards the Bakerloo Line Extension be agreed.

12. DIGITAL AND TECHNOLOGY STRATEGY 2024-2026

RESOLVED:

Decision of the Cabinet

1. That the draft refreshed technology and digital strategy 2024-2026, as attached as Appendix 1 to the report, be agreed.

Decision of the Leader of the Council

2. That authority be delegated to the cabinet member for communities,

democracy and finance to agree to the final strategy and publish in April 2024.

13. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL TEMPORARY ACCOMMODATION

Councillor Helen Dennis confirmed that the date referred to in paragraphs 30 and 33 of the report relating to the issue of the prior information notice (PIN), should in fact be March 2024 (and not February).

RESOLVED:

1. That the procurement strategy outlined in the report to undertake a procurement exercise for the establishment of a dynamic purchasing system (DPS) for the supply and management of temporary accommodation (TA) for a period of six years from August 2024 at an estimated cost of up to £45m per annum, making a total estimated cost of £270m, be approved.
2. That it be noted that the appointment to the DPS does not constitute any award of contract with the supplier and that this be delegated to the strategic director of housing, where this may be required.
3. That it be noted that the procurement strategy in the report for the DPS will result in bidders being required to provide all forms of temporary accommodation properties, subject to individual negotiation for the call-off process that will be approved in line with the council's governance, for leases of three, five and up to ten years as well as nightly paid accommodation (NPA). It is further noted that the council reserves the right to procure properties outside of the DPS as and when required.
4. That the council will provide an annual performance report a year after implementation of the DPS to the lead member for council homes and sustainable development. This report will include information on the location and quality of the accommodation as well as the financial impact to the council.

14. GATEWAY 2 - CONTRACT AWARD APPROVAL - INTEGRATED SEXUAL AND REPRODUCTIVE HEALTH SERVICE

RESOLVED:

1. That the use of a contract for the delivery of an integrated sexual and reproductive health service, let by Lambeth Council on Southwark Council's behalf to King's College Hospital NHS Foundation Trust for a period of up to seven years, for an estimated contract value of up to £10,117,975 be approved.

2. That it be noted that the estimated annual value is £1,445,425 and that the contract is broken down into three contract phases, with an initial term of three years, and two extensions of two years, each scheduled to commence on 1 April 2024.

15. S106 AND COMMUNITY INFRASTRUCTURE LEVY (CIL) SUPPLEMENTARY PLANNING DOCUMENT (SPD)

RESOLVED:

That the new Section 106 (S106) and Community Infrastructure Levy (CIL) Supplementary Planning Document (SPD) be approved for consultation.

MOTION TO EXCLUDE THE PRESS AND PUBLIC

That the press and public be excluded from the meeting for the following item 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.

16. MINUTES

RESOLVED:

That the minutes of the closed section of the meeting held on 6 February 2024 be approved as a correct record and signed by the chair.

The meeting ended at 12.25pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 14 MARCH 2024.

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.

Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Closure of Comber Grove Primary School
Cabinet Member:	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Education and Refugees
Ward(s) or groups affected:	St George's
Classification:	Open
Reason for lateness (if applicable):	Not Applicable

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

Comber Grove Primary School Recommendation

Schools are at the heart of our communities in Southwark, so it is with great sadness that I ask Cabinet to approve the attached proposal to close Comber Grove Primary school. Education in Southwark has never been stronger following our £200m investment in school buildings and the subsequent 98% Ofsted Good or Outstanding ratings. Yet steep demographic change in the capital present real challenge.

Keeping Education Strong

In December 2022 Cabinet considered the report Keeping Education Strong – the strategy for future proofing primary schools and protecting the quality of education in Southwark. This outlined the strategy to address the issue of falling school rolls brought about by steep demographic changes. Falling birth rates, the uncertainties of Brexit, increased costs of housing, the cost-of-living crisis and the pandemic are all factors that have seen up to 35% of families leaving London.

The Keeping Education Strong Plan came back to cabinet in June 2023 with a list of schools identified by the schools and the council's education team for pupil place reduction, amalgamation or closure. The plan was to work with Comber Grove to amalgamate or close.

Consultation

All stakeholders in the community were invited to participate through attending consultation meetings or to provide written feedback if preferred. This took place between November to December 2023. 173 written responses were received with 91% not in support of closure of this number 73% were women and 66% came from Global Ethnic Majority backgrounds with 15% of respondents had a disability.

The parents and staff at the school ran a strong campaign and the council looked at different ways that the school could remain open for longer. I received a petition from parents asking for the school to remain open on the basis that the consultation was not inclusive, and some families felt that their concerns were not heard.

The consultation was extended, and the council put on extra meetings at the school. Comber Grove is clearly loved by the local community, the governors and families and children. Table 6 in the report provides the detail of questions and answers following the additional meetings.

After serious consideration of all the consultation responses, and key consideration of the equalities impact assessment, the recommendation remains for the school to close in August 2024.

If the school were to remain open it would be running with 42% of empty school places. The school just isn't financially sustainable. With neighbouring good and outstanding schools being in the area and able to meet the needs of children and families from Black, Asian Minority Ethnic backgrounds, as well as being able to meet the need of children with special education needs, it is felt that children and families will benefit from a stronger offer.

Key considerations

Comber Grove was until 2019 a 1.5 form entry primary school with a Pupil Admission Number (PAN) of 45, when due to falling rolls was reduced by to a PAN of 30. Despite this, rolls have remained low at the school. Reception numbers have fallen to 17 in 2023-24 and are not anticipated to increase in 2024-25 or in the foreseeable future.

Across the school in all year groups, there are 140 pupils and 100 vacancies leaving around 42% of places vacant, some way above the Southwark average of 17%. The link between pupil numbers and school funding would mean that the cost of teaching staff, equipment and enrichment activities would be unaffordable.

Support for children, families and school staff

All children attending Comber Grove can be accommodated at local good or outstanding schools. There are 130 reception vacancies, and 818 year reception to year 6 vacancies within 0.7 miles.

The aim is to bring stability for staff and children the education team want to conclude this process in time for the start of the next academic year in September 2024.

If the closure is agreed the school building will be repurposed for education activities.

Conclusion

The issue of falling roles and a low birth rate is not unique to Southwark, it is a regional and national problem.

Falling school rolls is an issue that we have decided to proactively and strategically meet head-on, to support our parents, children and school staff through a difficult challenge. As we've said many times, closure is always a last resort and, as our Keeping Education Strong strategy demonstrates, it is one we actively seek to avoid. As is the case at Comber Grove, we know that change can be unsettling, that is precisely why our education team will continue to be here to support teachers, parents and pupils through any changes.

I have been reassured by our education team that teaching staff, families and pupils will be held while alternative schools are found.

We are not the only authority affected by this – we are the first to apply a comprehensive strategic approach. It is hoped this work will be instrumental in supporting our schools and communities through this difficult and challenging time. It will enable us to be ready in future years for further demographic shifts, in the event we see fewer or more pupils in Southwark.

RECOMMENDATION

Recommendation for the Cabinet

1. That the Cabinet agree to the proposal for the closure of Comber Grove Primary School from 31 August 2024.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

2. The Council assessed the following possible options for the school, going forward.

Table 1 – Options Appraisal for Comber Grove

Option	Appraisal
Status quo	Not taking action would be likely to result in the financial position of the school becoming increasingly difficult and education standards declining.
Further Published Admissions Number (PAN) Reduction to 0.5FE	A school with an overall roll of 105 would not be financially viable – and would lack the resilience larger schools have to cover for staff absence and resource deployment.
Forming a hard federation with another school	A hard federation would not substantively address the low rolls the school is presently experiencing – staff cost savings would be minimal
Amalgamating with another school, entailing the closure of the school.	No one nearby school can accommodate all the children and in any event the wide geographical spread of pupils across the area means that parents are likely to choose between a range of different schools
Entering into an arrangement with a Multi Academy Trust	A decision for the school to join a MAT would ultimately be for the school, the MAT and the Department for Education's Regional Schools Director. However, Southwark would not support this as this would not address the falling rolls issue at the school and in the local area.
Closure of the school	This is the preferred option for consultation on the basis that it will prevent a decline in education standards for the pupils currently attending the school, as well as strengthening other local schools by taking out surplus capacity.

POST DECISION IMPLEMENTATION

3. If closure is agreed, then the school will close on the 31 August 2024.

BACKGROUND INFORMATION

4. Comber Grove Primary School is a one form Entry (1FE) primary school, situated in Camberwell, in the council's Camberwell Green ward. For place planning purposes, the school is located in Southwark pupil place planning area 4 (PA4 - Camberwell). A map showing its location and neighbouring schools in the locality can be found in Appendix 1a of this report.
5. The school was, until 2019, a 1.5FE primary school (PAN of 45), when, due to falling rolls, the PAN at Comber Grove was reduced by 15 to 30, on application to the Office of the Schools' Adjudicator (OSA). Despite this, rolls have remained low at the school. Reception numbers fell to 14 in 2023-24 and were estimated to remain at a similar level in 2024-25, and for the foreseeable future, if the school were not to close. As school funding is based on the number of children on roll, resources available for the school are reducing. It is a core principle of the Council to protect the LA's high quality of education - this may be compromised where the cost of staff, equipment and enrichment activities becomes unaffordable.
6. Falling numbers of primary pupils remains a serious issue for many schools right across the capital. London Councils (2023), in their publication "Managing falling school rolls in London" stated that *'London local authorities and schools are currently dealing with a significant and sustained period of reduction in demand for reception places, which has implications for school budgets and standards. The fall in demand reflects the decline in the birth rate since 2012 and changes in migration patterns'*.
7. In December 2022, Cabinet agreed a Strategy to address this issue: *'Keeping Education Strong: Strategy for future proofing primary schools and protecting the quality of education in Southwark'*, and Members were updated as to progress on this in June 2023. The last Southwark Place Planning report in October 2023 noted a substantial reduction in primary pupil numbers across the authority area in the last 5 years, particularly in the Camberwell locality (Planning Area 4), as well as a projected continuation of this reduction at least until the end of the decade. Preliminary figures based on offers and take up for September 2024; show a drop in the numbers of pupils taking up a reception place for the next academic year both at the school and in the immediate locality. As at the January 2024 Schools' Census, there were 584 (17%) primary reception vacancies in Southwark.
8. This drop in numbers is having a severe impact on schools' finances (both Comber Grove and others), as school funding is based on the quantity of children on roll - whilst rolls are falling, schools have to continue to pay for maintenance of buildings and staffing structures for more places than there are pupils.
9. Options explored for Comber Grove Primary School included amalgamation with other nearby primary schools. This would have entailed the school closing and all pupils offered a place at another local school.
10. While there are places available for all children nearby, no one school has sufficient space to accommodate all the children. In any event, the geographical spread of schools across the area means that parents would be likely to choose between a range of different schools. These local schools, which are also challenged by the reduction in the primary school age population, would be

expected to benefit from pupils moving to their school as a result of Comber Grove closing.

11. The statutory process to close a school is set out in the Department for Education's statutory guidance document '*Opening and closing maintained schools statutory guidance for proposers and decision-makers*' (2023). The process includes five stages as follows:
- *Stage one – Consultation* **(Already undertaken)**
 - *Stage two – Publication* **(Already undertaken)**
 - *Stage three – Representation* **(Already undertaken)**
 - *Stage four – Decision* **(This report requests this)**
 - *Stage five – Implementation*
12. Consultation on the closure of Comber Grove Primary School occurred for 6 weeks in November to December 2023, after the Cabinet Member for Children, Young People Education and Refugees approved a decision to consult in October 2023. Having considered the representations made, approval was then given to proceed to the next phase of the statutory closure process - to publish the proposal to close the school, followed by a four-week period during which interested parties and stakeholders are able to make representations. The representation period ran from April 15 to May 13 2024. Feedback from this and previous consultation has been summarised in this report in paragraphs 32 to 39, and takes into account all representations that were made during the pre-publication consultation and the publication of the statutory proposals. Stage 4 is the decision made by Cabinet, whether to close the school, and Stage 5 – should the Cabinet agree to the closure– would be the formal closure itself on the 31 August 2024.
13. The timetable for the activities outlined in paragraph 9 outlined above is given in tabular format below. This is considered in detail from paragraph 29 onwards.

Table 1 – Process for closure

Stage	Dates
Stage 1: Statutory Consultation with interested parties	6 November to the 24 December 2024 (Already Undertaken)
Stage 2: Publication	April 15 2024 (Already Undertaken)
Stage 3: Representation	April 15 to May 13 2024 (Already Undertaken)
Stage 4: Cabinet decision	18 th June 2024
Stage 5: Implementation	31 st August 2024

KEY ISSUES FOR CONSIDERATION

14. The key factor to consider is the continuing fall in roll and pupil numbers at the school. Overall, the school's roll at reception has fallen from 46 in 2015-16, to 14 in January 2024 – a reduction of 70%.
15. The roll in 2015-16 in all year groups (R to 6) was 308, and in January 2024, totalled 126, a reduction of 59%. Vacancies at the school overall across all year groups have risen from 7 in January 2016 (2%) to 114 (48%) in January 2024. The 2023-2024 roll by year group and the vacancy number for each are

given below for Comber Grove School. As mentioned in paragraph 3, the school was formerly a 1.5FE school, but reduced its PAN from 45 to 30 via an application to the Office of the Schools Adjudicator (OSA) in 2019-20 - this accounts for the different PANs in years 5 and 6.

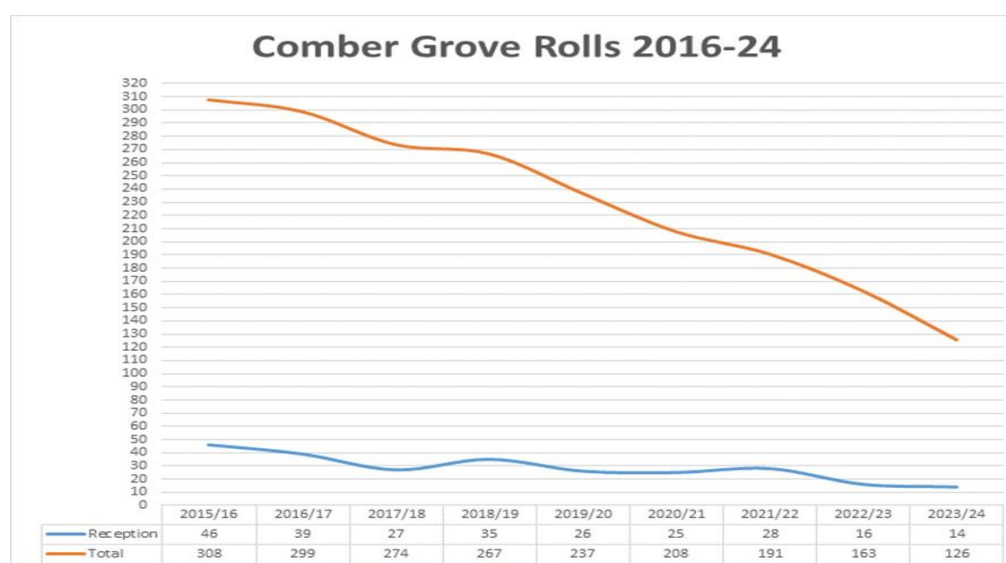
Table 2 Comber Grove Roll 2023-24 by Year Group

Year	R	1	2	3	4	5	6	Total
PAN 2023/24	30	30	30	30	30	45	45	240
Roll	14	14	20	21	19	19	19	126
Vacancies	16	16	10	9	11	26	26	114

16. The school therefore presently has 114 vacancies across all year groups, 48% of the available roll. Reducing the PAN from 45 to 30 did not substantively address overcapacity, and numbers have fallen substantially, as can be seen in the table below. Cohorts admitted to the school (colour coded) lose pupils in most year groups, sometimes dramatically – the September 2018 reception intake of 35 is now a Y5 cohort of 19 – a reduction of 46%. It needs to be said that the reduction in rolls predates the announcement of consideration for closure and/or merger of the school in December 2022.

Table 3: Pupils by year group 2016-2024 (at Census time)

Year	R	1	2	3	4	5	6	Total
2015/16	46	45	43	45	45	43	41	308
2016/17	39	44	43	41	45	46	41	299
2017/18	27	38	41	40	41	44	43	274
2018/19	35	24	38	45	39	42	44	267
2019/20	26	32	24	36	42	36	41	237
2020/21	25	24	27	23	35	39	35	208
2021/22	28	27	25	24	16	34	37	191
2022/23	16	23	28	26	21	18	31	163
2023/24	14	14	20	21	19	19	19	126

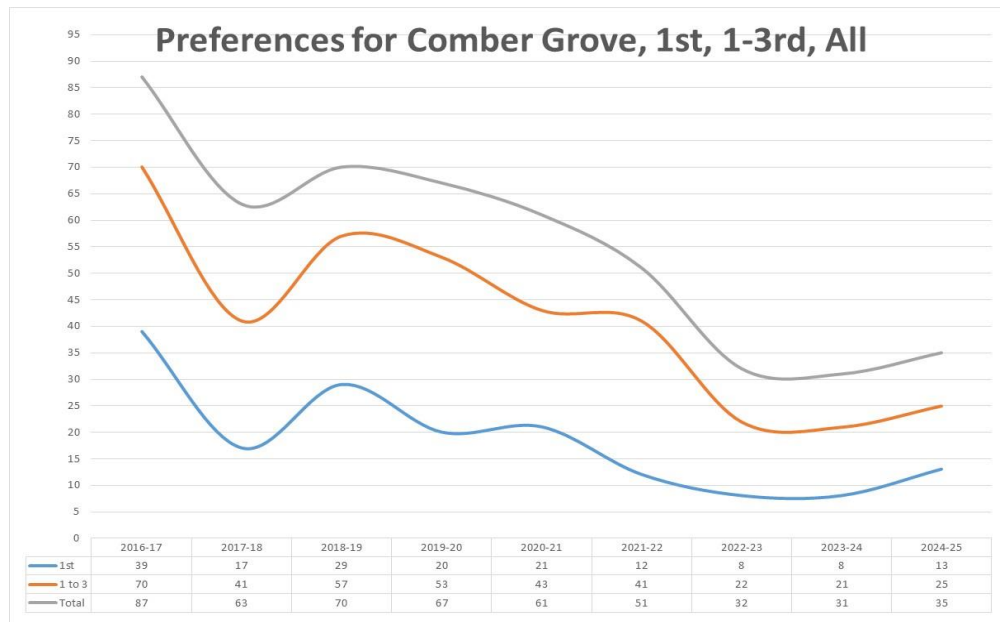


17. Applications to the school at reception have also fallen considerably. Since 2016, the overall number of applications has fallen from 87 to 35, a reduction of 60%.

Similarly, for first preferences, numbers have reduced by 67%, and 1st to 3rd preferences by 64%.

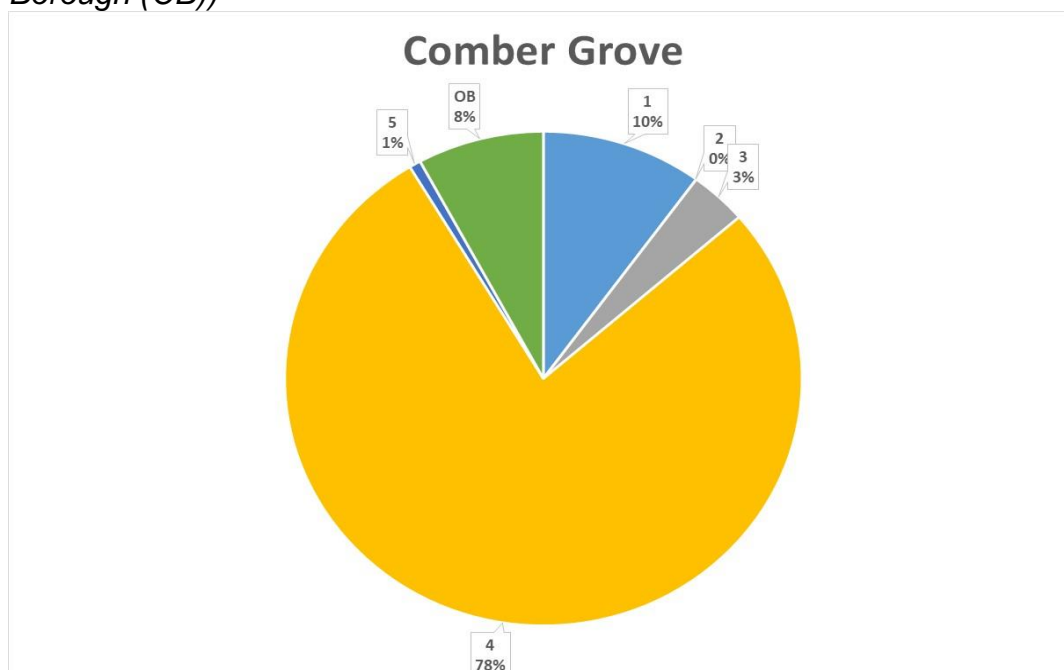
Table 4 – Applicants to Comber Grove 2016-2024

Year	1 st	2 nd	3 rd	4 th	5 th	6 th	Total	PAN
2016-17	39	14	17	8	4	5	87	45
2017-18	17	16	8	9	11	2	63	45
2018-19	29	19	9	5	5	3	70	45
2019-20	20	10	23	6	4	4	67	45
2020-21	21	13	9	7	8	1	61	30
2021-22	12	18	11	6	3	1	51	30
2022-23	8	5	9	5	3	2	32	30
2023-24	8	9	4	7	1	2	31	30
2024-25	13	7	5	4	5	1	35	30



18. The origin of most pupils is from Planning Area 4 (78%) and, of these, the great majority (73%) come from the Camberwell Green ward. Of the non-PA4 pupils, the biggest proportions come from PA1 (Borough, Bankside and Walworth), an area that has also seen a considerable drop in numbers and births. A heat map of the location of most pupils at the school is shown in Appendix 1b of this report.

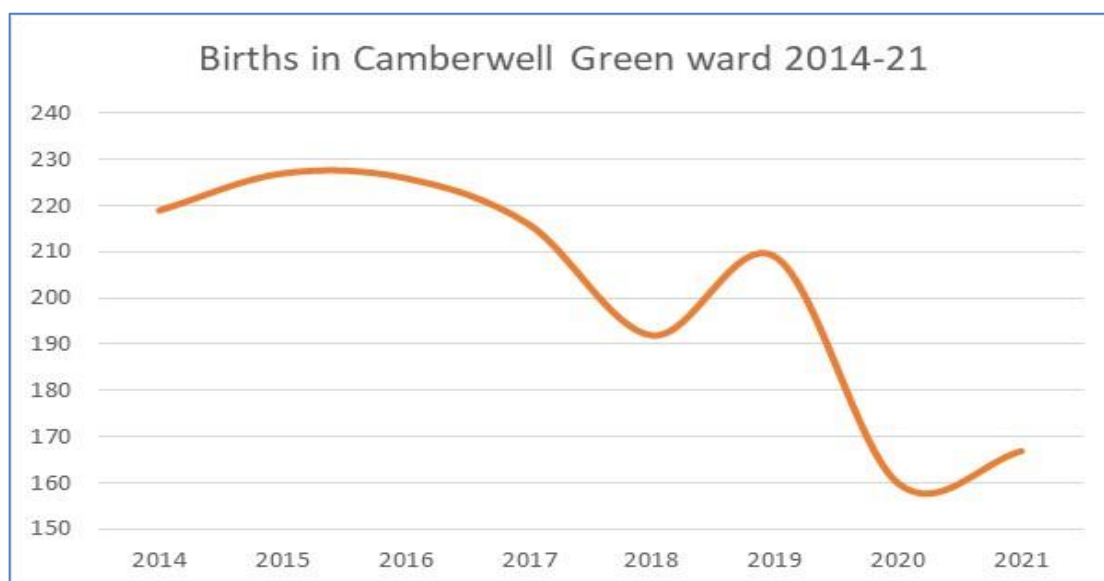
Figure 1 - % of pupils by Planning Area of residence (PAs 1-5 or Out of Borough (OB))



19. Births in the Camberwell Green ward – where the school is situated and where over 73% of its pupils come from – have reduced since 2016 by 59 – 26% lower in 2021 than previously. This would normally lead to a reduction in reception roll four years hence, meaning there will be a further drop in 2024 of around 49 births (23%) and consequentially pupil numbers at the school.

Table 5 – Births in Camberwell Green ward 2014-21

Year	2014	2015	2016	2017	2018	2019	2020	2021
Births	219	227	226	216	192	209	160	167



20. In respect of future projections, the Greater London Authority (GLA) project that, if nothing changes:
- *Rolls at Comber Grove Primary will fall by a further 33 pupils in the next 5 years – a 24% reduction on existing numbers by 2028/29*

- Reception rolls in the locality - the planning area (PA4) surrounding the school – fell by around another 140 pupils (a 22% reduction) between 2016-17 and 2023-24, and are projected to fall further by 78 pupils from 2023-24 to 2028-29 (17%)
- Year R to 6 rolls in PA4 fell by 665 pupils (16%) between 2016-17 and 2023-24, and it is projected that there will be a further 744 fewer pupils overall (21%) from 2023/24 to 2028/29
- Births in the Camberwell Green Ward are projected to remain at the same (low) level from 2021 to 2031 – this will eventually feed through to a substantial reduction in reception pupils.

21. If Comber Grove were not to close in August 2024, the roll estimates for following year's year group totals would be as shown in the table below, with vacancies remaining at 48% of the whole roll.

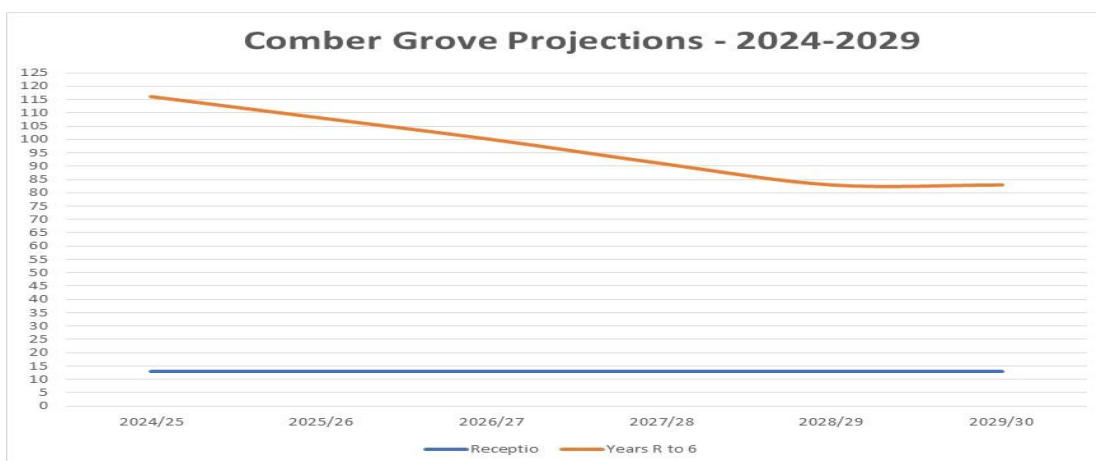
Table 6 Comber Grove Roll 2024-25 projected roll and vacancies

Year	R	1	2	3	4	5	6	Total
PAN 2024-25	30	30	30	30	30	30	45	225
Roll	13	13	14	19	20	19	18	116
Vacancies	17	17	16	11	10	11	25	109

22. Under the latest projections from the GLA updated with the latest admissions figures, year groups 1-6 would similarly fall and projection from the GLA show that numbers would fall below 100 in 2027-28.

Table 7 – Projected rolls by year group 2024-2029

Year	R	1	2	3	4	5	6	Total
2024/25	13	13	14	19	20	19	18	116
2025/26	13	12	13	13	19	20	18	108
2026/27	13	12	12	13	13	18	19	100
2027/28	13	12	12	12	12	13	17	91
2028/29	13	12	12	11	11	12	12	83
2029/30	13	12	12	12	11	11	12	83



23. Comber Grove is situated in the place planning area 4 (PA4), which covers the Camberwell area and has seen a substantial growth in surplus places in Southwark. Presently, there are 125 (5FE) reception places surplus in PA4 - 21% of all available reception places. Overall, Year R to 6 vacancies total 903, around

20% of all available places in schools.

24. Additionally, the school has in recent years performed poorly at KS2, and in Summer 2023, scored some way below Southwark, London, and national averages, which has contributed to a lower than average recruitment to reception.
25. All of these factors combined means that pupil numbers at Comber Grove are unlikely recover in the near future, and that the school is likely to fall further into a state of organisational, economic and financial unviability, with consequent effects on standards and quality.
26. As schools are funded primarily on a per pupil basis, falling rolls result in reduced budgets – a 25% fall in numbers by 2028 would lead to a commensurately reduced budget, which would, in turn, impact on the resources available to support a high quality of education.
27. In considering the closure of a school, Southwark is required to follow the Department for Education's (DFE) guidance: "*Opening and closing maintained schools, Statutory guidance for proposers and decision-makers* (January 2023). This sets out a five-stage process as outlined in paragraph 29 to 30. In line with the Department for Education's (DFE) guidance, the decision makers for the closure of a state funded school (whether this is a community, foundation or voluntary aided school) is the Council. In respect of the council's constitution, and as a community school, Southwark Council is the Proposer, and Southwark's Cabinet is the decision-making body.
28. The council as Proposer closely 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 paragraph 10 of this report.
29. Southwark Council held a series of informal, information sessions during Autumn term 2023 with parents of children at the school, staff and key stakeholders to explain the situation that the school was in and to explain that a formal process to consult on proposal for closure was being considered.

The procedure for the consideration of a school closure

The pre-publication consultation (Stage 1)

30. The council undertook Stage 1 of the statutory process outlined in paragraph 10 – "Statutory Consultation" with interested parties, in November 2023 and December 2023. The Lead Member considered the results of the consultation in March 2023, and, as a result, decided to move to Stage 2 (publication) and Stage 3 (representation) of the process, to publish formal closure proposals and to invite formal comment on these proposals from stakeholders in April 2024.
31. It is a statutory requirement for the proposer (in this case the Council) to consult any parties they think appropriate before publishing statutory proposals. Numerous events to consult all stakeholders on the proposals were undertaken, including meetings with parents and carers

32. The process included a statutory element of consultation that lasted for a total of 6 weeks 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 the council to seek the views of and engage with those that could potentially be affected by the proposed closure of Comber Grove Primary School.
33. It was also an opportunity for interested parties to suggest other options for consideration on the proposed closure of Comber Grove Primary School in August 2024. In addition to this, the council 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, the City of London, Bromley, Tower Hamlets, Lewisham, Croydon, Wandsworth, and Westminster)*
 - *The local Southwark councillors and MP*
 - *The Southwark Diocesan Board of Education (SDBE) and the Catholic Diocese*
 - *Appropriate trade Unions (via existing consultation forums).*
34. Consultation was undertaken by:
- *Placing a note on the school website containing the consultation documents.*
 - *Setting up an email address to allow for parents, carers and stakeholders to feed back on the pre-consultation proposals (questions.education@southwark.gov.uk)*
 - *Distribution of a paper form for stakeholders to respond to.*
 - *An email to the stakeholder groups listed above*
 - *Six consultation meetings for parents, carers, community and stakeholders were held in November and December 2023*
 - *Extensive consultation with staff, and their professional associations/trade unions were undertaken via the usual consultation forums and meetings at the school.*
35. All stakeholders in the community were invited to participate through attending consultation meetings in November 2023 as well as providing feedback via a survey (written, or online if preferred).
36. This formed Stage 1 of the statutory process. The above survey asked whether respondents agreed with the proposals, how the proposals would affect them, and for any counter-proposals. Comments were invited by electronic form, email or in person at a public meeting.
37. 173 written responses were received for this consultation, 157 of which (91%) did not support the proposed closure, one (1%) was unsure and 15 supported the proposal (9%). Of the 169 online respondents, 117 of those who responded to this question (73%) were women, and 89 responses (66%) came from Global Ethnic Majority (GEM) backgrounds.
38. 24 of the respondents had a disability (15%); the largest proportion (43%) came from the age range 35-44 (64 responses). 73 respondents were parents or carers (50%), with 41 from local residents (28%) and 17 from staff members (12%). Four

email objections were also received against the closure, but we were unable to ascertain the characteristics of these respondents. Given the figures above, it was felt that the respondents to the survey were probably a broadly representative sample of the local community. Additionally, a petition against the school closure was received with 187 signatures on it, as well as 38 letters from pupils at the school. 19 letters were submitted separately via the school concerning consultation arrangements. Additional meetings were held as a consequence of the issues raised, including a meeting with an interpreter for those whose first language was not English.

39. A number of points were also raised at a public meetings held in November and December 2023 - these have all been combined with the online and written responses, as well as responses from pupils. A summary of the broad points made across all consultation methods is included in the table below, as well as the LA's response to each issue.

Table 9 – Issues raised and alternative proposals

Issues raised	LA response
The place of the school in the community	All of our schools we hope are at the centre of their respective communities, and this closure will strengthen the viability of the remaining schools
The work the school does with SEND pupils and the high percentage of the latter	The Council recognises the work the school does with SEND pupils, but SEND pupils would benefit from a greater amount of resources than the school can afford, due to its low pupil numbers
Anxiety over a proposed closure and allocation of alternative places in the locality/anxiety over a proposed move to another school, including transport	A dedicated officer has been deployed to assist in ensuring all pupils at the school transfer to a school of their choice, and ensure this is within a reasonable travelling distance. Where possible, friendship groups, will be maintained.
Concern over pupils changing curriculum before SATS	Children will be properly integrated into new schools and appropriate support provided to ensure the best performance
Concern for future employment	Vacancy rates for education staff in London are at a record high (DfE, School Workforce data),. Southwark Schools HR have worked previously with closing schools to successfully support staff to move on to employment elsewhere in the borough and beyond.
Concern that nearby schools do not have sufficient places, or sufficient places of the right type	As mentioned elsewhere in the report, there are over 800 spare places within 0.75 miles of the school, across a variety of settings, including religious and non-religious schools. There are a further 400 vacancies at Lambeth schools in the locality. Schools with a religious basis with pupil vacancies cannot (and indeed do not wish to) turn children away. Once a child has been admitted to one year group, then the sibling rule applies.
Cost implications of a move to a new school,	A number of parents will be closer to a different school, and indeed, as there are 11 other Southwark

Issues raised	LA response
including transport and uniforms	schools within walking distance of Comber Grove, we do not expect parents and carers to have to take a bus to a new settings. In previous mergers and closures, assistance has been offered with new uniforms.
Concerns regarding transitions for pupils with SEND and regarding children's well-being in moving to another school	A dedicated Admissions Officer has been provided to manage all transitions in close cooperation with the SEND team. This has worked smoothly with previous mergers and closures. As at January 2024 there were two children with EHCPs at the school.
Issues raised around equalities, impact on climate, including longer journeys	The closure of a single school is unlikely to have a substantial effect on climate, given the preponderance of other schools in the locality. In terms of equalities, a full equality impact assessment has been undertaken (see Appendix 3)
Alternative suggestions	
Turning the school into a specialist hub for SEND or training teachers	The Council is considering future education and community options for the use of the building.
Merger or federation with another school	No schools have come forward or have been identified that could or wish to merge or federate with Comber Grove. Federation would not solve the low numbers at the school
Postponement of closure to allow the school to increase numbers	Postponement is unlikely to benefit the school in the short to medium term – outmigration and a fall in births mean that a return to viability is very unlikely
Renting areas of the school out for commercial use.	The small income generated from this activity is unlikely to be sufficient to bridge the financial gap caused by a considerable fall in rolls
Replacement of existing SLT with a new management team	The school's viability is our greatest concern. Changing the leadership of the school would not be expected to significantly reverse the decline in numbers attending the school.
Introduction of a breakfast, after schools and holiday clubs to generate income and pupils	Where schools have these in situ, they rarely generate a surplus with the income being needed to cover the not inconsiderable outlay required to run them. The effect on pupil recruitment is generally marginal

40. After careful consideration of all the above responses and the numerous alternative suggestions, as well as the options proposed in paragraph 23 for Comber Grove, the Lead Member's recommendation in March 2024 remained to proceed with the closure of Comber Grove from August 31 2024
41. No representations were received from neighbouring councils, the Southwark Diocesan Board of Education (SDBE) or the Catholic Diocese. 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.

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

42. As noted in paragraph 38, after careful consideration of the feedback and comments received, the Lead Member agreed to publish formal closure notices – stage 2 of the process. Southwark Council then proceeded to the next, formal stages of the process from the 15 April 2024 to the 13 of May 2024. Formal notices (Appendix 2) were published and displayed at the school, placed on the school website and in the local press, inviting comment on the statutory proposal (Appendix 3) – this completed stage 3 of the statutory process.
43. As at the 15 May 2024, one representation (an objection) was received at Stage 3 by the local authority from a parent. The representation received stated that they felt that “statutory procedures have not been followed and important information has been concealed from parents”.
44. The nature of which statutory procedures were not followed was not stated, nor was how the LA had allegedly concealed information (or indeed what important information was concealed from parents) was also not outlined. The LA is of the opinion that they have fully followed the statutory procedure. Appendix five covers the relevant aspects of the statutory guidance and how Southwark has met these.

Cabinet decision (Stage 4)

45. Stage 4 involves the writing and submission of this report following the Lead Member’s agreement to publish closure notices, taking into account, any representations that made during the pre-publication consultation and the publication of the statutory proposals in April 2024.
46. 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*
47. 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 15 July 2023), the matter would then referred to the Office of the Schools Adjudicator (OSA) for final decision.
48. The following bodies have the right to have the decision referred to the OSA, 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*
49. As Comber Grove Primary School is a community school, no right in law exists

for them to refer the proposal to the OSA independently.

Formal closure of the school (Stage 5)

50. Stage 5 – should the cabinet agree to the closure of the school - would be the formal process of the school. If cabinet agrees to the proposals to close, this will be effective from 31 August 2024.

Actions and activities undertaken for the pupils, parents and carers affected

51. 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 Comber Grove Primary School have a school place for September 2024 in the event that a decision is made to close the school. The 19 children in Y6 would be proceeding to secondary school in any case.
52. This leaves 107 pupils in years R to 5, and 13 applicants for reception in 2024-25 to be accommodated in other schools. Some parents have already found alternative schools themselves, but a great deal of support has been offered to parents, carers and pupils to manage the transition – should it be decided that the school should close – from Comber Grove Primary School to other schools. This has included a dedicated admissions officer who is working with parents on a one to one basis to locate places at alternative schools within a reasonable distance of the school or where they are located. Similarly, children with transport or special educational needs are being fully supported to make this transition.
53. Education staff, including admissions attended Comber Grove parents' meetings at the school in November 2023, and parents were invited to attend the meeting that suited them. Parents were informed that the council would be providing them with a timetable, and an application form and explanatory letter, which would include contact details. The application form gave parents an opportunity to express a preference for two local schools.
54. Parents were also provided with a list of local schools showing availability and set times/dates they could visit individual schools. Follow up meetings took place to discuss the documents and to go over the process. It should be noted that, there are eleven Southwark schools within 0.75 miles of Comber Grove Primary School - all within a reasonable walking distance.
55. At the beginning of 2024, these schools had around 800 vacant school places across Reception to Year 6, 485 of these (60%) are in schools that are non-denominational.

Actions undertaken for the teachers and non-teaching staff affected

56. The situation at the start of the process was that the council informed their staff at the earliest possible opportunity that there was a potential that the school would close in September 2024. The trade unions were also involved at this stage. A number of staff consultation events, led by Southwark Council were amongst the numerous consultation events for stakeholders.

Policy framework implications

57. With regard to the Council's council delivery plan, the closure of the school will address the "*Work with schools to keep standards high*", workstream, as with low pupil numbers, this would be increasingly challenging for the school in the future. The proposed closure also accords with the Council's value of "*spending money as if it were from our own pocket*", as the proposed closure will ultimately mean that schools' expenditure will be deployed on where most demand is concentrated.

Community, equalities (including socio-economic) and health impacts

Community impact statement

58. 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.
59. 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. Decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all. 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.
60. 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.
61. An Equality Impact and Needs Assessment (EINA) has been completed and is attached at Appendix 4. 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 Southwark council 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.
62. 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.

Equalities (including socio-economic) impact statement

63. The council's "*Approach to Equality*" commits the council to ensuring equality is an integral part of our daily business. "Protected characteristics" are the grounds upon which discrimination is unlawful. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
64. 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 the context of a school closure.
65. As regards age, disability, race, religion or belief, and gender, the question is raised in the EINA whether the closure of the school will have a disproportionate effect on any of the protected characteristic groups, and whether not closing the school would have a detrimental or beneficial effect. In terms of age, children of statutory school age and staff will not be disproportionately affected. Similarly staff and pupils of any gender will be affected similarly, given all primary schools in Southwark are co-educational. Notwithstanding the large number of women on the workforce of the school, this is similar in all primary school settings in Southwark.
66. The school not a voluntary aided school, so the proposed closure will have a minor effect on the availability of places of a religious nature in Southwark. There are numerous vacancies at nearby C of E and RC school nearby for those who wish a religious education for their children, and numerous secular places for those who do not. The closure of Comber Grove will have a minimal effect therefore on choice as regards religious or secular education. Potential negative impacts were identified as regards Disability - Special Educational Needs (SEND). If the school closes, then the LA will work with children displaced by the closure to find an appropriate placement at the numerous schools with vacancies local to where they live, including those with Education, Health and Care Plans (EHCPs) or classified as SEND Support. Absolute numbers of pupils with EHCPs (2) and SEND plus (22) and percentages are low compared to neighbouring schools, and the borough average.

Table 10 EHCP/SEND Plus numbers/percentages at schools near to CGPS

School	EHCP	SEND Support	EHCP %	SEND Support %
Comber Grove	2	22	1.4%	15.8%
St Joseph's Junior RC	9	31	4.0%	13.9%
St Joseph's Infants RC	1	21	1.0%	21.2%
Brunswick Park	20	73	5.0%	23.3%
John Ruskin	52	62	10.9%	13.0%
Crawford	5	110	1.3%	29.4%
St George's CE	13	26	8.3%	16.7%
St Paul's CE	3	35	1.6%	19.2%
St Peter's CE	7	18	4.5%	11.6%
Lyndhurst	17	52	4.0%	12.2%
Michael Faraday	12	94	2.8%	21.9%
Keyworth	13	29	3.8%	11.4%
Planning Area (PA4)	166	584	4.2%	14.9%
Southwark Total	854	3,585	4.0%	16.6%

67. Work undertaken with EHCP/SEND Support pupils in previous closures and mergers has resulted in the vast majority of pupils moving to schools of their choice and appropriate to their needs. The same approach will be used for Comber Grove - individual support will be provided to children with disabilities including reviewing EHCPs and discussing transition arrangements between schools. No other differential negative impacts have been identified, so no further mitigating or improvement actions are proposed in this category.
68. In terms of race, in contrast to other schools in Southwark, there are a similar proportion of Global Ethnic Minority (GEM) children at Comber Grove, but the numbers of GEM pupils at the school are less than other Southwark primary schools within 0.75 miles of the school, and around average for the LA and planning area. GEM children here are all those pupils not enumerated as “White – British” and “Unknown”.

Table 11 GEM/Non-GEM numbers/percentages at schools near to CGPS

School	GEM	Non-GEM	GEM %	Non-GEM %
Comber Grove	99	40	71.2%	28.8%
St Joseph’s Junior RC	203	20	91.0%	9.0%
St Joseph’s Infants RC	89	15	85.6%	14.4%
Brunswick Park	314	86	78.5%	21.5%
John Ruskin	398	79	83.4%	16.6%
Crawford	339	35	90.6%	9.4%
St George’s CE	149	7	97.3%	2.7%
St Paul’s CE	158	24	86.8%	13.2%
St Peter’s CE	130	25	83.9%	16.1%
Lyndhurst	293	132	68.9%	31.1%
Michael Faraday	268	161	62.5%	37.5%
Keyworth	262	80	23.4%	76.6%
Planning Area (PA4)	2,850	917	67.8%	32.2%
Southwark Total	16,124	5,470	74.7%	25.3%

69. Ultimately, Southwark aims to provide the best possible education for all of our diverse communities, which may not possible if the school were to remain open and not be capable of delivering a broad and balanced curriculum to the GEM pupils at the school because of low numbers of pupils and staff overall.
70. Therefore, an equality impact statement has been completed for this proposal and is attached as Appendix 4. No substantive negative impacts in terms of equalities – including socio-economic were identified, and therefore no mitigations were required. *Potential* negative impacts in terms of equalities were identified as regards Disability - Special Educational Needs (SEND).
71. If the school closes, then the LA will work with children displaced by the closure to find an appropriate placement at the numerous schools with vacancies local to where they live, including those with EHCPs or classified as SEND plus.
72. This work has been done at closures already undertaken, and has resulted in the vast majority of pupils moving to schools of their choice and appropriate to their needs. The same approach will be used for Comber Grove - individual support is being provided to children with disabilities including reviewing EHCPs and

discussing transition arrangements between schools. No other differential negative impacts have been identified, so no further mitigating or improvement actions are proposed in this category.

Health impact statement

73. The EINA outlined in paragraph 42 included health impacts as well as equalities' impacts and found no health impacts resulting from the proposal.

Climate change implications

74. Following the Council Assembly meeting on 14 July 2021, the Council has now committed to considering the climate change implications of any decisions made. The council is developing a toolkit for staff on the council's climate change strategy.
75. This provides guidance for staff to consider climate change impacts. Cabinet report authors are now required to detail the implications of their recommendations. This report has not directly considered the impact of climate change in the main body of the report, as the effects on climate change of the recommendation will have a minimal effect on climate change.
76. As the numbers of pupils in the authority area falls, and the numbers of pupils attending particular schools reduce, then it is likely that less pupils will be travelling to schools, thereby potentially reducing travel (and carbon emissions) overall, and, where it is utilised, car use.
77. There will be a negligible effect on the other categories outlined - enhancing the environment and green space, green jobs and businesses, sustainable energy and reducing waste, so these are not substantively addressed in this report.
78. No direct measures have been taken to reduce or enhance the impact on climate change as part of this work, as no substantive negative effects have been identified. Additionally, as no direct measures have been taken to reduce or enhance the impact on climate change as part of this work, no monitoring will be required. Falling numbers of pupils is likely, if anything, to have a net positive effect (albeit small) on climate change, as less pupils attend school and are therefore transported by car or other forms of transport.
79. Whilst reducing the number of school places will not directly enhance the environment and green space, or create "green" jobs and businesses, less schools operating could potentially benefit sustainable energy or reduce energy and waste from consumables. Therefore, there will be, in our opinion, no substantive negative effects as a result of the recommendations and proposals.

Resource and risk implications

80. 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.
81. 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.

82. 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.
83. The freehold of the building belongs to the council, who would ultimately decide what use the building would 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.

Legal Implications

84. Please see the comments below from the Assistant Chief Executive, Governance and Assurance.

Financial Implications

85. 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.
86. 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 Comber Grove Primary School.
87. Comber Grove Primary School ended the 2023-24 financial year in a deficit position of £187k and an in year revenue deficit of £166k. The school's accumulated deficit position is expected to rise significantly in the event of school remaining open. The closure will also incur costs such as redundancies, site security, uniforms for children transferring to other schools, archiving/disposal etc. these costs are estimated at around £500k.
88. In order to minimise the costs of closure, it is important that the school and officers work together to maximize redeployment opportunities to existing staff to alternative, suitable positions.

Human Resource Implications

89. The council are the ultimate 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

90. Consultation in this proposal has been extensive and has involved all possible stakeholders, and is outlined in paragraphs 14 to 23.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

91. There were no procurement matters for consideration in this report.

Assistant Chief Executive, Governance and Assurance REF: [JH on 14.05.2024]

92. The cabinet is being asked to approve proposals to close Comber Grove Primary School, which is a Community Primary 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.
93. 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.
94. The cabinet must also have regard to the statutory guidance "*Opening and closing maintained schools*" issued by the Department for Education" DfE January 2023 when making a decision to close a maintained school.
95. 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*
96. The Cabinet is being asked to make this decision following the publication of proposals by the council 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. The Cabinet should conscientiously take account of the outcomes of the consultation in taking this decision.
97. The proposals were published by the council on 15th April 2024. Any person could send objections or comments to these proposals to the council within four weeks of the date of publication of the proposals.
98. Any objections or comments would need to be provided to the Cabinet and conscientiously taken into account when making its decision.
99. 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 (the former is the 15 May 2024, so the latter would be 15 July 2024), 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 council.

100. The statutory guidance referred to above sets out considerations that should be made by the Council generally and Cabinet specifically when deciding on proposals include
- *The information in the proposals set out in Appendix 3*
 - *Being satisfied that the council 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.*
101. An assessment of compliance with all these items is attached at Appendix 5.
102. The cabinet also needs to apply the Public Sector Equality Duty outlined 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.
103. The relevant protected characteristics are referred to in the community impact paragraphs above. An equalities impact analysis (EINA) has been produced and needs to be considered by the cabinet in making this decision.
104. The cabinet also needs to have due 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.
105. 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.
106. "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 REF: [CAS24/24]

107. The Strategic Director of Finance notes the proposal to close Comber Grove 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 Comber Grove Primary School the financial strain due to falling rolls 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.
108. 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.
109. 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, DfE January 2023	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf		
School Admissions Code - Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels DfE, September 2021	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/media/60ebfeb08fa8f50c76838685/School_admissions_code_2021.pdf		

Background Papers	Held At	Contact
Integrated Communities Government Action Plan, Ministry of Housing, Communities & Local Government February 2019	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://assets.publishing.service.gov.uk/media/5c628e8bed915d043966be2f/Integrated_Communities_Strategy_Govt_Action_Plan.pdf		
DfE Workforce Data, December 2023	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://explore-education-statistics.service.gov.uk/find-statistics/school-workforce-in-england		
The Essential Guide to the Public Sector Equality Duty	Children and Families Directorate, Education, Children and Adult Services, 4 th Floor, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 07925 637558
Link (please copy and paste into browser): https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities#:~:text=The%20general%20duty%20requires%20decision,public%20policy%20to%20a%20minister		

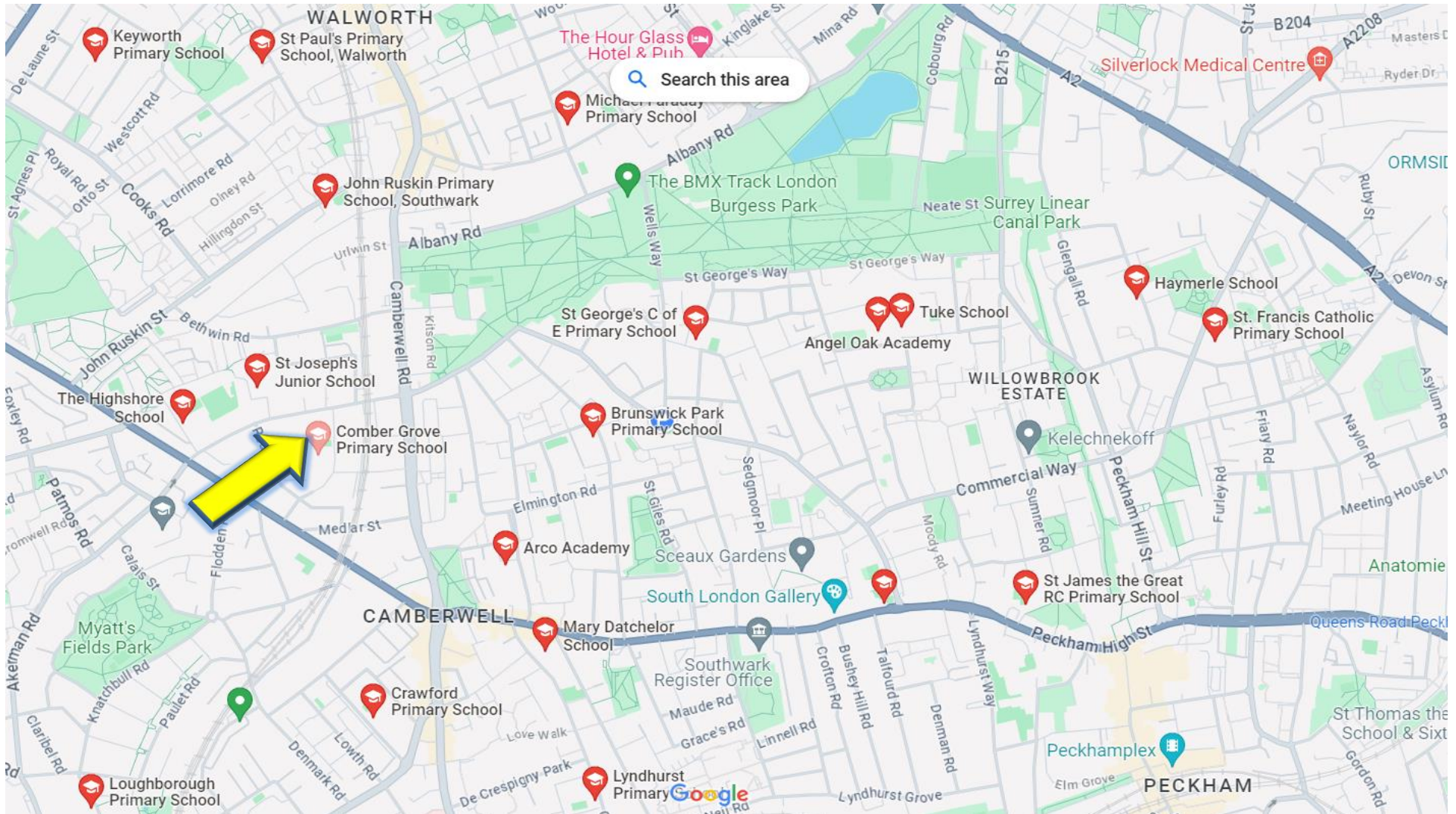
APPENDICES

Number	Title
Appendix 1a	Map showing the location of Comber Grove Primary School
Appendix 1b	Heat Map showing location of pupils at Comber Grove Primary School
Appendix 2	Statutory Notice for Closure
Appendix 3	Statutory Proposal
Appendix 4	Equality Impact and Needs Assessment (EINA)
Appendix 5	Compliance with Statutory Guidance

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	
Lead Officer	David Quirke-Thornton Strategic Director of Children and Adult Services	
Report Author	Ric Euteneuer Planning and Strategy Officer (<i>School Places</i>)	
Version	Final	
Dated	5 June 2004	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive, Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	6 June 2024	

APPENDIX 1 – LOCATION OF COMBER GROVE PRIMARY SCHOOL



APPENDIX 1B – HEAT MAP OF LOCATION OF PUPILS AT COMBER GROVE PRIMARY SCHOOL



Appendix 2 – Statutory Notice for Closure

**Proposed closure of Comber Grove
Primary School**

Southwark Council publishes these proposals under DfE guidance “*Opening and closing maintained schools – Statutory guidance for proposers and decision makers, January 2023*” and with due regard to section 15(1) of the Education and Inspections Act 2006. Southwark Council is publishing these proposals to close Comber Grove Primary School site with effect from 31st August 2024 – this is stage two of the Statutory Process. Stage one involved the previous consultation, earlier in the academic year.

Within four weeks from the date of publication of this proposal (**15th April 2024**) – stage 2 of the statutory process – any person may object to or make comments on the proposal by emailing them to questions.education@southwark.gov.uk. This period is stage three of the statutory process. After the end of the four week representation period, within two months, the Council’s Cabinet will meet in June 2024 to take the final decision on whether to close. This will be stage four in the process.

Should the decision to close Comber Grove Primary School site be taken, all children attending Comber Grove Primary School will be offered places at alternative primary schools for September 2024. The closure forms stage five in the statutory process

A paper copy of the proposal can be requested via email to: questions.education@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 questions.education@southwark.gov.uk

All responses must be received no later than 5pm on the **13th May 2024**

Alasdair Smith
Director of Children’s Services
15th April 2024

APPENDIX 3

Appendix 3 Statutory Proposal – To close Comber Grove Primary School

Statutory Proposal – To close Comber Grove Primary School

Southwark Council publishes these proposals under section 15(1) of the Education and Inspections Act 2006 to close the Comber Grove Primary School site with effect from 31st August 2024.

Category	Information																																				
1. Contact details																																					
a. School contact details and category	Comber Grove Primary School's address is 1-3 Comber Grove, London SE5 0LQ Comber Grove Primary School's phone number is 020 7703 4168 and the school email is office@combergrove.southwark.sch.uk																																				
b. Local Authority contact details	The London Borough of Southwark, 160 Tooley Street, LONDON, SE1 2QH. Phone number is 020 7525 5000																																				
2. Implementation																																					
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.	The closure of Comber Grove Primary School is proposed on the 31 st August 2024.																																				
3. Reason for closure																																					
3. A statement explaining the reason why closure of the school is considered necessary.	3. The school was, until 2019, a 1.5FE primary school (PAN of 45), when, due to falling rolls, the PAN at Comber Grove was reduced by 15 to 30 by application to the Office of the Schools' Adjudicator (OSA). Despite this, rolls have remained low at the school. Reception numbers fell to 17 in 2023-24 and are not expected to increase in 2024-25, or in the foreseeable future. As school funding is based on the number of children on roll the resources available for education are reducing. It is a core principle of the Council to protect Southwark's high quality of education – this may be compromised where the cost of teaching staff, equipment and enrichment activities become unaffordable.																																				
4. Pupil Numbers and Admissions																																					
1) 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	2) There is a pre-school/nursery at Comber Grove Primary School containing 5 girls and 8 boys – 13 in total. Comber Grove does not include any boarding pupils. There are 126 Year R to 6 pupils on roll (as at January 2024 Census Day). There were 2 children with an EHCP and a further 22 identified for SEND Support in October 2023. A breakdown of children on roll by age group in the compulsory age groups is shown in the table below																																				
	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="background-color: #d9e1f2;">Year</th> <th>R</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Girls</td> <td>7</td> <td>7</td> <td>3</td> <td>7</td> <td>7</td> <td>9</td> <td>10</td> <td>50</td> </tr> <tr> <td>Boys</td> <td>7</td> <td>7</td> <td>17</td> <td>14</td> <td>12</td> <td>10</td> <td>9</td> <td>76</td> </tr> <tr> <td>Total</td> <td>14</td> <td>14</td> <td>20</td> <td>21</td> <td>19</td> <td>19</td> <td>19</td> <td>126</td> </tr> </tbody> </table>	Year	R	1	2	3	4	5	6	Total	Girls	7	7	3	7	7	9	10	50	Boys	7	7	17	14	12	10	9	76	Total	14	14	20	21	19	19	19	126
Year	R	1	2	3	4	5	6	Total																													
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Category	Information																																																												
provision is currently made at the school.																																																													
5 to 7. Displaced pupils																																																													
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>5. Demand for reception places in the area has reduced dramatically in the last 5 years, and there are around 4,680 spare places (19%) across the borough and across all year groups. Comber Grove is situated in the Southwark's school place planning area 4 – (PA4) – “Camberwell”, which comprises Comber Grove and 12 other schools. Demand in this locality has decreased substantially, due to consistently falling birth rates, as well as a variety of socio-economic factor; this has led to fewer families living in the area. Reception vacancies are given in the table below</p> <table border="1"> <thead> <tr> <th>PA4 YR</th> <th>2019/20</th> <th>2020/21</th> <th>2021/22</th> <th>2022/3</th> <th>2023/4</th> </tr> </thead> <tbody> <tr> <td>Place</td> <td>630</td> <td>630</td> <td>630</td> <td>630</td> <td>600</td> </tr> <tr> <td>Roll</td> <td>563</td> <td>519</td> <td>499</td> <td>480</td> <td>475</td> </tr> <tr> <td>Vacs</td> <td>67</td> <td>111</td> <td>131</td> <td>150</td> <td>125</td> </tr> <tr> <td>%</td> <td>11%</td> <td>18%</td> <td>21%</td> <td>24%</td> <td>21%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>PA4 Year R to 6</th> <th>2019/20</th> <th>2020/21</th> <th>2021/22</th> <th>2022/3</th> <th>2023/4</th> </tr> </thead> <tbody> <tr> <td>Place</td> <td>4,710</td> <td>4,680</td> <td>4,680</td> <td>4,620</td> <td>4,530</td> </tr> <tr> <td>Roll</td> <td>4,133</td> <td>3,949</td> <td>3,767</td> <td>3,695</td> <td>3,620</td> </tr> <tr> <td>Vacs</td> <td>577</td> <td>731</td> <td>913</td> <td>925</td> <td>903</td> </tr> <tr> <td>%</td> <td>12%</td> <td>16%</td> <td>20%</td> <td>20%</td> <td>20%</td> </tr> </tbody> </table>	PA4 YR	2019/20	2020/21	2021/22	2022/3	2023/4	Place	630	630	630	630	600	Roll	563	519	499	480	475	Vacs	67	111	131	150	125	%	11%	18%	21%	24%	21%	PA4 Year R to 6	2019/20	2020/21	2021/22	2022/3	2023/4	Place	4,710	4,680	4,680	4,620	4,530	Roll	4,133	3,949	3,767	3,695	3,620	Vacs	577	731	913	925	903	%	12%	16%	20%	20%	20%
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%	12%	16%	20%	20%	20%																																																								
6. Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including	<p>6. There are currently 802 vacant places across year groups in 11 Southwark schools which are within 0.75 miles of the school (1,177 including the 4 Lambeth schools within the same distance), many times the existing numbers on roll. Presently there are 132 reception places vacant at these Southwark schools – more than 3 times the PAN of the school – 205 including Lambeth vacancies in schools within the same distance. There will be – minus the 18 Year 6 pupils leaving for secondary school – around 122 pupils in Years R to 5 who would need to transfer from Comber Grove. There are around 4, 700 vacancies across years R to 6 at Southwark primary schools which indicates there is sufficient capacity to accommodate pupils, subject to parental preferences made through the in year admissions process. The School Admissions Team at Southwark Council can provide information and contact details for schools; they can be contacted at the following email address: schooladmissions@southwark.gov.uk</p>																																																												
6(a) any interim arrangements	6a) there are no interim arrangements required																																																												
6 (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	6b) there is no SEND specialist reserved provision at this school - this section does not apply. As at January 2024, there are 2 children with EHCPs at the school – transition arrangements for these children into alternative schools are being managed by caseworkers on the Southwark Council's Special Educational Needs and Disability (SEND) team to ensure appropriate placements are made.																																																												
6c) in the case of special schools, the alternative provision made by local	6c) Comber Grove is not a special school, so this does not apply																																																												

Category	Information
<p>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 FE places available in consequence of the proposed discontinuance</p>	<p>7. There is no need for additional places to be provided in order to accommodate the children displaced by the closure of Comber Grove Primary School, as there are currently, 4,680 spare places across all year groups in Southwark to accommodate displaced pupils, over 900 in Camberwell, and 125 places in reception.</p>
8. Impact on the community	
<p>8. A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.</p>	<p>8. The decision to propose closure of Comber Grove 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 another primary school. Southwark Council acknowledge that the closure of any 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 Comber Grove Primary School. However, given the level of capacity at across Southwark as a whole, families will be able to access alternative school places in the community.</p> <p>The closure of the Comber Grove site may enable some of the surrounding schools with low rolls to strengthen their intake and as a result, to become more financially viable. No mitigation will be required because of the availability of alternative school places at other schools in the local community.</p>
<p>9. 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).</p>	<p>9. The Camberwell Green Ward where the schools are situated 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.</p>
10. Balance of denominational provision	
<p>10. 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>	<p>10. The school does not have a religious character</p>
11. Maintained nursery schools	
<p>11. Where proposals relate to the discontinuance of a maintained nursery</p>	<p>11. Neither school is a "maintained nursery school", so this does not apply</p>

Category	Information
<p>school, a statement setting out</p> <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>a) Not applicable</p> <p>(b) Not applicable</p>
12. Sixth form provision	
<p>12. 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>12. Comber Grove Primary Schools does not include sixth form provision, therefore this section does not apply.</p> <p>(a) Not applicable</p> <p>(b) Not applicable</p>
13. Special Educational Needs Provision	
<p>13. 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>13. There is no site-specific special educational needs provision reserved for SEND pupils at Comber Grove so no specialist provision is proposed for discontinuation.</p>
14-15 Travel	

Category	Information
14. Details of length and journeys to alternative provision.	14. Every parent however, will be able to make a preference for an alternative school inside or outside this area. The commuting distance of children, currently attending Comber Grove 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.
15. The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.	15. As outlined above, the pupils displaced by the school closure may not be unduly inconvenienced by lengthier travel; there are numerous alternative places available. This would help to mitigate against any increase in car use, as no more car journeys will be necessary than at present.
Making objections to or comments on these proposals	Within four weeks from the date of publication of these proposals, by 5 pm on 13th May 2024 any person may object to or make comments on the proposals or, request a paper copy of the proposal by emailing questions.education@southwark.gov.uk , or by post to: <i>Ric Euteneuer, Children's Services, Southwark Council, 160 Tooley Street, London SE1 2QH</i>

Signed
Alasdair Smith, Director of Children Services, 15th April 2024

APPENDIX 4 – EQUALITY IMPACT AND NEEDS ASSESSMENT



***Equality and health
analysis for the
closure of Comber
Grove Primary
School in August
2024***

April 2024

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 effect 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).

Whilst the equality analysis is being considered, Southwark Council recommends considering Socio-Economic implications, as socio-economic inequalities have a strong influence on the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce socio-economic inequalities and this is reflected in its values and aims. For this reason, the council recommends considering socio-economic impacts in all equality analyses, not forgetting to include identified potential mitigating actions. Similarly, it is important for the Council to consider the impact of its policies and decisions in relation to tackling the climate emergency. This includes both the potential carbon emissions of a policy or decision and its potential effect on the borough's biodiversity. You are asked to consider the impact on climate of your policy and decision under discussion by competing the Climate impact section below.

Section 1: Equality impact and needs analysis details

Proposed policy/decision/business plan to which this equality analysis relates		The proposed closure of Comber Grove Primary School on the 31 st August 2024			
Equality analysis author		Ric Euteneuer			
Strategic Director:		David Quirke-Thornton			
Department		Children & Adult Services	Division	Education	
Period analysis undertaken		April 2024			
Date of review (if applicable)		Not applicable, final decision			
Sign-off	Alasdair Smith	Position	DCS	Date	

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

2.1 Brief description of policy/decision/business plan

Comber Grove Primary School is a one form of entry (1FE) primary school, on Comber Grove, London SE5 in the Camberwell locality. Since 2017, the school has struggled to fill, and the school's PAN was reduced to 30 in 2019 to try and match supply to demand. Since then, school has not been able to fill the 30 places it is able to admit each year. In 2023-24 academic year, 14 children initially took up Reception class places, 16 joined Reception the previous year. Only 13 families applied to Reception for 2024-25. With no projected growth in the near future, this low level of admissions will have an increasing financial and organisational impact on the school, ultimately impacting on resources available to offer children a good quality education. Given the vacancy levels in the vicinity of the school, the consideration of closure proposals is recommended.

Section 3: Overview of service users and key stakeholders consulted

3. Service users and stakeholders

<p>Key users of the department or service</p>	<ul style="list-style-type: none"> • Children (3-11 years old) attending a primary, infants, juniors or attached nursery setting in Southwark • Parents, carers and families of those children. • School staff (teaching or non-teaching) • Governors of those schools • Local Authority departments (Children's Services, Education)
<p>Key stakeholders were/are involved in this policy/decision/business plan</p>	<ul style="list-style-type: none"> • Head teachers of all primary schools in Southwark • Governors of all primary schools in Southwark • Ward Members of the Council • Leadership teams in Education and Children's and Adults' services • Finance, Sustainable development, Schools' HR, Legal, Communications colleagues

Section 4: Pre-implementation equality impact and needs analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based, any mitigating actions to be taken and importantly any improvement actions to promote equality and tackle inequalities. It is important to also understand impacts as including needs of different groups. **Due regard is about considering the needs of different protected characteristics in relation to each part of the duty as relevant and proportionate to the area at hand.**

An equality analysis also presents as an opportunity to improve services to meet diverse needs, promote equality, tackle inequalities and promote good community relations. It is not just about addressing negative impacts.

It is important to consider any actions which can be considered to advance equality of opportunity through positive actions, for example. The columns include societal issues (discrimination, exclusion, needs etc.) and socio-economic issues (levels of poverty, employment, income). 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 socio-economic issues are given special consideration, as it is the council's intention to reduce socio-economic inequalities in the borough. Key is also the link between protected characteristics and socio-economic disadvantage, including experiences of multiple disadvantage.

Socio-economic disadvantage may arise from a range of factors, including:

- *poverty*
- *health*
- *education*
- *limited social mobility*
- *housing*
- *a lack of expectations*
- *discrimination*
- *multiple disadvantage*

The public sector equality duty (**PSED**) requires us to find out about and give due consideration to the needs of different protected characteristics in relation to the three parts of the duty:

1. Eliminating discrimination, harassment and victimisation
2. Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken; increasing the participation of under represented groups
3. Fostering good community relations; promoting good relations; to be a borough where all feel welcome, included, valued, safe and respected.

The PSED is now also further reinforced in the two additional Fairer Future For All values: that we will

- *Always work to make Southwark more equal and just*
- *Stand against all forms of discrimination and racism*

—

Age - 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).																																																																																																																
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential Socio-Economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)																																																																																																															
<p>The closure of Comber Grove Primary School could ostensibly reduce choice for parents wanting a secular education in the locality for their child. It could potentially affect all age groups from 4-11 (children) and parents (generally 18-50) differentially. This, however, does not take into acct the</p> <p>1) <i>i) reduction in pupils numbers and applications for the school</i></p> <p><i>ii) reduction in the births in the locality</i></p> <p><i>iii) the outmigration of children from the locality and Southwark as a whole</i></p> <p>Due to i), ii) and iii), there has been a considerable fall in demand for places at the school, and numbers have fallen to an extent that a 1 form entry (1FE) school is no longer viable to staff and run. Therefore, the loss of “choice” will largely be theoretical. Around 70% of the pupils at the schools live in the Camberwell Green ward – there are 4 other primaries in the ward, 3 of them community schools</p>	<p>As outlined in the adjacent “<i>potential impacts (positive and negative) of proposed policy</i>” column, the potential socio-economic impacts of closing the school as regards to age will be minimal. Closing the school will not effectively change the intake and relative demographics of the children attending other schools in the locality.</p> <p>As most of the pupils attending the school live locally, and this is the case with other local schools, the closure of Comber Grove will not in itself change the local demographics or socio-economic profile.</p>																																																																																																															
Equality information on which above analysis is based	Socio-Economic data on which above analysis is based																																																																																																															
<p>2) <i>i) The reduction of pupil numbers at the school is self-evident – there has been a near 52% loss of pupils (127 children) since 2019 (<i>Source, School Censuses 2019-24</i>)</i></p> <table border="1"> <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> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>35</td> <td>24</td> <td>38</td> <td>45</td> <td>39</td> <td>42</td> <td>44</td> <td>267</td> </tr> <tr> <td>2020</td> <td>26</td> <td>32</td> <td>24</td> <td>36</td> <td>42</td> <td>36</td> <td>41</td> <td>237</td> </tr> <tr> <td>2021</td> <td>25</td> <td>24</td> <td>27</td> <td>23</td> <td>35</td> <td>39</td> <td>35</td> <td>208</td> </tr> <tr> <td>2022</td> <td>28</td> <td>27</td> <td>25</td> <td>24</td> <td>16</td> <td>34</td> <td>37</td> <td>191</td> </tr> <tr> <td>2023</td> <td>16</td> <td>23</td> <td>28</td> <td>26</td> <td>21</td> <td>18</td> <td>31</td> <td>163</td> </tr> <tr> <td>2024</td> <td>14</td> <td>14</td> <td>20</td> <td>21</td> <td>19</td> <td>19</td> <td>19</td> <td>126</td> </tr> </tbody> </table> <p>In terms of applications for the school, the numbers show a steep fall overall both in terms of first choices and choices overall</p> <table border="1"> <thead> <tr> <th>Year</th> <th>2021</th> <th>2022</th> <th>2023</th> <th>2024</th> <th>2025</th> </tr> </thead> <tbody> <tr> <td>1st</td> <td>20</td> <td>21</td> <td>12</td> <td>8</td> <td>8</td> </tr> <tr> <td>All</td> <td>67</td> <td>61</td> <td>51</td> <td>32</td> <td>31</td> </tr> </tbody> </table>	Year	R	1	2	3	4	5	6	Total	2019	35	24	38	45	39	42	44	267	2020	26	32	24	36	42	36	41	237	2021	25	24	27	23	35	39	35	208	2022	28	27	25	24	16	34	37	191	2023	16	23	28	26	21	18	31	163	2024	14	14	20	21	19	19	19	126	Year	2021	2022	2023	2024	2025	1 st	20	21	12	8	8	All	67	61	51	32	31	<p>The Camberwell Green ward Census 2021 data shows that the same percentage of the population aged 0-19 lives in the ward (21%) than live in the borough (21%). The under 4 component of the ward population has fallen by 281 (26%) since 2011, and the 5-9 cohort by 191 children (21%). Overall, under 19s have fallen by 9% since the last census.</p> <table border="1"> <thead> <tr> <th>Age</th> <th>2011</th> <th>2021</th> <th>+/-</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>1,082</td> <td>801</td> <td>-281</td> <td>-26%</td> </tr> <tr> <td>5-9</td> <td>909</td> <td>718</td> <td>-191</td> <td>-21%</td> </tr> <tr> <td>10-14</td> <td>738</td> <td>855</td> <td>+117</td> <td>+16%</td> </tr> <tr> <td>15-19</td> <td>735</td> <td>792</td> <td>+57</td> <td>+8%</td> </tr> <tr> <td>0-19</td> <td>3,464</td> <td>3,166</td> <td>-298</td> <td>-9%</td> </tr> </tbody> </table> <p>(Source ONS Census 2021)</p>	Age	2011	2021	+/-	%	0-4	1,082	801	-281	-26%	5-9	909	718	-191	-21%	10-14	738	855	+117	+16%	15-19	735	792	+57	+8%	0-19	3,464	3,166	-298	-9%
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<p>(Source, Applications–records - LBS 2019-2024)</p> <p>ii) the school is situated in the “Camberwell Green” ward of the Council, and takes 73% of its pupils come from this ward. A further 5% comes from other Camberwell wards, and 10% from Planning Area 1 (Borough, Bankside & Walworth), and 8% come from other LAs – mainly Lambeth. <u>All</u> of these localities have seen a reduction in births over the last 5 years, and this is projected to continue in the near future (Source, ONS Census and Birth data 2021-22)</p> <p>iii) In terms of outmigration, there has been net outmigration of pupils aged from 0-15 in recent years, and this continues to be the case – the net migration figures by age below (GLA migration estimates, 2023) up to 2035</p> <div data-bbox="268 907 845 1366"> <p>Total Net Migration Projection: Southwark Identified Capacity, Camberwell Green, All Persons, 0 - 15</p> <p>Source: GLA Demography 2020-based Population Projections Graphic by GLA City Intelligence</p> </div>	<p>Overall the under 19 component of the population has fallen and the 0-4 cohort are the future primary pupils in the ward, therefore it is likely that pupil numbers in this ward will continue to fall (Source, ONS Census 2021)</p>
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Mitigating and/or improvement actions to be taken

As there have been no other differential negative impacts relating to age identified, no other mitigating or improvement actions are proposed.

Di-ability - A person has a disability if s/he has a physical or mental impairment, which has a substantial and long-term adverse effect on th’t person's ability to carry out normal day-to-day activities. Please note that under the PSED due regard includes:
 Giving due consideration in all relevant areas to “the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disable’ persons' disabilities.” This also includes the need to understand and focus on different needs/impacts arising from different disabilities.

<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>The closure of Comber Grove Primary School will have a minor effect on disabilities, as the facilities, adaptations and services offered at the</p>	<p>There will be little or no potential socio-economic impacts arising from socio-economic disadvantage as regards</p>

<p>school for pupils and staff will be available at schools to which they may move.</p> <p>There could be disruption in routines for children with higher needs as a result of moving schools. There are 2 children with EHCPs attending Comber Grove. All children with EHCPs will be offered an alternative suitable placement to meet their needs, with detailed transition plans put in place to support their move.</p>	<p>disability, as schools in the locality are as accessible as Comber Grove and there are numerous school within close travelling distance of the school</p>															
<p>Equality information on which above analysis is based</p>	<p>Socio-economic data on which analysis is based</p>															
<p>No central record of disability is maintained by the LA, but a proxy measure is the number of children with Education and Healthcare Plans (EHCPs), or children who have been identified as SEND Plus. Comber Grove Primary has a slightly lower level of EHCPs than for England, London and Southwark. The SEND Support percentage is slightly above local, and above regional and national averages.</p>	<p>As there is no perceptible potential socio-economic impacts/needs/issues arising from socio-economic disadvantage for people with disabilities, no data has been identified.</p>															
<table border="1"> <thead> <tr> <th>Type</th> <th>CGPS</th> <th>LBS</th> <th>LDN</th> <th>Eng.</th> </tr> </thead> <tbody> <tr> <td>EHCP</td> <td>1.4%</td> <td>4.0%</td> <td>4.1%</td> <td>4.0%</td> </tr> <tr> <td>SEND Support</td> <td>15.8%</td> <td>16.6%</td> <td>11.7%</td> <td>12.6%</td> </tr> </tbody> </table>	Type	CGPS	LBS	LDN	Eng.	EHCP	1.4%	4.0%	4.1%	4.0%	SEND Support	15.8%	16.6%	11.7%	12.6%	
Type	CGPS	LBS	LDN	Eng.												
EHCP	1.4%	4.0%	4.1%	4.0%												
SEND Support	15.8%	16.6%	11.7%	12.6%												
<p><i>(Source, School Census January 2024 - EHCPs and SEN Support, DfE Statistics 2023)</i></p> <p>In terms of staffing, no register of staff disability is maintained – disability does not form part of the selection process for staff recruitment or redundancy, so is unlikely to affect disabled staff disproportionately. In England, in the 2021 Census, a smaller proportion but larger number of people were disabled (17.7%, 9.8 million), compared with 2011 (19.3%, 9.4 million). In Southwark, the prevalence of disabled people in 2021 was higher (18.6%) than for England (17.7%) and London (15.8%).</p>																
<p>Mitigating and/or improvement actions to be taken</p>																
<p>If the decision is taken to close the school the LA will work with children displaced by the closure to find an appropriate placement at the numerous schools with vacancies local to where they live, including those with EHCPs or classified as SEND plus. Individual support will be provided to children with disabilities including reviewing Education, Health and Care Plans and discussing transition arrangements between schools. No other differential negative impacts relating to age have been identified, so no further mitigating or improvement actions are proposed in this category.</p>																

<p>Gender reassignment: - The process of transitioning from one gender to another.</p> <p>Gender Identity: Gender identity is the personal sense of one's own gender. Gender identity can correlate with a person's recorded sex or can differ from it.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>Gender reassignment is unlikely to involve children of primary age but the appropriate support would be provided to any child to whom this applies. As regards staffing, gender reassignment would form no part of the recruitment or indeed the redeployment process, so would not negatively impact on staffing.</p>	<p>There will be minimal socio-economic impacts/ needs/ issues arising from socio-economic disadvantage resulting from gender reassignment.</p>
<p>Equality information on which above analysis is based.</p>	<p>Socio-economic data on which above analysis is based</p>
<p>Data is not collected for children, parents or carers on gender reassignment, though numbers are likely to be small. In the 2021 Census, 0.6% of the UK population identified themselves as not having the same gender they were born with. In London, this rose to 1.4%, and Southwark, 1.2%. (<i>Source, ONS Census 2021</i>)</p>	<p>As there is no perceptible potential socio-economic impacts/needs/issues arising from socio-economic disadvantage for people with gender reassignment, no appropriate or useful data has been identified.</p>
<p>Mitigating and/or improvement actions to be taken</p>	
<p>As there have been no negative impacts relating to gender reassignment identified, no mitigating or improvement actions are proposed.</p>	
<p>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 couples. 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.)</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>Marriage or civil partnership would not directly involve children of primary age, although they may be the children of married or unmarried parents or civil partners. The marital status of the parents or carers of school pupils forms no part of the admissions process for schools.</p> <p>As regards staffing, no records of the marital status of Comber Grove staff are kept at the school at present, but, in any event the marital or civil partnership status of a staff member or potential applicant would form no part of the recruitment or indeed any redeployment process.</p>	<p>As mentioned in the adjacent "potential impacts of the proposed policy", the marital status of the parents or carers of school pupils forms no part of the admissions process. Children are admitted based on sibling presence, medical needs or distance criteria alone. Therefore there are no realistic socio-economic impacts, needs or issues arising from socio-economic disadvantage relating to marital status</p>

Equality information on which above analysis is based	Socio-economic data on which above analysis is based												
<p>No records are maintained on the marital or civil partnership status of parents & carers, or staff members of Comber Grove Primary School.</p> <p>Figures at a ward, borough, regional and national level for the percentage of the local population by marital and civil partnership status are given below. Camberwell Green ward is slightly higher than the Southwark average, but some way adrift on London and England averages (<i>Source, ONS Census 2021</i>)</p> <table border="1" data-bbox="240 611 911 730"> <thead> <tr> <th>Area</th> <th>%</th> <th>Area</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Camberwell Green</td> <td>28.8</td> <td>England</td> <td>44.5</td> </tr> <tr> <td>Southwark</td> <td>26.4</td> <td>London</td> <td>39.7</td> </tr> </tbody> </table>	Area	%	Area	%	Camberwell Green	28.8	England	44.5	Southwark	26.4	London	39.7	<p>As there is no perceptible potential socio-economic impacts/needs/issues arising from socio-economic disadvantage for people with marital status, no appropriate or useful data has been identified.</p>
Area	%	Area	%										
Camberwell Green	28.8	England	44.5										
Southwark	26.4	London	39.7										
Mitigating actions to be taken													
<p>As there have been no differential negative impacts relating to marriage or civil partnership status, no mitigating or improvement actions are proposed.</p>													
<p>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.</p>													
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/needs/issues arising from disadvantage (positive and negative)												
<p>Pregnancy and maternity are unlikely to directly involve children of primary age.</p> <p>As regards staff, Comber Grove staff's contracts mean that they are paid for some of their pregnancy and maternity leave; the pregnancy status of a staff member or potential applicant would form no part of the recruitment or indeed the redeployment process, so would not negatively impact on staffing.</p>	<p>As mentioned in the adjacent "<i>potential impacts of the proposed policy</i>", pregnancy /maternity status of the parents or carers of pupils forms no part of the admissions process, and children are admitted based non-maternity-based criteria alone. This status would not form part of a recruitment process. There are no socio-economic impacts, needs or issues arising from disadvantage relating to pregnancy or maternity status</p>												
Equality information on which above analysis is based	Socio-economic data on which above analysis is based												
<p>Fertility is measured at a range of rates and geographies by the ONS. These include the "GFR" and "TFR". The "<i>General Fertility Rate (GFR)</i>" is the number of live births per 1,000 women aged 15-44. The Total Fertility Rate (TFR) is the number of births per woman aged 15-44</p>	<p>As there is no perceptible potential socio-economic impacts/needs/issues arising from socio-economic disadvantage for people with pregnancy or maternity status, no appropriate or useful data has been identified.</p>												

Area	GFR	TFR
Southwark	44	1.11
Inner London	48	1.16
London	56	1.41
England	56	1.49

(Source, GLA/ONS 2022 (latest figures))
Southwark has low fertility rate compared the rest of London and England. This is another explanation, together with outmigration – why pupil numbers in Southwark are falling.

Mitigating and/or improvement actions to be taken

As there have been no negative impacts relating to pregnancy or maternity status identified, no mitigating or improvement actions are proposed.

Race - 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

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from disadvantage (positive and negative)
<p>A potential impact of the proposed closure could be that the pupils from a Global Ethnic Majority (GEM) background could be disproportionately affected. They could potentially be placed in less diverse schools than the school proposed for closure. Presently, the school is 71.2% Global Ethnic Majority (i.e. non-White UK & Unknown) – For the local ward (Camberwell Green), the GEM population is 68.2%. For the planning area the school is in (planning area 4 – PA1), the total percentage of GEM pupils is 67.8%. For the schools within 0.75 miles of Comber Grove, the percentage GEM is 74.4%. As a whole, Southwark primary pupils are 74.7% GEM. As regards of Southwark’s population as a whole is 62.5%. The likelihood is that children will be re-accommodated in local schools in PA4 or Lambeth, and that these schools broadly share the same or greater level of diversity that the school presently has. There is no evidence therefore to show that closing the school would be likely to change the ethnic make-up of local alternative schools, as schools in the same planning area are as diverse as Comber Grove. In terms of staffing, the school’s workforce will – over time – find work in other local schools. As race will not form part of the selection process of staff, then no discernible differential effects as regards race will be noted or action required.</p>	<p>A potential impact of the closure could be that the school becomes less diverse socio-economically than it is at present.</p> <p>This is thought unlikely, as there has been no major development near the school, and the school’s intake is predominately from PA4.</p> <p>What is evident is that people in Southwark are having less children, and those that are tend to be from the families that have remained, and are the same socio-economic class as the present parents and carers – just fewer of them.</p>

Equality information on which above analysis is based					Socio-economic data on which above analysis is based				
A table giving the relative percentages of the local population at schools and in the locality is given below.					The School Census 2024 figures opposite show that the school population is at a similar level of diversity as the (school) population at large				
Comber Grove's percentage of non-White British pupils is slightly lower than the planning area and Southwark primary pupil population, but still relatively high, even for London									
Group	Comber Grove	Schools within 0.75 miles	PA4 school pupils	Southwark primary pupils					
Bangladeshi	3.6%	3.1%	1.9%	2.4%					
Indian	0.7%	0.6%	0.7%	0.9%					
Pakistani	0.0%	1.3%	0.9%	0.8%					
Other Asian Background	2.2%	1.8%	2.0%	1.9%					
Black African	19.4%	32.8%	30.4%	24.8%					
Black Caribbean	5.0%	7.1%	6.9%	6.1%					
Any Other Black Background	5.8%	4.0%	4.0%	4.1%					
Chinese	2.2%	0.8%	0.6%	1.0%					
Mixed - White & Black African	2.2%	2.1%	1.8%	2.2%					
Mixed - White & Caribbean	2.2%	3.6%	3.3%	2.0%					
Mixed - White & Asian	0.7%	1.3%	1.3%	7.0%					
Any Other Mixed Background	4.3%	5.4%	4.9%	6.5%					
White British	5.8%	12.6%	17.0%	20.5%					
White Irish	0.0%	0.2%	0.3%	0.5%					
Gypsy / Roma	0.0%	0.2%	0.1%	0.1%					
Traveller of Irish Heritage	0.0%	0.0%	0.0%	0.1%					
Any Other White Background	14.4%	6.9%	6.1%	9.3%					
Any Other Ethnic Group	8.6%	8.5%	8.9%	8.1%					
Unknown / Missing	23.0%	7.7%	8.9%	4.8%					
GEM (Non-White British + Unknown)	71.2%	74.4%	67.8%	74.7%					
<i>(Source, Pupil Census, 2024)</i>									
Mitigating and/or improvement actions to be taken									
As there have been no negative impacts relating to race identified, no mitigating or improvement actions are proposed.									

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; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/needs/issues arising from socio-economic disadvantage (positive and negative)
<p>The removal of 30 places from a school with no religious foundation could potentially remove choice and the availability of secular primary places in Southwark and beyond. Additionally, guidance when deciding this type of decision requires us to consider the balance of religious places in the borough</p> <p>However the effect on the provision of secular places is likely to be minimal given the availability of spare places in many similar schools nearby.</p>	There is no evidence of impacts arising from socio-economic disadvantage relating to religion and belief in relation to this decision.

As regards staffing, selection of staff for alternative employment is unlikely to be affected by the religion of the staff member, as, barring the Head and Deputy at some religious schools, religious observance in other Southwark or Lambeth schools is not a requirement.																																																							
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<p>The percentages of religious/non-religious places (Non-VA) in Southwark are given in the table below, both before (2022 and 2023) and after the proposals in 2025. As a percentage of places this is as shown below. Figures <i>in italics</i> are estimates Secular places (Non-VA remain at around 70% throughout)</p> <table border="1" data-bbox="240 616 877 728"> <thead> <tr> <th>Type</th> <th>2022</th> <th>2023</th> <th>2024</th> <th>2025</th> </tr> </thead> <tbody> <tr> <td>VA</td> <td>30%</td> <td>29%</td> <td>31%</td> <td>31%</td> </tr> <tr> <td>Non-VA</td> <td>70%</td> <td>71%</td> <td>69%</td> <td>69%</td> </tr> </tbody> </table> <p>The percentage <u>uptake</u> of places are shown below.</p> <table border="1" data-bbox="240 784 877 896"> <thead> <tr> <th>Type</th> <th>2022</th> <th>2023</th> <th>2024</th> <th>2025</th> </tr> </thead> <tbody> <tr> <td>VA</td> <td>25%</td> <td>24%</td> <td>24%</td> <td>24%</td> </tr> <tr> <td>Non-VA</td> <td>75%</td> <td>76%</td> <td>76%</td> <td>76%</td> </tr> </tbody> </table> <p>This shows the <u>demand</u> for secular places has increased, but only by +1% of pupils overall. As noted above, there is no requirement for staff to be of a particular religion or none and therefore no record of staff's religious belief is maintained. It is therefore unlikely that a school closure will have any discernible effect on secular/non-religious education in Southwark as regards staffing and as regards pupil choice. Similarly, any restructuring as regards staff is also unlikely to have repercussions on any particular religious group or another.</p>	Type	2022	2023	2024	2025	VA	30%	29%	31%	31%	Non-VA	70%	71%	69%	69%	Type	2022	2023	2024	2025	VA	25%	24%	24%	24%	Non-VA	75%	76%	76%	76%	<p>Non-religious parents may wish for a secular education, but this is unlikely to be based on socio-economic background. The table below of the level of religious observance extracted from the 2021 Census. No breakdown of Christian faith is recorded for Camberwell Green (CG) ward. No religious register is kept of staff or pupils.</p> <table border="1" data-bbox="949 739 1484 1086"> <thead> <tr> <th>Religion</th> <th>CG</th> <th>Southwark</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>48%</td> <td>46%</td> </tr> <tr> <td>Buddhist</td> <td>1%</td> <td>1%</td> </tr> <tr> <td>Hindu</td> <td>1%</td> <td>10%</td> </tr> <tr> <td>Jewish</td> <td>0.2%</td> <td>0%</td> </tr> <tr> <td>Muslim</td> <td>12%</td> <td>7%</td> </tr> <tr> <td>Sikh</td> <td>0.1%</td> <td>0%</td> </tr> <tr> <td>Other/ No religion/ not stated</td> <td>39%</td> <td>37%</td> </tr> </tbody> </table> <p>(Source, ONS Census 2021)</p> <p>This shows that there is a slightly higher level of Christian and Muslim religious belief in the Camberwell Green, but no solid conclusions can be drawn from this.</p>	Religion	CG	Southwark	Christian	48%	46%	Buddhist	1%	1%	Hindu	1%	10%	Jewish	0.2%	0%	Muslim	12%	7%	Sikh	0.1%	0%	Other/ No religion/ not stated	39%	37%
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Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/needs/issues arising from socio-economic disadvantage (positive and negative)
<p>If there was a significant imbalance in the provision or uptake of places at the school then the closure of the school may affect this. Prevalence of male to female pupils in both the school and in the locality are approaching 50:50, so the school closing will not have an effect on the mix of pupils in terms of gender.</p> <p>As regards staffing, a large proportion of the staff are female, as is common for primary schools of any type across the UK. Sex will not form part of the selection process of staff seeking alternative employment so no discernible differential effects as regards sex are expected.</p>	There are no potential socio-economic impacts or issues arising from disadvantage as regards the closure of the school with respect to the gender of pupils or staff.

Equality information on which above analysis is based	Socio-economic data on which above analysis is based																																								
The percentage of girls to boys varies from year to year. At Y2-Y5, there are more boy than girls, in Y6 more girls than boys. Overall, numbers are 40% girls to 60% boys, though this varies on a year-to-year basis.	The number of female staff on the workforce are generally high. It is not felt that the closure therefore will disproportionately affect women more than men, other than there are more female staff																																								
<table border="1"> <thead> <tr> <th></th> <th>R</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Girls</td> <td>7</td> <td>7</td> <td>3</td> <td>7</td> <td>7</td> <td>9</td> <td>10</td> <td>50</td> </tr> <tr> <td>Boys</td> <td>7</td> <td>7</td> <td>17</td> <td>14</td> <td>12</td> <td>10</td> <td>9</td> <td>76</td> </tr> <tr> <td>Total</td> <td>14</td> <td>14</td> <td>20</td> <td>21</td> <td>19</td> <td>19</td> <td>19</td> <td>126</td> </tr> </tbody> </table>		R	1	2	3	4	5	6	Total	Girls	7	7	3	7	7	9	10	50	Boys	7	7	17	14	12	10	9	76	Total	14	14	20	21	19	19	19	126					
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HR support will be provided to the predominately female staff through the closure process. No other mitigating actions in respect of sex are proposed.																																									
Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes																																									
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At age 4-11, children may not have expressly identified with one sexuality or another, but they may have parents or carers who are LGBTQ+. In either case, school admissions do not take into account the sexuality of the child or parent/carer. Closing the school will therefore have no differential effect on parents whatever their sexuality. Similarly, with regard to staff, sexuality or sexual orientation forms no part of the selection for recruitment or redundancy, so a closure will not disproportionately affect staff members as regards their sexual orientation.	There are no potential socio-economic impacts or issues arising from disadvantage as regards the closure of the school with respect to the sexual orientation of pupils, parents/carers or staff.																																								
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The prevalence of different sexualities was covered in the 2021 Census for the first time. This is not (yet) available at a ward level, but the figures for Southwark show the following figures for the population over 16.	As mentioned above, there are no potential socio-economic impacts as regards the closure of the school or issues arising from disadvantage with respect to the sexual orientation of pupils, parents/carers or staff. The figures for prevalence are given in the column adjacent to this one.																																								
<table border="1"> <thead> <tr> <th>Area</th> <th>Straight or Heterosexual</th> <th>Gay or Lesbian</th> <th>Bisexual</th> <th>Pansexual</th> <th>Asexual</th> <th>Queer</th> <th>All other sexual orientations</th> <th>Not answered</th> <th>Non heterosexual</th> </tr> </thead> <tbody> <tr> <td>Southwark</td> <td>82.71</td> <td>4.53</td> <td>2.57</td> <td>0.67</td> <td>0.07</td> <td>0.17</td> <td>0.06</td> <td>9.21</td> <td>8.07</td> </tr> <tr> <td>London</td> <td>86.19</td> <td>2.23</td> <td>1.52</td> <td>0.37</td> <td>0.05</td> <td>0.06</td> <td>0.04</td> <td>9.54</td> <td>4.27</td> </tr> <tr> <td>England</td> <td>89.37</td> <td>1.54</td> <td>1.29</td> <td>0.23</td> <td>0.06</td> <td>0.03</td> <td>0.02</td> <td>7.46</td> <td>3.17</td> </tr> </tbody> </table>	Area	Straight or Heterosexual	Gay or Lesbian	Bisexual	Pansexual	Asexual	Queer	All other sexual orientations	Not answered	Non heterosexual	Southwark	82.71	4.53	2.57	0.67	0.07	0.17	0.06	9.21	8.07	London	86.19	2.23	1.52	0.37	0.05	0.06	0.04	9.54	4.27	England	89.37	1.54	1.29	0.23	0.06	0.03	0.02	7.46	3.17	
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Southwark is lower than the national and London-average for heterosexuality and more than twice the London average for gay and lesbian residents over 16.																																									
Mitigating and/or improvement actions to be taken																																									
As there have been no negative impacts relating to sexual orientation identified, no mitigating or improvement actions are proposed or required.																																									

Human Rights

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

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

In respect of the 16 rights listed, the proposal to close Comber Grove will not affect any of those listed. This said, the "First Protocol", this states "*The first sentence of Article 2 of Protocol No. 1 guarantees an individual right to education. The second guarantees the right of parents to have their children educated in conformity with their religious and philosophical convictions*". Closure of Comber Grove Primary School, removing a single form of entry would not endanger this freedom, as there are numerous school places available in schools within walking distance of Comber Grove, both religious and non-religious. This proposal will also not affect the rights of staff members.

Information on which above analysis is based

At the last census time in January 2024, there were 4,790 spare places in Southwark primary schools, including 903 spare places in Planning Area 4, 22% for each respectively. For non-religious education, there are numerous alternative schools very close to Comber Grove with numerous spare places available

Mitigating and/or improvement actions to be taken

As there have been no negative impacts relating to human rights identified, no mitigating or improvement actions are proposed or required.

Conclusions

Summarise main findings and conclusions of the overall equality impact and needs analysis for this area:

Section 5: Further equality actions and objectives**5. Further actions**

Based on the initial analysis above, please detail the key mitigating and/or improvement actions to promote equality and tackle inequalities; and any areas identified as requiring more detailed analysis.

Number	Description of issue	Action	Timeframe
As no mitigating or improvement actions to promote equality and tackle inequalities have been proposed, no further actions are required or proposed			

5.1 Equality and socio-economic objectives (for business plans)

Based on the initial analysis above, please detail any of the equality objectives outlined above 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.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

6. Review of implementation of the equality objectives and actions

As no further actions to promote equality and tackle inequalities have been required or proposed, no further reviews of **the equality objectives and actions** are required

7. Implementation Equality Impact and Needs Analysis

No issues as regards equalities and needs have been identified – therefore no mitigating or improvement actions to promote equality and tackle inequalities have been proposed as a result of this analysis.

APPENDIX 5 – COMPLIANCE OF PROPOSAL WITH STATUTORY GUIDANCE

Item	Comment
The information in the proposals is set out in the statutory proposal	The statutory proposal is attached as outlined as Appendix 3
Being satisfied that the council has carried out the statutory process satisfactorily	The statutory process has been followed correctly and according to the guidance, as outlined in the report
Giving due regard to all responses received during the representation period	All responses and alternative suggestions received have been summarised in paragraphs 32-39
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	As outlined in paragraph 52, It should be noted that, there are <u>eleven</u> Southwark schools within 0.75 miles of Comber Grove Primary School - all within a reasonable walking distance. At the beginning of 2024, these schools had around 800 vacant school places across Reception to Year 6, 485 of these (60%) are in schools that are non-denominational. Additionally, there are 4 Lambeth schools within the same distance, also with vacancies, offering additional places.
The overall quality of alternative places in the area balanced with the need to reduce excessive capacity	All of the eleven schools are rated Ofsted “Good” or “Outstanding”, so would provide a high quality of alternative places – the closure would also reduce excess 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	<p>The Council’s primary estate in general and the Camberwell area in particular suffers from a considerable amount of overcapacity. Too many schools are chasing too few pupils.</p> <p>Paragraphs 23 and 39 outlines the alternative options that were either considered by the Council prior to the proposal, or suggested by survey respondents (and considered by the Council)</p>
The impact of any proposal on local integration and community cohesion objectives	Given that we expect most pupils to be reaccommodated in schools with 0.75 miles, it is not felt that there would be a major impact of the closure proposal on local integration and community cohesion objectives.

Item	Comment
The impact of any proposal on local integration and community cohesion objectives (<i>continued</i>)	Community cohesion is closely linked to integration as it aims to build communities where people feel confident that they belong and are comfortable mixing and interacting with others, particularly people from different racial backgrounds or people of a different faith. Given the diverse nature of the school, the surrounding community and the other schools in the locality (as evidenced in the EINA) the closure of the school is unlikely to have a negative effect 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?	Given the proximity of alternative schools, and the availability of free travel for pupils, we would not regard a change of school as unreasonably extending journey times or increasing travel costs. It is highly unlikely that the closure would result in 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	This item has been covered in the EINA under the religion category. No substantial difference in balance would be made by closing the school, and indeed, religious schools have recently closed as well.
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	All Southwark schools are focal points for family and community activity providing extended services for a range of users. There is no substantial differential between the school and surrounding schools in terms of the facilities and services provided.

Meeting name:	Cabinet
Date:	17 June 2024
Report title:	GW1 School Food Procurement Framework
Cabinet Member:	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not Applicable

FOREWORD - COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE, EDUCATION AND REFUGEES

Every child has a right to food. Southwark was one of the first councils to invest in free, healthy school meals for all primary school children, guaranteeing children a hot, nutritious meal at lunchtime. Last September Southwark Council celebrated ten years of universal free school meals for all primary school children and this year we have offered free meals to more secondary school pupils too.

A quality school lunch helps pupils engage in learning, enhances academic performance, learn healthy behaviours and supports a healthy weight and food security.

The council could do more to support schools to serve meals which are value for money, of consistent nutritional quality and sustainably sourced, whilst reducing the administrative burden on schools around food service tendering.

This paper recommends the development of a school food procurement framework to help tackle the fragmented and complex school food market in Southwark, uphold meal standards, raise wages and morale in school kitchens, reduce the tendering burden on schools and stimulate school food market access for VCS and SMEs.

RECOMMENDATIONS

1. That the Cabinet approve the procurement strategy for the development of a school food procurement framework, with a term of 4 years provisionally commencing in December 2024 with a total estimated value of £4m, which meets the required specification for school food in Southwark, in collaboration with the Get Help Buying for Schools (GHBS) part of the Department for Education (DfE).

2. That the Cabinet note the recommendation in paragraph 1 is contingent on the outcome of market and schools engagement, please see timeline in paragraph 41. Approval is sought at this point in order for Department for Education to progress governance. The framework protocol and lot strategy is to be determined, but will be influenced by market engagement activity detailed within paragraphs 73-76 which is scheduled for Q1 2024-25.
3. That the Cabinet agree to delegate the subsequent Gateway 2 decision to the Strategic Director for Children and Adult Services.

REASONS FOR RECOMMENDATIONS

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4. The alternative option is the status quo. Without the development of a school food procurement framework, schools in Southwark will continue to procure school food services individually. This fragmented and uncoordinated approach is less efficient for schools in terms of administrative burden, costs and outcomes.

POST DECISION IMPLEMENTATION

5. Once the recommendations within this report have been approved:
 - i. Further consultation with schools and suppliers will take place before progressing to Gateway 2, as detailed in paragraphs 73-76 of the report.
 - ii. The details of the planned contract management and monitoring regime are set out in paragraphs 61-64 of this report.
 - iii. The timeline for implementation of this report is set out in paragraph 41.

BACKGROUND INFORMATION

6. The Southwark School Meals Transformation Programme (SMTP) commenced in April 2021 to address identified problems and opportunities in the school food system in Southwark.
7. The SMTP aims are:
 - Improve nutritional quality and consistency of school meals across Southwark, leading to healthy behaviours and outcomes, improved behaviour and higher education attainment.
 - Establish a more stable school food system, that helps create jobs that are more attractive for local residents.
 - Support Southwark's environmental sustainability and climate emergency agenda, provide more social value through jobs and the local economy.
 - Tackle disadvantage and reduce inequalities.

8. The SMTP is led by Southwark Council in partnership with Impact on Urban Health (IoUH, part of Guy's and St. Thomas' Charity) who are providing additional expert support as well as matched funding to the value of £525,000 over the five years of the programme. The SMTP started in April 2021 and will run to March 2026. In total, approximately £1.2m is being invested to transform school meals in Southwark.
9. Southwark's school food market is complex and fragmented, each school has varying procurement methods and contracts in place. Some schools manage school meals in house, others outsource the catering service to a third party provider. Most outsourced contracts are for a single school, rather than a group, each with different contract terms. 60% of schools have a school lunch service contract with an external caterer and contracts tend to be for a 3 year term.
10. There are significant variations in quality of school lunch provision across Southwark and low operational compliance with the Standards for School Food in England¹ in some schools.
11. To ensure improved outcomes and value in the delivery of school meals, a number of options have been proposed:
 - i. **For the schools that wish to continue to 'outsource'**, a bespoke Southwark 'outsourcing' specification is being developed to support the aims of the SMTP, including a secondary contract lot option to support Voluntary and Community Organisations (VCS), Small Medium Enterprises (SMEs) and the local economy which is overseen by an operating board including membership from schools and officers from Public Health, Education, Procurement and Commissioning,
 - ii. **For the schools that provide food 'in-house', or wish to do so**, a pooled procurement mechanism for purchasing ingredients is being developed which brings economies of scale, supports the local economy and improves the sustainability of food served in schools,
 - iii. **Additionally, for the schools providing food 'in-house'**, to explore opportunities with Chefs in Schools to develop a collaborative Chefs Alliance and further work to implement the School Chef Qualification in Southwark schools.
12. Approval of the recommendations in paragraph 1 of this report will further progress 11i and 11ii above, supporting both schools that 'outsource' and those who provide food 'in house'.

Summary of the business case/justification for the procurement

13. The SMTP interim evaluation report (October 2023) emphasised the importance of work to strengthen procurement and service specifications as

¹ [Standards for school food in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/standards-for-school-food-in-england)

part of the overall approach to achieving better school food catering. School business leaders have also echoed a desire to work together on a procurement approach to improve quality of provision and meet Southwark standards.

14. Many schools preferring to outsource their catering provision are generally not skilled in developing school food specifications, contract performance metrics and monitoring school food quality. A framework to support this will ensure consistency in contracting.
15. Having a bespoke Southwark procurement framework will:
 - Make managing a competitive tender process less burdensome for schools, with increased assurance for schools and the council on quality of provision.
 - Support implementation of the Free Healthy School Meal grant conditions requiring school meal take-up data reporting and that school food meets national and local standards.
 - Ensure all catering staff are paid the London Living Wage (LLW).
 - Enable clearer quality monitoring through implementation of a reporting framework including school meal quality audits.
 - Allow schools to select providers that suit the needs and scale of their school food operation.
16. The Get Help Buying for Schools (GHBS) service is part of the DfE procurement support offer for all state funded schools. The service has already been approached by some Southwark schools to support mini-competitive tenders on existing DfE approved national procurement frameworks.
17. GHBS has agreed to work with the SMTP towards developing a School Food Framework Agreement for Southwark schools. GHBS is keen to use this project to test and learn how it can support better procurement at a local authority, including ongoing support for administering the framework and supporting schools to use it.
18. The Council will be the contracting authority to the Framework Agreement from a supplier perspective.
19. The GHBS service shares a common goal with SMTP to improve school food market access for local suppliers, SME and VCS and increase the environmental and financial sustainability of school food procurement.
20. DfE is a trusted partner for Southwark Schools and several schools in the borough have used the GHBS service this academic year already.
21. The joint GHBS and SMTP project will run in stages: a framework will be created only if there is enough interest from both schools and catering providers. Progress will be subject to both Southwark Council and GHBS meeting each organisation's internal governance requirements.

22. There will be dedicated support from the GHBS procurement service to school business leaders for all schools in Southwark, supporting council officer capacity.
23. The Council will develop the food service and food supply specification, lot arrangements and lead school and supplier engagement. GHBS will provide education specialist procurement support and manage the tender process.

Market considerations

24. Schools, Multi-Academy Trusts (MATs) and school federations in Southwark provide school food using one of three arrangements:
 - i. outsource the school food service, including ingredients procurement, to a third party caterer
 - ii. manage school food in house with catering staff directly employed by the school and ingredients directly procured by the school or
 - iii. manage school food in house, but use a third party company to provide compliance support for statutory obligations, for example with statutory food allergy management.
25. Outsourced contracts in Southwark are currently typically procured by schools through DfE approved framework agreements. The existing frameworks include pre-approved suppliers, with pre-procured agreed terms and conditions and legal protections. Whilst these frameworks will have detailed specifications and reduce the effort required by schools to prepare service specifications for tenders, they can be inflexible. Additionally, existing frameworks do not generally require catering services companies to pay the London Living Wage (LLW) nor open access up to SME, VCS and the local economy.
26. The whole school meals market in Southwark is valued at around £8.3m (primary) and £5.3m (secondary) annually. 60% of schools have a school lunch service contract with an external caterer.
27. There are 13 catering providers operating in Southwark schools, two thirds of contracts are held by the three biggest education catering providers in the UK. Most of these contracts are for a 3-year fixed term.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

28. The Framework Agreement may include a number of options that are currently being considered:

- Include a list of pre-qualified suppliers for providing school catering services and/or ingredients to Southwark bespoke specifications including meal quality, employment practices and contract oversight.
 - Schools, MATs and federated schools will award individual contracts (call-off) to listed suppliers either by direct award or mini competition.
 - Schools can enter into grouped contract arrangements for greater economies of scale, if they wish to do so.
 - Be approved by the DfE.
 - Use inclusion metrics, designed to promote local suppliers, SME and VCS participation.
 - Use restricted lots, designed to promote local suppliers, SME and VCS participation.
29. The Framework Agreement will be for a 4-year fixed term in the first instance. Schools and MATs who wish to choose alternative providers will still be able to use service specifications for independent procurement activity.
30. The Framework Agreement protocol and lot strategy is to be determined, but will be influenced by market engagement activity detailed within paragraphs 73-76 which is scheduled for Q1 2024/25.
31. Using the Framework Agreement will be optional for schools, service specifications will be shared with schools who do not want to use the framework.

Proposed procurement route

32. GHBS (DfE) will manage the procurement on behalf of Southwark Council, as the contracting authority. The SMTP will support as required.
33. The SMTP will lead on service specification development, bringing together contributions from school food policy experts, catering consultants, secondary school food chefs, school food charity organisations and experience with individual schools.
34. The output will be a Public Contract Regulations 2015 (PCR2015) compliant Framework Agreement.
35. Participation in the Framework Agreement will depend upon suppliers demonstrating the ability to meet the following specification objectives, which will also form the basis of call-off contract performance and quality monitoring metrics:

Supplier supports schools to take a whole school approach to food which complements the school's vision
Meals served to pupils are appealing, nutritious, well-cooked and culturally appropriate at all schools and there is a uniform pricing model
Meals are value for money for the school and council and service is reliable

Meals served meet national and local standard requirements
Meals are prepared by a motivated, valued and well trained workforce paid London Living Wage, as a minimum
Schools, pupils and parents are regularly consulted on the menu and service
Local economy, VCS/SME can access to school food market and supply chain in Southwark
Supplier is committed to maximising school meal uptake
Food waste is kept to a minimum and menus are planet friendly
Special diets and allergies are well catered for and managed
School food quality monitoring is in place against set criteria, including reporting to Customer, Governors and Southwark Council.
Service provision meets requirements of London's Food Purchasing Commitment as set out in paragraph 54.
Multi Academy Trusts (MATs) and schools have the autonomy to choose own supplier(s)

Identified risks for the procurement

36. The following risks and mitigations have been identified by the School Meals Transformation Programme. Residual risk will be assessed following school and supplier consultation to support the Gateway 2 decision.

Category of Risk	Risk Description	Likelihood	Impact	Risk Score	Mitigation
Engagement	Schools do not engage with Framework Agreement, lack of participation reduces efficiency opportunities and non-participating schools may not improve nutritional quality of their school meals.	Low	Medium	Low	<p>School engagement is a priority, including Multi Academy Trusts.</p> <p>Seek expressions of interest from schools through dedicated engagement sessions, supported GHBS marketing team.</p> <p>GHBS continue to support schools to tender outside of the Framework Agreement using Southwark specification.</p>

Category of Risk	Risk Description	Likelihood	Impact	Risk Score	Mitigation
Engagement	Caterers and ingredients suppliers do not engage with Framework Agreement. Lack of participation reduces efficiency opportunities.	Low	Medium	Low	Supplier engagement is a priority, including engagement with incumbent providers and local/SME/VCS. Consultation with providers through dedicated engagement sessions will inform final service specification.
Operational	The chosen service provider(s) fails to meet specification requirements, leading to reduced school meal take-up rates or lower quality.	Low	High	Medium	Ensure regular assessment against clear and consistent contract performance and food quality KPIs, supported by Southwark Council in person quality inspections. Expecting a small number of schools to participate initially.
Financial	School kitchen infrastructure or capacity is not adequate, acts as a barrier to improvements in school lunch quality.	Low	Low	Low	Audit of secondary school schools kitchen infrastructure completed (primary schools serving meals to all pupils in Southwark) Include supplier contribution to new kitchen equipment

Category of Risk	Risk Description	Likelihood	Impact	Risk Score	Mitigation
					included in service specification.
Financial	Schools providing meals through in-house catering arrangements continue to buy ingredients 'off-system' because minimum order volume is too big or more expensive, pooled procurement economies of scale are not achieved.	Low	Low	Low	Consult on minimum order volume requirements with school chefs during specification development. Ensure purchasing arrangements are continuously promoted.
Reputational	Meals offered do not meet London Food Purchasing Commitment or the Sustainable Food Strategy quality requirements because cost is prohibitive.	Low - Medium	Medium	Medium	Set achievable sustainability standards into service specifications.
Governance	The chosen service provider(s) fails to meet specification requirements, school seeks resolution (including	Low	Medium	Low	Access agreement between council and schools using the Framework Agreement is in place.

Category of Risk	Risk Description	Likelihood	Impact	Risk Score	Mitigation
	financial) from the council.				

Key / Non Key decisions

37. This report deals with a key decision.

Policy Framework Implications

38. The development and adoption of a Framework Agreement will help ensure that as a minimum, school food service specifications meet: (i) the Department for Education Standards for School Food, (ii) for primary schools, the Southwark Council Free Healthy School Meals grant conditions, (iii) for secondary schools, the Southwark Council Free Secondary School Meals grant conditions (iv) for nursery schools, the Eat Better Start Better guidance and (iv) the Fairer Future commitment to paying a London Living Wage to all staff working to deliver the service.
39. The procurement of a Framework Agreement will also support Southwark Council's Sustainable Food Strategy objective to develop a shared Council approach to sustainable food procurement for contracts, sub-contracts and arms-length commissioning, including commitments to reduce and monitor food waste and a benchmark for shared food standards.
40. The procurement of a Framework Agreement will support the Council's Right to Food action plan by encouraging schools to take a whole school approach to food and uphold the quality of meals served in nurseries and schools.

Procurement Project Plan (Key Decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	01/02/2024
DCRB Review Gateway 1	14/02/2024
CCRB Review Gateway 1	29/02/2024
CMT Review Gateway 1	21/05/2024
Brief relevant cabinet member (over £100k)	22/05/2024
Notification of forthcoming decision - Cabinet	07/06/2024
Approval of Gateway 1: Procurement strategy report	17/06/2024
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	26/06/2024
Anticipated Implementation Date	27/06/2024
Supplier and School consultation	End July 2024

Completion of tender documentation	End August 2024
Publication of Find a Tender Service Notice	End August 2024
Publication of Opportunity on Jaggaer (the DfE procurement portal)	End August 2024
Closing date for return of tenders	30/09/2024
Closing date for return of proposals	04/10/2024
Completion of any clarification meetings/presentations/evaluation interviews	18/10/2024
Completion of evaluation of tenders	31/10/2024
Enter Gateway 2 Forward Plan (if Strategic Procurement)	13/05/2024
DMT Review Gateway 2 provisional date	05/11/2024
DCRB approval of Gateway 2 (delegated Cabinet decision) provisional date	20/11/2024
Notification of forthcoming decision	21/12/2024
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	04/12/2024
Framework Agreement award provisional date	09/12/2024
Add to Contract Register provisional date	10/12/2024
Framework Agreement provisional start date for 4 year term	16/12/2024
Framework Agreement provisional completion date	15/12/2028

TUPE/Pensions implications

41. Framework Agreement 'call-off' by schools and academies may involve a transition from existing school catering contracts to a new supplier. Schools may need TUPE and other advice and support in implementing the new procurement process.

Development of the tender documentation

42. The tender document preparation will be led by the council with inputs from GHBS and the School Meals Transformation Programme. The tender documentation will comprise of: Invitation to Tender (ITT), Service Specification, Method Statement, Award criteria and Evaluation criteria and conditions of contract.

Advertising the contract

43. Advertising the Framework Agreement opportunity will be facilitated by GHBS in alignment with requirements of PCR2015, on behalf of the council as contracting authority

Evaluation

44. Proposals will be evaluated against set criteria, weighted towards qualitative elements with Social Value forming a minimum of 15% of the total weighting available. The evaluation panel will receive full proposal evaluation training from GHBS. The evaluation panel will be made up of representatives from GHBS procurement experts, the SMTP programme team and advisors and school leadership representatives.
45. The Framework Agreement will be multi-supplier, with suppliers selected to suit all school characteristics from small nursery schools to large secondary multi-academy trusts. The call-off contract lot structure will reflect school characteristics and some lots will be reserved for SME/VCS organisations to maximise social value, subject to outputs from market engagement activity detailed within paragraphs 73-76.

Community, equalities (including socio-economic) and health impacts

Community impact statement

46. School kitchens often employ Southwark residents. Service specifications will include the requirement to pay the London Living Wage.
47. Specifications will require service providers to make efforts to increase the take up of school lunches, particularly for Free School Meal, Key Stage 2 (Years 3-6) and secondary school pupils.

Equalities (including socio-economic) impact statement

48. There is no anticipated negative equality impact on pupils who are entitled to Free School Meals (FSM), Free Healthy Nursery Meals (FHNM), Universal Infant Free School Meals (UIFSM), Free Healthy School Meals (FHSM) or Free Healthy Secondary School Meals (FHSSM). All children who want a school meal on any given school day will continue to receive one.

Health impact statement

49. School provides an ideal setting to encourage young people to eat well and learn to cook. This not only helps protect their health, but also sets the foundations for improved behaviour and success with their studies.
50. Pupils' diets and healthy eating habits will be improved by increased exposure to fruit and vegetables, oily fish, wholemeal grains, and less consumption of salty, sugary, fried and processed foods. A move to more 'climate friendly' menu options will also increase fibre intake.
51. For families who struggle to afford to eat the recommended five portions of fruit and vegetables per day, a nutritious and delicious healthy school lunch (and better breakfast club and after school club menus) will improve dietary adequacy.

52. Embracing the whole school approach to food, requiring framework suppliers to deliver elements of schools' cooking and food curriculum is an opportunity to encourage young people to eat well and learn to cook; habits that will contribute to good health in the long term.

Climate change implications

53. London's Food Purchasing Commitment² requirements will be included in service specification, these are set measures and targets related to:
- Food waste
 - Food provenance
 - Food-related greenhouse gas emissions

Social Value considerations

54. 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

55. Framework Agreement suppliers will be required to promote and support school food market access for local suppliers, VCS and SMEs, including local catering providers and food suppliers.
56. The total estimated value of the proposed framework is up to £4m over 4 years, the whole school food market in Southwark is estimated to be worth £14m per annum.
57. The proposed Framework Agreement will stipulate that LLW must be paid to all catering staff.

Social considerations

58. Any new arrangements for outsourcing school food and increasing collaboration between in-house catered schools will specify regular and better training of kitchen staff, supporting in-work progression to help people, including those from disadvantaged or minority groups, to move into higher paid work by developing new skills.

² A pan-London food purchasing commitment has been developed by ReLondon, London Councils' One World Living Programme and Sustain, in consultation with 21 local authorities that are members of London's local authority Circular Food Procurement Working Group.

Environmental/Sustainability considerations

59. A bespoke school food procurement framework will give the council greater control over the sustainability of the food served to children in Southwark. Specifically, it will allow the council to specify contracts which meet London's Food Purchasing Commitment and Southwark Sustainable Food Strategy requirements, including: supporting local sustainable caterers, suppliers and manufacturers; using council buying power to champion sustainable food; making it easier for local sustainable food businesses to access the school food market; reducing carbon emissions and food waste in line with local, national and international targets and offering 'climate friendly' school lunch menus.

Plans for the monitoring and management of the contract

60. The Council's contract register will publish 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.
61. Call-off contracts will be managed by schools against specific service performance and quality KPIs, as set out in the specification. Schools will be supported by the Southwark Council school food team.
62. The council will have overall strategic oversight of an approved supplier's performance, including against the goals set out in paragraph 35. The proposed methodology for call-off contract monitoring is detailed within paragraphs 61 - 62, namely through regular monitoring and review meetings between suppliers and schools against set KPIs as set out in the service specification. Southwark Council officers will also visit the catering facility, reviewing service standards around food and cooking quality, dining room environment, sustainability, operational management, menus and adherence to council meal grant conditions.
63. All appropriate details of this procurement will be added to the contract register via the eProcurement System to meet the obligations of the Local Government Transparency Code.

Staffing/procurement implications

64. There are no proposed additional internal staffing implications for the council to progress this work, work will be completed within existing resources.

Financial implications

65. The costs of developing the Framework Agreement will be fully met from within the allocated SMTP resources, the programme has a budget from IoUH of £120,000 to support this work.

- 66. There is no additional cost arising from the DfE and GHBS collaboration.
- 67. Early indications would suggest, based on schools engagement so far, that the estimated value of the Framework Agreement is likely to be in the region of £2m to £4m over four years.

Investment implications

- 68. If schools choosing to use the Framework Agreement require any new heavy catering equipment (ovens, fridges, dishwashers) or light catering equipment (plates, cutlery, pots and pans) to meet the service specification, this cost will be met by the school or catering provider as part of the individual contract arrangements between the school and caterer.
- 69. For nursery, primary and secondary schools the service provision must be commercially viable within the annual department for education budgets for FSM and UIFSM and the Southwark Council FHNM, FHSM and FHSSM grants, as applicable.

Legal implications

- 70. Please see concurrent from the Assistant Chief Executive – Governance and Assurance
- 71. The Council will be the contracting authority to the framework from a supplier perspective.

Consultation

- 72. Consulting on Southwark specific specifications with food service providers will help inform realistic expectations around wages, food standards and meal prices.
- 73. Schools engagement will run throughout Q1 2024/25, supported by a GHBS marketing team. Engagement will include face to face engagement sessions, and specifically assess school appetite for participation.
- 74. Following approval of this report, dedicated face to face engagement with caterers and ingredients suppliers will commence with a focus on operational and commercial viability of the developed specifications for meals provision in nursery, primary and secondary schools and contract performance requirements.
- 75. Supplier engagement will actively encourage local, SME and VCS suppliers to participate, supported by the Local Economy team, the Inclusive Supply Chain team at London South Bank University (LSBU), Chefs in Schools and the Southwark Food Action Alliance. This will include practical advice on the tendering process, which may be unfamiliar.

Other implications or issues

76. There are no other foreseen implication or issues.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance REF: [9AM202425]

77. The Strategic Director of Finance notes the procurement strategy for the development of a school food procurement framework, with a term of 4 years provisionally commencing in December 2024 with a total estimated value of £4m, which meets the required specification for school food in Southwark, in collaboration with the Get Help Buying for Schools (GHBS) part of the Department for Education (DfE).

78. There is sufficient budget within the allocated SMTP resources, the programme has a budget from IoUH of £120,000 to support this work and there is no additional cost implications.

Head of Procurement

79. This report seeks approval of the procurement strategy for the development of a school food procurement framework, with a term of 4 years provisionally commencing in December 2024 with a total estimated value of £4m, which meets the required specification for school food in Southwark, in collaboration with the Get Help Buying for Schools, (GHBS) part of the Department for Education (DfE). The report also notes that progression is contingent on outcomes arising from planned market engagement activity, as detailed at paragraphs 73 – 76, and that any resulting procurement activity will be facilitated by DfE on behalf of the council, with the council fulfilling the role of “Contracting Authority” for any resulting framework award.

80. The total estimated value of the proposed framework contract is above the minimum threshold for services and supplies as covered by the Public Contracts Regulations 2015 (PCR2015) and the report provides detail of compliance with salient aspects, including full advertisement and conduct of the procurement process (please refer to paragraphs 32 - 41). Regulatory requirements for conclusion of, and entry into, framework agreements is covered by regulation 33 of PCR2015 and section 5 of the Council’s Contract Standing Orders (CSO). Notwithstanding, it is confirmed that the contract award recommendation as outlined is consistent with PCR2015 and the council’s Contract Standing Orders (CSO). In accordance with CSO, the decision to approve the recommendations contained within this report is reserved to Cabinet, following consideration of the report by DCRB and CCRB.

81. Headline risks associated are contained within table below paragraph 36. To note, the award of any resulting framework contract does not commit the council to any expenditure.

82. Alignment with the Fairer Future Procurement Framework (FFPF) is evidenced, specifically via the subject matter of the contract (as summarised in paragraphs 47 - 60). Providers appointed to the framework will pay London Living Wage (LLW) to all employees and subcontractors involved in delivering the service.
83. The proposed methodology for contract and performance monitoring is detailed at paragraphs 61 – 64, as reflecting separate responsibility for strategic oversight of the framework and individual call-off contract delivery.
84. The Community, Equalities and Health Impact Statements are set out in paragraphs 47 - 53.
85. The Climate Change, Social Value, Economic and Environmental / Sustainability statements are set out in paragraphs 54 - 60.

Assistant Chief Executive – Governance and Assurance REF: [SB300424]

86. This report seeks approval of the procurement strategy for the development of a school food framework in collaboration with the Get Help Buying for Schools (GHBS) service managed by the Department for Education, for a 4 year term provisionally commencing in December 2024, and dependent on the outcome of the market and schools engagement exercise detailed from paragraph 73.
87. The report notes that the procurement process is to be managed on behalf of the council by GHBS with appropriate council officer input to the procurement documents, and will satisfy the requirements of the Public Contracts Regulations 2015.
88. As the proposed framework will have an estimated total value of £4m the decision to approve the recommendations of this report is reserved to the Cabinet under the council Constitution and Contract Standing Orders, following consideration of the report by the Departmental and Corporate Contract Review Boards.
89. When making procurement decisions the council must consider and have due regard to any effects of the decision on the community at large and, in particular on people identified as possessing a “protected characteristic”, as defined in the Equality Act 2010. As noted in paragraph 49 the proposed framework will not impact adversely on any children that are entitled to a free daily school meal.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
None		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People, Education and Refugees	
Lead Officer	David Quirke-Thornton, Strategic Director of Children and Adults Services	
Report Author	Gillian Boundy, Senior Public Health Programme Manager – Place & Health Improvement	
Version	Final	
Dated	6 June 2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	Yes	Yes
Head of Procurement	Yes	Yes
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		6 June 2024

Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Gateway 1 - Council Energy Contracts Procurement
Cabinet member:	Councillor John Batteson, Climate Emergency, Jobs and Business
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable

FOREWORD – COUNCILLOR JOHN BATTESON, CABINET MEMBER FOR CLIMATE EMERGENCY, JOBS AND BUSINESS

The council has as a core function to ensure that our buildings have a continuous supply of energy. Due to the size of our building portfolio, this means buying large amounts of gas and electricity for our homes, workplaces, leisure centres, schools, libraries, and streetlights. In recent years we have seen how volatile energy markets can be, and how important this makes our energy contracts for ensuring we can get the best value for our residents and operations alike.

Not only is it critical in securing good value for our residents at a time where cost of living pressures are widespread, but it is also a huge opportunity for us to consider how we can use our purchasing power and our energy contracts to lower our carbon emissions.

The report considers these challenges and sets out how the flexible LASER framework presents the most cost effective approach for us to achieve both security and flexibility in how we purchase our gas and electricity. We will need to do further work to carry out a robust and thorough evaluation on the pricing options that are part of this framework. This will also look at additional services that we may subscribe to, so that we can get the best price for energy whilst also lowering the risk of what has been a turbulent sector for price fluctuations in recent years.

The proposed framework also sets out opportunities for using this contract to support our work to end the borough's contribution to climate change. We will now be able to evaluate green energy options for cost, risk and expediency to work towards achieving our targets. We will also consider other opportunities outside of the framework that can help to support the transition to green energy, such as increasing renewable energy generation within Southwark and Power Purchase Agreements.

As we enter the mid-point of our ten-year climate strategy, this approach to our energy contracts procurement will allow us to use our purchasing power to continue to deliver the best outcomes we can for the council, for our residents and for the planet.

RECOMMENDATIONS

That Cabinet:

1. Approves the use of the LASER Flexible Procurement Framework to administer the purchase and supply of the council's gas and electricity for a four year period (1 April 2025 to 31 March 2029) with a possible one year extension (31 March 2030).
2. Delegates authority to the Strategic Director of Environment, Neighbourhoods & Growth in consultation with the Strategic Director of Finance, Cabinet Member for Climate Emergency, Jobs and Business and Cabinet Member for Equalities, Democracy & Finance to award the contracts for the supply of gas and electric and to approve the purchasing options, service level agreement and any appropriate green energy options in relation to the award, which will be set out within the gateway 2 report.

REASONS FOR RECOMMENDATIONS

3. The reasons for the recommendations are set out within this report in paragraphs 23 - 26 and the approach being taken to procure the current energy contract requirements are set out in paragraphs 45 - 56 of this report.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4. This report considers alternative options; do nothing, buy as Southwark only, join with another borough or in-sourcing, the reasons for these options not being recommended are further set out in paragraphs 39 – 44 of this report.

POST DECISION IMPLEMENTATION

5. Once approval for the recommendations have been received, the procurement of the energy contract via the LASER framework will be set out in the gateway 2 report. The timescales for the procurement processes are set out in the table at paragraph 65 of this report. The plans for the management and monitoring of the resultant contracts are in paragraphs 92 – 95.

BACKGROUND INFORMATION

6. Southwark has a population of over 300,000 residents, there are approximately 130,000 households, with around 42% of homes that are socially rented from the council and housing associations.
7. Southwark council is the largest local authority social landlord in London and the fourth biggest nationally with over 50,000 properties. The council also has a diverse building stock across the borough, which are essential in the provision of council services. These include depots, office buildings, libraries, leisure centres, schools and parks buildings. Provision of gas and electricity is

therefore a key function provided by the council across its building portfolio, ensuring value for the council and residents alike.

8. In 2023/24 the council spent approximately £46m on gas and electricity to provide power, heating and hot water to the housing estates as well as the wider operational estate, which includes leisure centres, libraries, and some schools across the borough. The council constantly reviews its energy portfolio to bring new buildings into the contract where costs savings and further efficiencies can be achieved.
9. Southwark council is currently in a 'call off' contract for the provision of gas and electricity with suppliers via a LASER framework.
10. LASER is a Public Buying Organisation 'PBO' and was established in 1989, by Kent County Council to help public sector organisations throughout the UK reduce their energy costs. They offer a broad range of core services that include energy procurement frameworks, energy management services, net zero consultancy services, LED lighting, net zero frameworks and Power Purchase Agreements. They purchase over £1.5 billion of energy for public sector customers every year.
11. The current 'call off' contract supplies energy to the following sites:
 - The council's operational buildings including the corporate offices, depots, leisure centres and libraries
 - Street lighting
 - The council's housing estate
 - Borough schools that have opted in to the contract.
12. Southwark's current LASER contract agreement ends on 31 March 2025, with a new contract therefore required from 1 April 2025. Award of the new contract must happen six months prior to the contract start date to ensure enough lead in time for energy to be purchased in advance. If the contract is not agreed prior to six months in advance there is a risk that the council will need to purchase energy on more expensive flexible rates, incurring significant additional cost.
13. Alongside value for money, the council must also consider how it moves to more sustainable forms of energy. In July 2021 Southwark Council published its Climate Change Strategy and Action Plan (CCSAP) (included as background document to this report).
14. The CCSAP also identifies renewable energy as one of the five priority areas and has a commitment to reduce operational emissions by 50% by 2026 and 100% by 2030, and to also ensure all non-housing buildings are moved to green energy tariffs. To be carbon neutral the council must first become more energy efficient and reduce energy demand, and then increase the proportion of residents and organisations using renewable energy.

15. 'Green energy' options are available within this framework, as detailed in paragraph 56. The procurement of this contract will play a therefore vital role in reaching the carbon reduction target for the borough and deliver the council's Climate Action Plan. It should be noted that the council must prioritise the cost of energy for residents of council housing, and has therefore to date not moved any of the council's housing stock onto a green tariff.
16. The current contracts have provided excellent value for money to the council. Soutwark's energy purchasing performance report from October 2022 – 2023 shows that compared to average retail price for gas and electricity the current contracts have secured 5-10% savings in cost, and in comparison, to maximum retail prices, there has been a 45 – 50% cost saving.
17. Wholesale gas and electricity markets are going through an unprecedented period of extreme and volatile prices. Prices have increased over the past two-years to unprecedentedly high levels, the reasons for this are further detailed in paragraphs 32 to 34. It is paramount that these contracts seek a risk-averse approach and aims to provide the council and its residents with price stability.
18. In 2022, LASER carried out a tender process to agree suppliers for the new Flexible Energy Procurement Framework running from October 2024 to September 2028. The framework agreements are:
 - Y22009 - Flexible Procurement and Supply of Half Hourly (HH) Non-Half Hourly (NHH) Metered and Unmetered (UMS) Electricity with Additional Services
 - Y22008 - Flexible Procurement and Supply of Natural Gas, Daily Metered and Non-Daily Metered with Additional Services.
19. In the previous framework agreement, the London Energy Project (LEP) a group of public sector organisations combined buying power to develop a bespoke pricing basket with LASER that was most suited to the needs of local authorities and public sector organisations. The tender on this pricing basket specifically evaluated bidders on their green energy options, social and economic benefit to local communities, operational efficiencies and greater overall value for money for organisations.
20. Although the LEP has been disbanded, the same tender evaluation was used for LASER's new Flexible Energy Procurement Framework to ensure there was a bespoke offer suited to the needs of public sector organisations.
21. The outcome of the tender evaluation, and the suppliers on the framework are:

Electricity	Gas
<ul style="list-style-type: none"> • Npower • Total Energies • EDF • SSE 	<ul style="list-style-type: none"> • Total Energies • Corona

The suppliers that the council uses under the proposed framework is dependent on the purchasing options selected, this is to be recommended in the gateway 2 report.

22. To ensure continuity of service LASER will undertake a new tender process in 2026/27 to award suppliers to a new framework agreement after September 2028. As Southwark's call-off contract would extend pass this period the council will automatically be placed under this framework.

Summary of the business case/justification for the procurement

23. The council has an on-going need for gas and electricity, so new contracts are needed from April 2025 to ensure continued provision.
24. Through this procurement the council will ensure best value for its residents and consumers of a council-wide energy contract. This report is proposing to join a framework which it considers to be the most economically advantageous and lowest risk, ensuring stability and competitive prices for the council as a priority, before exploring various routes to assist in achieving the council's strategic climate targets via energy supply agreements.
25. The number of households facing fuel poverty in Southwark has more than doubled in the last decade. This procurement ensures it is seeking fair and affordable energy prices for social housing tenants and leaseholders, and wider consumers such as schools who may be struggling with fuel poverty or the cost of living crisis. It is recognised that there can be different challenges in securing best value for those residents on district heating systems. These residents for example did not benefit immediately from the Energy Price Cap and had to subsequently secure discounts through the alternative Energy Bills Discount Scheme, with price protection therefore more limited. The council will continue to review options through the contract for securing best value for these residents.
26. As part of the council's Climate Action Plan, Southwark council have committed to decarbonising its energy supply. This procurement and LASER's Flexible Procurement Framework will include a range of 'green energy' options to be considered which will enable the council to achieve this goal. Considering the pressures on cost of living and households facing fuel poverty, affordability is the priority for residents. Green energy options will only be considered secondary to value for money, for those housing buildings included within the contract. This is set out within the Evaluation section below.

Market considerations

27. The energy market is very competitive and means that consumers in Britain can select from a range of companies to provide their energy supply. The energy suppliers all use the same gas pipes and electricity wires to deliver the same physical products (gas and electricity), so instead they compete on price, service, and innovation.

28. The unit (kilowatt hour – kWh) cost of gas to the customer is made up of several cost elements:
 - Wholesale cost of the commodity itself – gas or electricity
 - Pass through charges for transporting the energy – i.e. national gas network. These charges are fixed by the energy regulator (Ofgem)
 - Meter operating, billing, and administration charges
 - Government taxes – “Climate Change Levy” and VAT
 - Supplier profit.
29. The wholesale price of electricity comprises around 40 per cent of the total cost paid by customers. The remaining 60 per cent is made up of the other charges listed above.
30. As the wholesale market price of gas and electricity is the dominant factor in the end price to customers, competition between suppliers usually only realises around 1 – 2 per cent difference in prices when tendered based upon previous tenders undertaken.
31. The largest impact on the end price is the amount being bought, decision when to buy, and how much future demand to buy at any one time (i.e. to cover the total demand for one or two years, or just a portion).
32. The wholesale energy market has seen unprecedented levels of volatility in recent periods, leading to increased uncertainty surrounding energy prices. This has heightened the need for Councils to ensure robust risk assessments with energy procurement and supply contracts.
33. The volatility and instability in the energy market can be linked to the following:
 - Increased energy demand following Covid-19 pandemic
 - Concerns about gas supplies in the EU and Britain following the Russian invasion of Ukraine
 - Key supply chains such as Nordstream I and II being closed off. Although the UK does not rely on this supply, it has been indirectly impacted due to an increase in global competition for natural gas and demand causing record-breaking gas prices.
 - High gas prices have driven up electricity prices, due to the reliance on gasfired power stations, further exacerbated by nuclear capacity outages in France.
34. Gas and electricity prices have begun to reduce and stabilise however are still expected to remain high compared to historical levels, at least until the end of this decade (2030), but have reduced from the unprecedented price fluctuations that have been experienced in previous years.
35. Record high consumer bills prompted heightened levels of government intervention across Europe. On 1 October 2022, the Government introduced the Energy Price Guarantee (EPG) to reduce bills in England, Scotland and Wales amid soaring wholesale energy prices. The EPG limited the amount

households can be charged per unit of gas or electricity, as well as a cap on the daily standing charge. On 1 July 2023 this was superseded by the Energy Price Cap, as energy prices have shown some signs of decreasing.

36. The number of households facing fuel poverty in Southwark has more than doubled in the last decade¹. Data indicates that in Southwark the proportion of households suffering from fuel poverty has increased from 5% in 2011 to 11% in 2020. There are substantial inequalities that exist within the borough regarding fuel poverty also.
37. The Survey for Londoners, 2019, reported fuel poverty was higher in people with low and very low food security (44% and 46%) single parents (37%), persons of black ethnicity (32%), with disabilities (26%), and aged 35-49 years (19%) and 50-64 years (18%). As a council it must ensure it safeguards the most vulnerable residents by providing affordable energy at the best value.
38. Over the last decade the cost of renewable energy generation has significantly decreased due to increased capacity and is now just as competitive in many areas to fossil fuel counterparts. The new framework offers the council an opportunity to review several options that would enable a transition to a decarbonised energy supply through 'additionality' which would support 'new-to-the-earth' renewable energy infrastructure.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

39. Do Nothing – Energy supplies are required to be in place. Allowing the current contracts to lapse without re-procurement would mean the council would fall out of contract and experience 'out of contracts rates' for gas and electricity supplies, significantly more expensive.
40. Buy as Southwark Council only - The costs likely to be gained by a stand alone Public Contract Regulation compliant tender are likely to be prohibitively high. There are also time implications and a lack of economies of scale in procuring individually, as well as complexity and practicality.
41. In-sourcing – As Southwark is not an energy generator or supplier and the costs and practicalities of developing this would be unaffordable, this is not an option.
42. Joint procurement with another borough – The limitations of this option are similar to those highlighted in paragraph 40.
43. Power Purchase Agreement (PPA) for the supply of electricity – This option is limited in its capacity to supply the council's entire energy requirements and at

¹ <https://moderngov.southwark.gov.uk/documents/s110031/Appendix%201%20-%20Cost%20of%20Living%20Profile.pdf/1000>

the required timescales, but is to be explored as a future green energy option, see paragraph 56.

44. Join a framework agreement – This report recommends this procurement route and the reasons for this are detailed in paragraphs 45 to 56.

Proposed procurement route

45. The proposed procurement route is to use an existing framework agreement to collaboratively procure energy on behalf of the council. LASER is the Public Sector Buying Organisation managing this framework agreement.
46. LASER are public sector energy specialists who manage and procure energy contracts on behalf of 30 out of 32 local authorities in London and a range of further councils across the southeast of England.
47. This method of procurement allows the council to access wholesale rather than the retail market prices. This method of buying has been previously approved and adopted by the council to avoid the risk of effectively settling all of the council's gas and electricity costs on a single day through a fixed price, which retrospectively may be a high point in the market. It is also the recognised best practice approach to energy procurement and most risk averse.
48. There are minimum size requirements for buying wholesale energy flexibly, i.e. aggregated to the size of at least ten typical London boroughs so the council would not be able to benefit from wholesale prices unless entering into a framework agreement.
49. Evaluation on purchasing options to set the fixed price for energy supplied will be undertaken prior to gateway 2 to ensure that the pricing strategy selected has greatest value for money, is most risk averse and aligns with council strategy and processes. These purchasing options are:
- Purchase in Advance (PC1) - All the council's energy is purchased prior to delivery for a 12 month supply period. The delivered price is fixed for the 12 month period from April to March.
 - Purchase within Period – A proportion of the council's energy supply is purchased prior to delivery for each 6 month supply period. The remainder is then purchased within the current period.
 - Signal - driven by market price signals. Purchases and sales are made directly from these signals, buying where prices are likely to be lower and selling where they are likely to be higher.
50. The framework also includes different Service Level Agreements (SLA), which allows for some sites to be fully managed by LASER and consists of services such as validating invoices and bills for accuracy or some sites to be Procurement Only Service Option (POSO). Each SLA has a specific cost structure that will be evaluated prior to the gateway 2 report.

51. The current framework has achieved significant cost avoidance for Southwark of £13,067.5k per year through the following:

Description	Avoided Cost £/pa
Purchasing performance - the prices achieved are lower than the average market prices over this period.	£11,946.3k
Lower Supplier Management Fees - reduced fees from gas and electricity suppliers compared to buying as a stand-alone customer.	£802.5k
Aggregating - the volumes of multiple customers flattens the overall usage profile, allowing traders to purchase at a lower price.	£91.4k
Entire Market Pricing - when LASER submits a bid to buy a block of energy, suppliers are compelled to put this bid into the open market. This means the framework receives the lowest price anyone in the entire market is prepared to offer	£46.6k
Flexibility of Trading - our large energy purchase volumes mean we can buy larger blocks of energy over the market, which come at a discount to buying smaller blocks of energy.	£23.0k
Volume Tolerance - volume tolerances apply at the aggregated customer level (rather than individual customer level) minimising the risk of load variance penalties. As an example, no penalties were incurred for reduced usage during Covid.	£7.3k
Transparency of pricing – LASER validates supplier's flexible prices and corrects any errors prior to opening bills being issued for each pricing period.	£150.5k

The above cost avoidances have ensured that the council has maintained a lower spend on their energy supply compared to being outside of a framework agreement, which would likely have resulted in significantly higher energy supply costs.

52. The new framework also offers additional benefits to the cost savings outlined above with a greater focus on:
- Enhanced social value commitments from suppliers
 - Several green energy options to help transition towards carbon neutrality
 - Additional protections against supplier failure
 - Enhanced trading strategies
 - Improved management information requirements from suppliers so better transparency for customers
 - Improved Service Level Agreements including KPIs and poor performance remedies
53. Six London Boroughs commissioned a study by Cornwall Insights in May 2023 to undertake an options assessment on the best route of procurement for Council-wide energy contracts. The report provided insight into the market

landscape, trends, key players, and services offered by Third Party Intermediaries (TPIs) - also called brokers and Public Buying Organisations (PBOs) such as LASER.

54. Their research found that for local authorities already supplied by the PBO LASER Energy, there is unlikely to be a material advantage to be gained from moving to another provider.
55. Several other providers offer similar products, but none with features that would be expected to outweigh the disruption and cost of resourcing change. The proposed framework includes several additional services such as portfolio management, account management and management information regarding supplier performance that simplify the procurement of energy and such services provide wider cost savings to the council as outlined in paragraph 51.
56. The framework includes 'green energy' options to support the council transitioning to renewable energy sources, helping the council to achieve the Council's wider strategic goals of carbon neutrality by 2030. These 'green energy' options could include:
- PPA and 'sleeving' facilitation - A PPA is a call-off contract for an energy buyer to purchase a fixed volume of electricity from a renewable generator at a fixed price, for example wind or solar, over a long-term period. PPA contracts can specify that the energy purchased must be "new-to-earth" – i.e. requiring bidders to build a new renewable energy source to supply their energy over the coming years.
If a PPA is signed it can be 'sleeved' into the contract and supplied through the framework to the council's selected portfolio of sites.
 - Green basket option - allow the council to buy traceable electricity directly from generators, without having to enter in to separate PPAs
 - REGO (Renewable Energy Guarantees of Origin) and RGGO (Renewable Gas Guarantees of Origin) certificates. Which can provide a guarantee that equivalent amount of energy used is from renewable sources, but crucially does not result in increased renewable energy generation.

57. Identified risks for the procurement

Risk	Impact	Mitigation
Not achieving competitive prices as gas and electricity have not been brought at optimal times and volumes.	High energy costs for the council and its contract users.	Purchasing gas and electricity within a flexible framework agreement that spreads buying decisions across the contract period, and benefits from market intelligence and expertise.
Lack of price stability and certainty	The council cannot effectively budget for fluctuating costs.	Prior to the Gateway 2 report an options analysis on the pricing options will be carried out to ensure the council select the

Risk	Impact	Mitigation
		option with the greatest value for money and most risk-averse.
Poor performance from suppliers and LASER.	Energy prices are not competitive against market, suppliers fail to supply energy to sites effectively, issues with management and billing.	As part of the tender, suppliers had to show a clear escalation path if they failed to meet their tender commitments. Service Level Agreements under the framework set out clear KPIs and poor performance remedies if suppliers fail to meet these KPIs which will be highlighted at regular performance reviews.
Supplier failure	Awarded supplier fails due to unprecedented increase in energy costs.	The framework agreement provides protection against supplier failure as there is a ready compliant procurement route to appoint a new supplier should an existing supplier fail.
Council selects wrong pricing option, green energy and service level agreements.	Increased cost, risk and failure to meet strategic targets.	Officers will seek external expertise from specialists in energy market intelligence to ensure that the evaluation process for pricing options, green energy options and service level agreements is thorough and robust. Colleagues in finance and housing will also be involved.
Unprecedented increase in energy costs beyond council budget threshold	Break clauses included in contract agreement are limited if energy is procured in advance, as we would need to give 2 year advance notice and this is not enough time to avoid unprecedented increase in costs. May exceed council budget thresholds.	Review pricing strategy options if forecasting information shows an unprecedented increase that goes beyond council budget threshold. Ensure regular forecasting information is provided by framework providers LASER so this forward planning can be undertaken.

Key / Non Key decisions

58. This report deals with a key decision.

Policy Framework Implications

59. The Climate Strategy and Action Plan, 2021, sets out to achieve carbon neutrality by 2030, and highlights renewable energy as one of five priority areas that needs to be addressed to achieve this. The proposed route of procurement includes the benefit of providing the council with several options that the council can agree that will enable us to work towards these targets.
60. Southwark's Council Delivery Plan, 2022 – 2026 seeks to make Southwark a fairer, greener and safer borough. One of the seven themes is providing 'A Healthy Environment', this procurement will help to achieve this by supporting the following:
- Halving the council's carbon emissions again by 2026, staying on track to cut emissions from the council's operations and vehicles to net-zero by 2030
 - Making all of our future council homes projects net zero council homes.
61. The framework is compliant with the Public Contracts Regulations 2015.
62. This framework is compatible with Southwark's Fairer Future Procurement Framework, 2019 and helps to deliver a Greener Borough by exploring options to transition Southwark's energy supply to renewable energy where affordable.
63. The Department for Energy, Security and Net Zero and Department for Business Energy and Industrial Strategy published a Net Zero Strategy: Build Back Greener in 2019. This strategy has committed to fully decarbonising the UK's power system by 2035. The proposed procurement framework has several 'green energy' options to help decarbonise Southwark's energy and support the national targets.
64. Southwark is a landlord and therefore has a statutory obligation under the Landlord and Tenant Act 1985 to ensure that properties they rent out are fit for human habitation, this includes appropriate heating and energy supply. Section 9A, inserted by the Homes (Fitness for Human Habitation) Act 2018 states a property would be considered unfit if it isn't heated or fuelled. This procurement ensures that the council complies with the relevant statutory legislation.

65. Procurement Project Plan (Key Decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	15/03/2024

Activity	Complete by:
DCRB Review Gateway 1	1/05/2024
Brief relevant cabinet member - LMB	8/05/2024
CCRB Review Gateway 1	9/05/2024
CMT Meeting	21/05/2024
Notification of forthcoming decision – Cabinet	10/06/2024
Approval of Gateway 1: Procurement strategy report	18/06/2024
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	27/06/2024
Evaluation (including pricing, green and SLA options)	01/07/2024 – 02/08/2024
DCRB Review Gateway 2	7/08/2024
CCRB Review Gateway 2	15/08/2024
Notification for forthcoming decision	21/08/2024
Approval of Gateway 2: Contract Award Report	30/08/2024
LMB update	Aug 24
Scrutiny Call-in period and notification of implementation of Gateway 2 decision	10/09/2024
Contract award (latest)	30/09/2024
Add to Contract Register (latest)	30/09/2024
Place award notice in Find a Tender (FTS)	completed by framework provider
Place award notice on Contracts Finder	completed by framework provider
Contract start	1/04/2025
Initial contract completion date	31/03/2029
Contract completion date – (if extension(s) exercised)	31/03/2030

66. The decision to award the contract has been delegated to the Strategic Director, which is in accordance with the council's Contract Standing Order process.

TUPE/Pensions implications

67. There are no TUPE implications.

Development of the tender documentation

68. As the proposal is to join a framework agreement, no tender documentation is needed.

69. Southwark will need to sign access agreements with LASER to use their framework.

Advertising the contract

70. This will be completed by the framework provider to be compliant with the Public Contract Regulations (2015).

Evaluation

71. In 2022, LASER carried out a tender process to agree suppliers for the new Flexible Energy Procurement Framework running from October 2024 to September 2028. The evaluation criteria and weighting used as part of this tender process is below:

Award Criteria	Weighting (%)
Supplier Management Fees	15
Product Pricing	12
Billing	12
Procurement and Trading	11
Service	11
Social Value	10
Contract Management	8
Net Zero	7
Innovations	4
Supply Period	2

72. Each supplier under this framework has been awarded a particular purchasing option (paragraph 49) dependent on where they scored the highest on their tender responses.
73. The council will need to take an evaluation for which purchasing option to adopt under this framework to determine which suppliers will be used. The criteria for this evaluation are as follows:

Categories	Evaluation Criteria	Weighting
Purchasing Options	Cost - is it value for money and is it affordable	40%
	Risk - level of price stability and certainty	40%
	Appropriateness – does it align with council financial processes	20%

74. An evaluation is also required for the green energy options (paragraph 56) and service level agreements (paragraph 50) that that council may choose to adopt, and the criteria for this is as follows:

Categories	Evaluation Criteria	Weighting
Green Energy	Cost – is it value for money and is it affordable	35%
	Risk – supplier failure, reputational risk	35%
	Alignment with strategic targets and expediency	20%
	Practicality of transition	10%
Service Level Agreements	Cost – is it value for money and is it affordable	70%
	Resource needs and capacity of the Council	30%

The evaluation criteria and weightings may be subject to change following further consultation to be carried out.

Community, equalities (including socio-economic) and health impacts

Community impact statement

75. This contract covers gas and electricity supplies to central boiler systems and landlords supplies which provide heating and lighting to smaller housing estates. Any change in gas and electricity prices will therefore affect tenants' service charges. However, all sections of the community are equally affected by rising energy prices, whether they have their own domestic boilers (and pay their own gas bills) or are connected to communal systems. The aim of the recommended procurement route is to adopt a flexible purchasing option whereby competitive market prices for gas and electricity can be secured to minimise the overall price to the consumer and provide price stability. This strategy is not an option that is open to individual consumers with their own heating systems.

Equalities (including socio-economic) impact statement

76. Pursuant to section 149 of the Equality Act 2010 the council has a duty to have due regard in its decision making processes to the need to:
1. Eliminate discrimination, harassment, victimisation or other prohibited conduct
 2. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
 3. Foster good relations between those who share a relevant characteristic and those that do not share it.
77. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The Public Sector Equalities Duty also applies to marriage and civil partnership.

78. The proposed procurement route of a framework agreement offers the council several flexible pricing strategies to ensure competitive prices and stability. This is a priority for the council, particularly when considering fuel poverty has doubled in the last seven years and disproportionately affects Southwark's most vulnerable residents.
79. The climate emergency does not impact all Londoners equally. Minority communities and the poorest, most vulnerable residents are more likely to be affected as they are unable to prepare, respond and recover from extreme weather events such as overheating or flooding. The proposals in this report give the council options to move to an energy procurement that will reduce the impact of climate change in an environmentally just and fair way.
80. An Equalities Impact and Needs Assessment (Appendix 1) was carried out and none of the recommendations included in this report are deemed to result in any adverse impacts on protected characteristic groups.

Health impact statement

81. The recommendations set out in this report will help to reduce health inequalities by supporting council residents with affordable and stable energy prices helping to reduce fuel poverty, keep homes, schools and community hubs warm.

Climate change implications

82. Decarbonising the council's energy supply is a key focus area if Southwark is to achieve its strategic targets. The recommendations included in this report seek to join a framework agreement which enables the Council to explore a variety of green energy options which will support Southwark in meeting its ambition to be carbon neutral by 2030.
83. The council has a commitment to reduce operational emissions by 50% by 2026 and 100% by 2030, and to also ensure all non-housing buildings are moved to green energy tariffs. The evaluation to be carried out as part of this procurement will recommend which green energy options should be explored further or adopted to help achieve these commitments.
84. Climate change is already impacting on residents in the borough, for example, through more extreme weather events. Climate change adversely affects those with the least resources and creates greater inequality. The council's commitment to tackling the climate emergency is aligned with our values to deliver a fairer future for all and reduce inequality in our borough and society. The proposals in this report give the council the option to move to a more sustainable energy procurement that will reduce the impact of climate change, particularly for those most vulnerable.

Social Value considerations

85. 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 well-being of the local area can be secured.
86. Social Value was a weighted criteria in the tendering process carried out by LASER to decide the suppliers for the framework recommended in this report. As part of this suppliers had to provide a social value plan and have committed to offering funding and volunteering days to support local projects.

Economic considerations

87. Due to the nature of the energy supply market requirements for suppliers to support local employment is unlikely to be possible.
88. Any subsidiary services within the framework will seek to support employment where possible.

Social considerations

89. The council's social considerations for this will focus on the environmental benefits associated with the energy being provided in support of the council's commitment to being a carbon neutral borough by 2030.
90. The London Living Wage is not applicable due to the supply nature of this contract.

Environmental/Sustainability considerations

91. This contract is concerned with securing natural gas and electricity. One of the tailored benefits of this framework agreement is the possibility of purchasing 100% green energy. This option and associated costs will be explored at Gateway 2.

Plans for the monitoring and management of the contract

92. Officers will ensure that all appropriate details of this procurement are added to the contract register via the eProcurement System.
93. The Climate Change Team within the Environment, Neighbourhoods and Growth department will act as the contract manager with the framework provider to resolve any outstanding queries. This will require regular contact with colleagues working across Housing, Corporate Facilities Management and Leisure, amongst others. Annual performance reviews will be undertaken, this will include reviewing prices against market rates to ensure best value is being delivered.

94. Officers will liaise with other London boroughs through the London Councils energy group network to discuss performance and highlight any areas of concern about the proposed framework.
95. An Annual Performance Review of the contract will be carried out at Corporate Contracts Review Board (CCRB) and Departmental Contracts Review Board (DCRB).

Staffing/procurement implications

96. There will be no staffing and procurement implications as part of this proposed procurement.

Financial implications

97. Under the energy contracts for 2020 – 2025 the average spend per annum from 2020 – 2024 was £26m. In 2023/24 there was an unprecedented increase due to the market volatility (paragraphs 29 - 36), and the cost for that year increased beyond average. Estimated costs for 2024/25 are £38m. The estimated total contract value is £190m including a 1 year extension.
98. The breakdown of funding per annum is as follows:

Cost Centre Group	
HRA	£28.5m
General Fund	£5.7m
Schools	£3.8m

The above funding breakdown is profiled on previous spend profiles on the current contract.

99. The main users of the council's energy contracts have their own budgets, and is therefore managed within the relevant team. This report recommends the decision to award the contracts is made in consultation with the Strategic Director of Finance and Cabinet Member for Communities, Democracy & Finance to ensure this procurement aligns with the service needs of these different users.

Investment implications

100. There are no investment implications as part of this report.

Legal implications

101. Please see concurrent from the Assistant Chief Executive – Governance and Assurance

Consultation

102. Officers, including those in Housing, Corporate Facilities Management, Corporate Property and Leisure will be consulted prior to the contract start date to finalise a site listing for the contract. The nature of the council's approach to building management, and the lack of a centralised corporate landlord model, adds complexity to the management of the contract and requires engagement with multiple teams across the council.
103. For those schools included in the contract notification will be sent to those responsible for paying the bills of the intention to renew the contract and the period covered.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance (ENG24/008)

104. The strategic director of finance notes the recommendations in this report for the approval of the use of the LASER Flexible Procurement Framework to administer the purchase and supply of the council's corporate gas and electricity contracts for the period 1 April 2025 to 31 March 2029 with a possible one year extension under a rolling forward buying arrangement. The estimated annual value is £38m making a total estimated value of £190m if the one year extension is used.
105. The strategic director also notes the recommendation to delegate authority to the Strategic Director of Environment, Neighbourhoods & Growth in consultation with the Cabinet Member for Climate Emergency, Clean Air and Streets to award the contract, and agree the subsequent purchasing options within the framework agreement including 'green energy' options as detailed in this report.
106. The strategic director of finance also notes the financial implications and the sources of funding for the contract.
107. Officers' time and any other costs associated with this recommendation will be contained within existing departmental revenue budgets.

Head of Procurement

108. This report seeks approval of the procurement strategy to administer the purchase and supply of the council's corporate gas and electricity contracts, via use of a framework established by Kent County Council, (LASER) for the period 1 April 2025 to 31 March 2029 (four years) with possible one year extension (contract end date 31 March 2030) under a rolling forward buying arrangement at an estimated value of circa £38m per annum and a total estimated value of £152m, and/or £190m if the one year extension option is enacted. The report also requests authority to delegate approval to award the contract(s) to the Strategic Director of Environment, Neighbourhoods & Growth in consultation with the Strategic Director of Finance, Cabinet Member

for Climate Emergency, Clean Air and Streets and Cabinet Member and Cabinet Member for Communities, Democracy & Finance as detailed at paragraph two.

109. The value of the proposed contract is above the minimum threshold for supplies as covered by the Public Contracts Regulations 2015 (PCR2015) and the report provides detail of compliance with salient aspects, including background, management and operation of the framework (please refer to paragraphs 45 - 56). Regulatory requirements for conclusion of, and entry into, framework agreements is covered by regulation 33 of PCR2015 and section 5 of the Council's Contract Standing Orders (CSO). The report is also consistent with general governance requirements within CSO, which reserve decision to Cabinet, following review by DCRB and CCRB.
110. Headline risks associated are contained within table underneath paragraph 59, and note intent to engage external expertise to ensure that the evaluation process of pricing option, green energy options and service level agreements is thorough and robust.
111. Alignment with the Fairer Future Procurement Framework (FFPF) is specifically evidenced at paragraph 62, and more generally within the content of paragraphs 76 – 90.
112. Proposed methodology for performance/contract monitoring is detailed within paragraphs 92 - 95, namely through regular monitoring and peer review meetings. The report also confirms that an annual performance review will be provided to the council's DCRB and CCRB in alignment with council CSO.
113. The Community, Equalities and Health Impact Statements are set out in paragraphs 75 – 81.
114. The Climate Change, Social Value, Economic and Environmental / Sustainability statements are set out in paragraphs 82 – 91.

Assistant Chief Executive – Governance and Assurance

115. This report seeks approval of the procurement strategy for the purchase and supply of the council's corporate gas and electricity for the period 1 April 2025 to 31 March 2029, with an option to extend for one year.
116. The nature and estimated value of this procurement is such that the procurement process is subject to the full application of the Public Contracts Regulations ("PCR") 2015. The report recommends the use of an existing framework established by Kent County Council (through LASER, its buying organisation for public sector bodies) for the supply of gas and electricity which has been procured in compliance with the PCR, and since the council is eligible to use that framework it will not have to carry out its own tendering process. Paragraphs 45 to 47 explain how the purchase of energy supplies is achieved through the framework and note the administration and management services offered by LASER.

117. This procurement is classed as a strategic procurement under the council's Contract Standing Orders, which reserve to the Cabinet the decision to authorise the proposed procurement process, after consideration of the report by the corporate contracts review board (CCRB).
118. Paragraph 75 contains the community impact statement in relation to the proposed procurement and paragraphs 76 to 80 acknowledge that the council must have due regard to the Public Sector Equality Duty in this procurement, compliance with which has been demonstrated by undertaking an Equalities Impact and Needs Assessment in order to measure and understand the effect and impact of the procurement and resulting contract. Cabinet should satisfy itself that this duty has been complied with when considering these recommendations. Paragraphs 102 and 103 set out the proposals for consultation in relation to the recommended procurement strategy.

Director of Exchequer – Home Ownership team

119. Gas and electricity costs form part of the service charges to council homeowners in respect of a number of services, primarily heating and hot water through district and communal heating systems, but also lifts, estate lighting and door entry systems.
120. No consultation is required under S20 of the Landlord and Tenant Act because the cost to leaseholders under the agreement is confined to Laser's administration costs and these fall below the individual service charge cost threshold in the Act of £100 per annum. The costs of energy procured by Laser is considered separate to the Act due to the nature of how the energy is purchased, in stages through the duration of the contract. The council will continue to demonstrate that fair market costs are achieved through the management of the contract and selection of appropriate purchasing options.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Climate Change Strategy and Action Plan	Climate Change Environment, Neighbourhoods & Growth	Tom Sharland 020 7525 0959
Link (please copy and paste into browser): https://www.southwark.gov.uk/environment/climate-emergency/reaching-net-zero/track-our-progress		

APPENDICES

No	Title
Appendix 1	Equality Impact and Needs Assessment

AUDIT TRAIL

Cabinet Member	Councillor John Batteson, Climate Emergency, Jobs and Business	
Lead Officer	Tom Sharland, Climate Change Programme Director	
Report Author	Rachel Gates, Climate Change and Energy Project Manager	
Version	Final	
Dated	6 June 2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	Yes	Yes
Head of Procurement	Yes	Yes
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Exchequer (For Housing contracts only)	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		6 June 2024

APPENDIX 1

GW1 Council Energy Contracts Procurement

Equality Impact and Needs Analysis

Section 1: Equality Analysis Details

Proposed policy/decision/business plan to which this equality analysis relates	The council is seeking Cabinet approval to use LASER's Flexible Procurement Framework to purchase and supply gas and electricity.
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Equality analysis author	Rachel Gates				
Strategic Director:	Toni Ainge				
Department	Environment, Neighbourhoods and Growth	Division	Climate Change		
Period analysis undertaken	April – May 2024				
Date of review (if applicable)	N/A				
Sign-off	Tom Sharland	Position	Climate Change Programme Director	Date	06/06/24

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

1.1 Brief description of policy/decision/business plan

The council is seeking Cabinet approval to use LASER's Flexible Procurement Framework to purchase and supply gas and electricity.

The duration of this proposed contract agreement is four years (1 April 2025 - 31 March 2029) with a possible 1 year extension (31 March 2030).

The council currently hold two contracts with LASER for the provision of gas and electric, which expire in March 2025. The award of the replacement contract must happen 6 months prior to this expiry date to ensure continual provision of energy.

The current framework agreement under LASER has shown competitive rates for energy against the market. They also offer a range of ancillary services regarding billing, invoicing, and accuracy checks to support the council's management of its energy supply.

Prior to gateway 2 an evaluation will be carried out of the purchasing options, green energy options and service level agreements. The outcome of this evaluation, and subsequent recommendations will require further Equality Impact and Needs analysis.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders

Key users of the department or service

- Users of the council's operational buildings including the corporate offices, depots, leisure centres and libraries
- Street lighting
- Tenants whom reside in the council's housing estate, or leaseholders who have purchased under the right to buy scheme

	<ul style="list-style-type: none"> Borough schools that have opted in to the contract
Key stakeholders were/are involved in this policy/decision/business plan	<ul style="list-style-type: none"> Climate Change Programme Director Strategic Director of Environment, Neighbourhoods and Growth Strategic Director of Finance Cabinet Member for the Climate Emergency, Clean Air and Streets Cabinet Member for Communities, Democracy & Finance Procurement Finance Legal Home Ownership

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.

Age - 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).	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential Socio-Economic impacts (positive and negative)
No potential impacts of propose decision on this protected characteristic group.	N/A
Equality information on which above analysis is based	Socio-Economic data on which above analysis is based

N/A	N/A
Mitigating actions to be taken	
N/A	N/A

Disability - 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.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of propose decision on this protected characteristic group.	N/A
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	N/A

Gender reassignment - The process of transitioning from one gender to another.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of propose decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

<p>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 couples. 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.)</p>	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based

N/A	N/A
Mitigating actions to be taken	
N/A	

<p>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.</p>	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

<p>Race - 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,</p>

Roma and Traveller are recognised racial groups and their needs should be considered alongside all others.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

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	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A

Mitigating actions to be taken	
N/A	

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
No potential impacts of proposed decision on this protected characteristic group.	N/A

Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

Climate Change – Southwark Council recognises that climate change is an issue that affects everyone, but affects certain communities more than others. The Council has a duty to ensure that its policies and practices help to mitigate the impact of climate change on all residents in the Borough, by reducing carbon emissions and protecting our biodiversity. You can find further guidance on this in our climate change strategy.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts (positive and negative)
As part of the LASER framework agreement there is the opportunity to sign up to green energy options which will help to achieve the council's ambition of being carbon neutral by 2030. These will be further detailed in the gateway 2 report, with a respective EINA.	N/A
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating actions to be taken	
N/A	

Human Rights
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
Potential impacts (positive and negative) of proposed policy/decision/business plan
No potential impacts of proposed decision on Human Rights.
Information on which above analysis is based
N/A
Mitigating actions to be taken
N/A

Section 5: Further actions

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	No potential impact found on PCGs, climate change and human rights on this decision. However,	Carry out an EINA on subsequent gateway 2 report, and the relevant decisions included in that.	June – July 2024

	subsequent decision making regarding purchasing options, green energy options and service level agreements may have potential impacts.		
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Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Gateway 1 – Procurement Strategy Approval Replacement of the Enterprise Resource Planning System
Cabinet Member:	Councillor Stephanie Cryan, Equalities, Democracy and Finance
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable

FOREWORD – COUNCILLOR STEPHANIE CRYAN, CABINET MEMBER FOR EQUALITIES, DEMOCRACY AND FINANCE

To be a well-run council it is important to have the right systems in place to allow and facilitate back office operations such as HR and Procurement. Our current SAP system was procured in 1999 and is due to be decommissioned in 2030, with support functions being withdrawn in 2027.

This report is seeking cabinet to allow the council to go out to tender for a replacement system that will provide the council with a modern integrated platform to perform core business processes; it will provide a single source of truth for our most important master data and will help us improve our data integrity and quality, as well as our dashboards and reporting. It will also strengthen our data security - providing a secure line of defence against both internal threats such as fraud and misuse and exterior threats like cyberattacks and phishing scams and provide an opportunity to use AI technologies to allow the council to automate and streamline processes.

The ERP replacement programme will be a complete organisational transformation programme encompassing not only systems but also underpinning Southwark's 2030 ambitions.

RECOMMENDATIONS

That the cabinet:

1. Approves the procurement strategy for the replacement of the Enterprise Resource Planning (ERP) system, on the basis of a fully integrated ERP solution, via Crown Commercial Service (CCS) framework RM6194 Back Office Solutions for the Vendor, System Implementation Partner, Data Migration, and Reporting contracts, and via the replacement CCS framework for Back Office Solutions for archiving and support costs, and CCS framework RM6193 for Business Change Management, for a period of up to ten years

total duration with an estimated maximum value of £35.7m across all contracts as detailed in the financial implication section of this report.

2. Approves the approach that the council will procure a fully integrated ERP solution for the reasons noted at paragraphs 17-19.
3. Notes that this procurement strategy relates to seven contracts for the individual aspects of the requirements associated with the ERP system, each for the contract periods and contract values noted in paragraph 23.
4. Delegates approval to the Strategic Director of Finance to approve the contract awards to the successful supplier(s) in consultation with the Cabinet Member for Equalities, Democracy and Finance for the reasons noted in paragraph 61 of this report.
5. Delegates approval to the Strategic Director of Finance in consultation with the Cabinet Member for Equalities, Democracy and Finance to approve alternative procurement route/s for all lots if required for the reasons noted at paragraph 49-52 of this report.

REASONS FOR RECOMMENDATIONS

6. The reasons for recommendations within this report and the approach being for the replacement of the current ERP system are set out in paragraphs 44-47 of this report.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

7. Set out in paragraphs 20-24 of this report. (Section 'Options procurement route including procurement approach' of this report).

POST DECISION IMPLEMENTATION

8. Once approval for the recommendations has been received, the procurement of the contracts comprising the ERP programme will commence with the finalisation of requirements, tender documentation and detailed evaluation criteria, which will be approved by the ERP programme board. This will commence with the Vendor contract (Lot 1). The timescales for the procurement processes are set out in the tables at paragraph 56 of this report.

BACKGROUND INFORMATION

9. Southwark has used the current ERP system (Business Suite 7) for HR, Finance, Purchase to Pay and Payroll since 1999. The current SAP system will go out of support in 2027 and will be retired in 2030.
10. In 2016, a contract for five years was signed to commence on 19 January 2017 with an initial expiry date of the 18 January 2022. There is an auto-renewal clause in the contract which extends the contract for 12 months every year

(after that initial period) unless the relevant notice is given. Approval has been obtained to allow the contract to auto-renew until 18 January 2025.

11. The annual cost for the overall support of the existing ERP solution is unclear as costs are being incurred departmentally. The Programme Director is working closely with finance to understand the detail of this.
12. In March 2023, an Outline Business Case was drafted seeking approval for a Corporate Management Team (CMT) sponsor and an initial programme. A programme team has been created to commence the engagement and to recommend the progression of replacing the ERP system for the reasons set out in this paper.

SUMMARY OF THE BUSINESS CASE/JUSTIFICATION FOR THE PROCUREMENT

13. The role of digital technology in the way the council works and interacts with employees, citizens, and businesses is evolving and the current ERP solution does not support the essential way in which it now needs to work.
14. This includes the lack of any mobile interface, limited opportunities to interact with suppliers and customers digitally, a counter-intuitive user experience leading to poor compliance, and lack of visibility and reporting capability.
15. It is important to state that the ERP replacement programme will be a complete organisational transformation programme encompassing not only systems but also underpinning Southwark's 2030 ambitions. The programme will seek to include an archiving solution, business and cultural change and a support model post go-live.
16. The current ERP system will be unsupported from 2027 and unavailable to use (end of life) from 2030 so the need to commence a replacement ERP system should be imminent to allow sufficient time to procure, implement and embed the new system.

MARKET CONSIDERATIONS

17. ERP applications provide a single solution that comprises an array of functionality needed to underpin organisational core processes. By their nature ERP solutions can be procured as a single solution. Another option is a 'best of breed' solution which is an implementation of several specialist applications from specialist suppliers. This requires some technical integration to ensure the applications perform and produce the user interface of a fully integrated approach.
18. A market analysis and options appraisal were undertaken via Socitm to explore the potential of alternate ERP systems, (as outlined in GW0 and attached as an appendix to this report), covering both 'All in one' and 'Best of Breed' solutions. Several suppliers were invited to showcase their system. The analysis included reference calls with several local authorities, including

two London boroughs. Following the completion of this analysis, and for the reasons noted in paragraph 19 it is proposed to procure a fully integrated ERP system, therefore the procurement will not include Best of Breed solutions.

19. Southwark Council is recommending prioritising an ERP (Enterprise Resource Planning) and excluding Best of Breed solutions (BoB) for the current ERP Replacement System. This means that BoB vendors will be unable to bid in the procurement process. The reasons to prioritise ERP over BoB are as follows:

- ERP solutions provide a comprehensive suite of functionalities across Finance, Payroll, HR and Procurement. Whereas BoB solutions tend to specialise in the delivery of one (or a small number of) function well. For, example Xero for accounting, or Salesforce for Customer Relationship Management (CRM).
- ERP systems tend to centralise around a core database and platform which can be utilised to streamline operations, whereas BoB approaches used in the same areas can lead to silos and over complex integration requirements
- The ERP solution can benefit by holding the most important Master Data objects in one system (Employees, Customers, Suppliers etc.) whereas the BoB approach can lead to multiple master data sources and therefore lower data confidence
- Making this decision on ERP provides focus in the procurement process, by excluding vendors that cannot meet the requirements (consistent processes, single version of the truth etc.) allowing the evaluation team more time to focus on the right bids rather than working to exclude bids that will not meet the required standards.

20. Enterprise Resource Planning (ERP) solutions provide a secure line of defence against internal threats such as fraud and misuse and exterior threats like cyberattacks and phishing scams. ERP systems provide improved cyber security by:

- ERP systems offer more sophisticated protection by including built-in security measures and providing 24/7 monitoring of both internal and external activity.
- ERP systems can also respond to denial-of-service attacks, have built-in firewalls, automatically back up data, and have distributed data centres worldwide.
- By providing data security through standards-based security practices, risk and failover management, attack prevention, and processes for security advancement, they help to give greater assurance to cyber security.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

21. No material changes within the technology space have happened since the options appraisal was completed in summer/autumn 2022 on the council's options to replace the current ERP system, and the following options were considered:

Option	Summary appraisal
1. Do nothing	This is not an option. The current ERP system becomes unsupported in 2027 and no longer available for use in 2030, Therefore, a replacement ERP system needs to commence imminently to allow the procurement, implementation and bedding in of any new system as the system processes all payments and staff details.
2. Adaption/modules to the current system	This is not a viable option. This option would seek to add adaptations/modules to the existing version of SAP which would only be supported till 2027 and used until 2030 when it becomes end of life.
3. Implement the most current version of SAP	This is not a viable option. This would seek to implement a new SAP system, which SAP have confirmed there is no viable pathway to do this compliantly. Therefore, this would pose a procurement risk and a substantial increase in cost due to implementing the most current version of SAP, as this would be equivalent to implementing a new system.
4. Procure a fully integrated replacement cloud-based ERP system	This is a viable option. This would seek to procure a fully integrated solution to replace the current ERP system but would not allow the council the benefit of a best of breed solution. For the reasons noted in paragraph 19 this is a recommended option.
5. Procure a fully integrated best of breed ERP solution	This would seek to procure a best of breed i.e. the most suited system to meet the requirements of Southwark, for Finance, HR, Payroll and Procurement but would not allow the council to benefit from an integrated solution. For the reasons noted in paragraph 19 this is not a viable option.

22. As a result of the options appraisal, the recommended procurement route is option four.
23. Detailed costs associated to the ERP Replacement Programme are included in the closed report to ensure that the council test value for money from the marketplace and undertakes a transparent and robust procurement.
24. The table below confirms the number of lots and duration that are required to deliver the ERP replacement programme:

Procurement	Duration	Description
1. Vendor	Up to 10 years	This would be for the system and licences
2. System Implementer and Early Life Support	2- 3 years	This would be to implement the system and include Early Life Support (3 - 6 months subject to deployment phases). Reporting must include legislative and statutory reports and any report submissions to HMRC, VAT for example, and is likely to include no more than 50 customised reports.
3. Business Change	3-4 years	This would be to cover the business and people change affected by implementing a new system – including post go live activities for up to 12 months
4. Data Migration	2-3 years	This is to migrate (the extraction, transform and load process) the data from SAP to the new system and support business with data cleansing
5. Reporting	2-3 years	This is to build the reports across all the workstreams as required and integrations with other third-party solutions in place of the Council.
6. Support	7 years	The support would be to support the system when Early Life Support ends (to commence once the system is live).
7. Archiving	7 years	To ensure legacy data can be accessed via a read only solution (to commence once the system is live)

25. The above contract lots have been taken into consideration when considering the route to market as set out at paragraph 26.

Crown Commercial Services (CCS) Frameworks

26. Crown Commercial Service, as the government body responsible for government procurement, have put in place a range of framework contracts that enable public sector bodies to carry out accelerated procurement processes, in that they have already been subject to EU procurement law. Many local authorities have used these frameworks to procure both Finance and HR solutions as they provide flexibility and a set of predetermined terms and conditions that have been agreed with suppliers and negate the need for authorities to establish their own. Contract lengths as a call-off contract length can be from two to ten years except where specified below. Some examples of the available frameworks are set out below:

RM6259 Vertical Application Solutions

27. This framework replaced RM3821 (Data and Application Solutions) which was used by several local authorities to procure new Finance and HR systems.

RM6259 commenced 7 March 2023 and expires 6 September 2025. This framework has five lots of which Lot 1 would be the most appropriate as it allows the procurement of business applications. There are 37 suppliers within this lot covering System Implementation, Early Life Support, and Data Migration. Therefore, this could be an alternative option for Southwark for some of the Lots as detailed in paragraph 52.

RM6100 Technology Services 3

28. The framework commenced on 16 June 2021 and expires on 15 June 2025. It has eight lots of which Lot 2 would be the most appropriate to procure a System Implementer and other associated solutions. The downside of using this framework is that there are 242 suppliers on the framework and 130 suppliers within Lot 2 and only allows a contract duration up to seven years. Due to the restrictive contract duration of this framework and the volume of suppliers registered in this Lot, it is prohibitive in terms of time required to evaluate the suppliers and not all the required services are covered.

RM6098 Technology Products and Associated Services 2

29. This framework replaced RM6068 Technology Products and Associated Services and RM6147 Technology Online Purchasing Content. RM6098 commenced on 10 October 2023 and expires on 9 April 2026. It has eight lots with 156 suppliers on the framework. However, it does not cover all the services Southwark Council are looking to procure.

RM6187 Management Consultancy Framework 3

30. This framework commenced 21 August 2021 and expires 23 August 2025. It has nine lots which includes Business Change Management and could be a suitable alternative for Lot 3 Business Management, should further time be required to complete the procurement.

RM6193 Software Design and Implementation Services

31. This framework commenced on the 23 March 2021 and expires on 22 March 2025. Lot 1 has 55 suppliers covering a breadth of fully integrated and best of breed solutions. This framework covers all aspects of an ERP solution including Data Migration, change management and licences. This is not a recommended option for Southwark due to the timescale of commencing the procurement and the expiry date of the framework, therefore, it is unlikely that the procurement would complete in time. This route to market would not test value for money as the licences are procured through a third party and this would not be recommended for an organisation of this size.

RM6194 Back Office Software

32. This framework commenced on the 6 April 2021 and expires and 5 April 2025, has Lot 1 with 29 suppliers covering a breadth of fully integrated solutions and

best of breed solutions and provides for a clear split between the software provider and the supplier providing the professional services. This is a recommended option for Southwark as it allows for a separate contract with the Vendor and the System Implementation Partner.

G-CLOUD (CCS)

33. G-Cloud 13 framework, which commenced September 2022, does not allow for mini competition between selected suppliers, therefore it is difficult to go to market without opening the tender for all suppliers registered to bid. G-Cloud 14 is currently in market engagement with a view to the procurement commencing in Spring 2024.
34. The G-Cloud 13 framework has been established by CCS with a particular focus on the provision of cloud-based products and services. There are a significant number of suppliers on the framework and a review has provided assurance that these include all the likely suppliers that it would be desirable to consider for the provision of a new Finance and HR systems, including Best of Breed and fully integrated solutions.
35. The maximum call-off contract is three years with the option to extend for one period of 12 months making a maximum contract duration of four years, which is not long enough due to the nature of an ERP contract. Due to the large number of suppliers on the framework, the requirements would have to be carefully drafted due to the key search term which makes it difficult to navigate, in order to ensure that you review the range of service offerings you are interested in without embarking on a process that could become unwieldy, due to the number of potential options available within the catalogue.
36. The G-Cloud framework does not allow the authority to change the catalogue or service offering.

Digital Marketplace – Digital Outcomes 6

37. This framework expires on 27 June 2025 and if run alongside RM6263 (Digital Specialists and Programmes) replaces the previous Digital Outcomes and Specialist 5. There are over 3,200 suppliers offering services under digital outcomes. However, it does not allow the procurement of hosting of the solution and support of the system which are requirements of the council and therefore this is not a viable framework.

HealthTrust Europe ICT Solutions Framework

38. This framework is open to all public sector bodies including councils. The framework has several suppliers who can provide system implementation services and allows for a direct award to a supplier. This framework does not cover all the services that Southwark are procuring; therefore, this is not a recommended option for Southwark.

External procurement in line with the Public Contract Regulations 2015

39. Running a 'Find a Tender' procurement means that Southwark can develop their own specification to attract a variety of suppliers. The timescale of running this procurement is longer than using a framework, typically nine to twelve months excluding mobilising the selected supplier for the implementation.
40. A Find a Tender process would also allow the council to design a procurement process tailored to Southwark Council's requirements. This should ensure the proposed solution is aligned with the council's business strategy and efficiencies. However, due to timescales and frameworks available that fully meet the requirements of Southwark, this is not a viable option.
41. There are four main options which meet the requirements of the Public Contract Regulations 2015, two of which have been considered below:

Open procurement

42. Open procurement in its nature is open to all suppliers and is suitable for simple procurements where the requirement is straightforward. It is mostly used where the requirement can be clearly defined, and the cheapest supplier is a key factor. There is no pre-qualification for an open procurement process, therefore all suppliers must be evaluated with a short-listing process forming part of the procurement strategy and plan. This option could attract many suppliers making the evaluation a long and prohibitive process, but this is unlikely in today's climate when suppliers are less inclined to bid for a project for which they have little chance of being selected based on references, costs and functionality.

Restricted procurement

43. Restricted procurement is used to pre-qualify suppliers based on financial, technical and professional capability. The pre-qualification stage narrows the number of suppliers Southwark would have to evaluate as Southwark would only need to evaluate successful bidders at the Selection Questionnaire stage. There are risks with this due to the procurement regulations changing in October 2024 and the extra time this procurement route takes would leave less time for any new system to be implemented before the current system becomes unsupported in 2027.
44. There are frameworks available that meet Southwark's requirements therefore the use of a full Find a Tender procurement is not recommended.

Proposed procurement route

45. The recommended frameworks are RM6194 which went live on 6 April 2021 and is due to expire on 5 April 2025 and RM6193 which is due to expire 22 March 2025. The terms of the agreement allow local authorities to call-off from the framework for up to ten years. A call-off contract may be let anytime up to the expiry of the framework agreements.

46. The recommended route is to:

- run a further competition via CCS RM6194 Back Office Systems framework agreement to select an ERP Vendor (lot 1). This framework covers all phases and elements of an ERP replacement programme; such as the System Implementation Partner, Data Cleansing and Migration and has a clear separation of contract for the solution.
- run a further competition via CCS RM6193 Software Design and Implementation Services for Business Change Management.
- upon identification of the Vendor, run a further competition via the framework agreements for System Implementation Partner, Early Life Support (lot 2), Business Change Management (lot 3), Data Migration (lot 4) and Reporting (lot 5)
- run a further competition through the replacement to the CCS RM6194 Back Office Systems framework which is due to be awarded in January 2025 for Support (lot 6) and Archiving (lot 7).

47. The steps that will be taken to procure a successful supplier(s) are as follows:

- The procurement documents will be created in the required lots, as follows: -
 - i. Vendor/ERP solution – Lot 1
 - ii. System Implementation Partner and Early Life Support – Lot 2
 - iii. Business Change Management – Lot 3
 - iv. Data Migration – Lot 4
 - v. Reporting – Lot 5
 - vi. Support – Lot 6
 - vii. Data Archiving – Lot 7
- Development of a specification, pricing documents and an evaluation matrix will be developed for each lot, creating transparency on pricing and clarity for supplier(s). This enables one or more suppliers to tender for each lot, meaning that one supplier could tender for all lots.
- Publication of document and invitation for supplier(s) to bid
- Evaluation of tenders for each lot
- Evaluation of demonstrations
- Contract awards
- Mobilisation of suppliers
- Contracts commencement.

48. Under the terms of the RM6194 framework, there is no requirement to award a contract if all bids fail to meet the council's requirements, although this outcome is considered unlikely: see the risk table at paragraph 54.

Alternative procurement routes

49. The recommended procurement route via CCS framework RM6194 has an end date of 5 April 2025 and RM6193 has an end date of 22 March 2025. As such, timescales for undertaking procurements to allow the award of a contract(s) before this are a key consideration of the programme.
50. Whilst the procurement timeline noted at paragraph 57-61 confirms that the council should be able to award lots 1, 2, 4 and 5 by the expiry date, 5 April 2025 and Lot 3 by the 22 March 2025, timelines may become constrained and alternative options are stated below:
51. Option 1: Should the timelines become constrained through the procurement process for Lots 2, 4 and 5 through CCS RM6194 then the council will consider deferring Lot 5 – Reporting only and continue with Lots 2 and 4. For the avoidance of doubt Lots 2, 3 and 4 will be concluded to the original timeline as set out at paragraph 60 and lot 5 will then be procured with Lot 6 and 7 and to the timeline set out in paragraph 61.
52. Option 2: Whilst the procurement timeline noted at paragraph 58 and 59 confirms that the council should be in a position to award lots 1, 2, 4 and 5 by the 5 April 2025 and Lot 3 by the 22 March 2025, there is (as noted in the risk table) a risk that, lots 2 – 5 may not be possible to allow the award of the contract before the end of the framework agreements given that the procurement of these cannot commence until identification of the Vendor solution (Lot 1). To ensure that the ERP solution can be implemented before the current system is unsupported, it is proposed that alternative procurement options are considered to deal with any potential delay. These alternatives include CCS framework agreements RM6259 Vertical Application Solutions for lots 2, 4 and 5, and RM6187 Management Consultancy Framework 3 or RM6194 if appropriate for lot 3.
53. Option 3: Should the council decide to commence Lots 2-7 in January 2025 due to delays, then the procurement route would revert to using the replacement framework of RM6194 Back Office Systems for Lots 2-7 that is planned to be live by January 2025.

Identified risks for the procurement

54. The following risks have been identified and assessed:

Risk No.	Risk identified	Risk level	Mitigation
1	Challenge to the procurement outcome	Low	The council will adhere to the requirements of the framework

Risk No.	Risk identified	Risk level	Mitigation
			agreement and Public Contract Regulations.
2.	Inadequate quality of submissions	Low	CCS has completed robust due diligence on all the suppliers included in on their framework agreements.
3.	Procurement process is delayed, and contract award does not take place before 5 April 2025 when the framework expires	Low/medium	The council is robustly project managing the procurement process. If the evaluation period is not completed prior to the framework expiry date, it is proposed the following: 1) Should timelines become constrained through the procurement of Lots 2 – 5 through CCS RM6194/RM6193 then deferring Lot 5 – Reporting and procuring with Lot 6 and 7 as identified in paragraph 51 above 2) That alternative frameworks are utilised as identified in paragraph 52 3) If the Vendor solution (Lot 1) is delayed then lots 2-7 will be procured through the replacement framework of RM6194 that is planned to commence January 2025 as identified in paragraph 53 above
4.	Supplier ceases to trade.	Low	CCS completes credit checks to ensure all suppliers on RM6194/RM6193 frameworks are financially sound and will be done ahead of the award of contracts stage.
5.	Challenge to recruit and back-fill roles to ensure sufficient support through workshops, and evaluation	Medium	Commence the recruitment process early to ensure full secondment / coverage of staffing requirements.
6.	The data in the current ERP system may require extensive data cleansing prior to migration	Medium	Adopt a minimum data migration approach and archive/read only access to the existing data and/or commence the data cleansing early.
7.	Only one supplier responds to the tender	Low	Notifying all suppliers in advance on the framework that the intention to publish the Invitation To Tender (ITT). Consider releasing ITT earlier as draft documents to suppliers for information.
8.	Other Local Authorities have	Med	The issues experienced relate to the implementation rather than the

Risk No.	Risk identified	Risk level	Mitigation
	experienced issues within the ERP space.		procurement exercise. Additionally, it is important to adhere to the adopt rather than adapt methodology and have opted for a heavily customised solution as opposed to adopting standard ERP functionality. There will be an over-arching programme plan that is aligned across the organisation and all suppliers outlining the key deliverables.

Key / Non-Key decision

55. This report represents a key decision as it relates to a strategic procurement.

Policy Framework Implications

56. The council's ERP system plays a critical role in facilitating essential public services and enabling the achievement of priorities and commitments in the Council Delivery Plan for example value for money, managing finances and income and supporting staff.

Procurement Project Plan (Key Decisions)

57. The timescales in relation to the procurement within this programme are set out in the tables below.

Activity (All lots)	Complete by:
Brief relevant cabinet member (over £100k)	09/02/2024
Gateway 1 decision on the Forward Plan	19/02/2024
DCRB	04/04/2024
CCRB	11/04/2024
CMT	21/05/2024
Notification of forthcoming decision – Cabinet	10/06/2024
Approval of Gateway 1: Procurement strategy report	19/06/2024
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	27/06/2024

58. The table below shows the timeline for Vendor solution which will be procured as Lot 1

Activity	Complete by:
Completion of tender documentation	30/05/2024
Invitation to tender	27/06/2024
Closing date for return of tenders	24/07/2024

Activity	Complete by:
Completion of any clarification meetings/presentations/evaluation interviews	23/09/2024
Completion of evaluation of tenders	27/09/2024
Forward Plan (if Strategic Procurement) Gateway 2	01/06/2024
DCRB Review Gateway 2	03/10/2024
CCRB Review Gateway 2	10/10/2024
Notification of forthcoming decision	15/10/2024
Approval of Gateway 2 Contract Award Report	23/10/2025
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	01/11/2025

59. The table below shows the timeline for the following procurements:

- Lot 2 – System Implementation Partner
- Lot 3 – Change Management (with an accelerated process to allow award by 22 March 2025).
- Lot 4 – Data Migration
- Lot 5 – Reporting

Activity	Complete by:
Completion of tender documentation	30/05/2024
Invitation to tender	24/10/2024
Closing date for return of tenders	21/11/2024
Completion of any clarification meetings/presentations/evaluation interviews	11/02/2025
Completion of evaluation of tenders	20/02/2025
Forward Plan (if Strategic Procurement) Gateway 2	01/10/2024
DCRB Review Gateway 2	27/02/2025
CCRB Review Gateway 2	06/03/2025
Notification of forthcoming decision	11/03/2025
Approval of Gateway 2 Contract Award Report	19/03/2025
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	28/03/2025

60. The table below shows the contract award dates for lots 1 through to lot 5.

Contract awards	02/04/2025
Add to Contract Register	03/04/2025
Place award notice on Contracts Finder	04/04/2025
Contracts start	01/05/2025
Initial contracts completion date	30/04/2028
Contracts completion date – (if extension(s) exercised)	30/04/2035

61. The table below shows the procurement timeline for Lot 6 support and lot 7 data archiving.

Activity	Complete by:
Completion of tender documentation	31/10/2024
Invitation to tender	01/05/2025
Closing date for return of tenders	16/06/2025
Completion of any clarification meetings/presentations/evaluation interviews	24/10/2025
Completion of evaluation of tenders	14/11/2025
Forward Plan (if Strategic Procurement) Gateway 2	01/08/2025
DCRB Review Gateway 2:	27/11/2025
CCRB Review Gateway 2	04/12/2025
Notification of forthcoming decision	09/12/2025
Approval of Gateway 2: Contract Award Report	16/12/2025
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	29/12/2025
Contract awards	09/01/2026
Add to Contract Register	12/01/2026
Place award notice on Contracts Finder	13/01/2026
Contracts start	24/04/2028
Contracts completion date – (if extension(s) exercised)	23/04/2035

62. The tables above show the estimated times for all the lots relating to this programme. The professional services contracts in relation to the ERP replacement programme (lots 2-5) are all likely to commence on the same date. The Vendor contract (lot 1) will either commence in advance of lot 2-5 or on the same date to be agreed with the Strategic Director. Lots 6 and 7 will commence after Lots 2-5. This report seeks delegation of the decision to award the contracts to the Strategic Director of Finance in consultation with the Cabinet Member for Communities, Democracy and Finance for reasons of expediency of the award of contracts in this programme.

TUPE/Pensions implications

63. It is possible that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply should there be a change in supplier because of this procurement. Appropriate due diligence will be conducted before the procurement process commences. Suppliers will be advised of the outcome of this due diligence in the council's tender documentation.

64. There are no TUPE implications for the council as an employer.

Development of the tender documentation

65. The programme team will lead the development of the council's tender documentation, drawing on input from stakeholders across the council. This documentation will reflect the council's requirements for a replacement ERP system that includes Southwark 2030 and the Digital and Inclusion aspirations of the Council.

66. RM6194 has pre-determined terms and conditions that all suppliers will have accepted prior to joining the framework.

Advertising the contract

67. It is not necessary to advertise for these contract opportunities as this was done by CCS when the framework was initially established. In line with the requirements of the framework all suppliers on Lot 1 will be invited to bid.

Evaluation

68. The procurement will be split into seven lots of which could result in one supplier or up to seven suppliers being appointed. Suppliers will be evaluated upon quality, price and social value as detailed below:

Procurement	Weighting Price	Weighting Quality	Weighting Social Value
Vendor	55	40	5
System Implementation Partner and Early Life Support	35	60	5
Business Change Management	45	50	5
Data Migration	35	60	5
Reporting	35	60	5
Support	35	60	5
Archiving	45	50	5

69. The Vendor procurement has different weighting to other lots (with the emphasis on price) as the licences are more influenced by price not quality (than Lots 2 -7) and the council are seeking to procure an out of the box solution. Suppliers on the framework have already had to demonstrate financial standing and value for money to secure their place on the framework.
70. The council approach to weightings is 70% price, 30% quality. The programme is changing from the standard weighting due to the strategic importance of the system and the risk of suppliers artificially lowering the price. The final weighting has been approved by the Strategic Director of Finance in collaboration with the workstream Leads and ratified at the Programme Board.
71. An evaluation matrix will be developed to assess each bid against the council's specification. The evaluation process will be undertaken by a panel of internal stakeholders including both strategic and operational staff and may be facilitated by the existing programme team, some of which may be external to the council.

Community, equalities (including socio-economic) and health impacts

Community impact statement

72. There is no significant community impact arising from the proposals set out in this report.

Equalities (including socio-economic) impact statement

73. Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have due regard to:
- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - the need to advance equality of opportunity between persons who share protected characteristics and those who do not
 - the need to foster good relations between those who have protected characteristics and those who do not.
74. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
75. The proposal to let a new contract for the finance, procurement, payroll and HR system is not anticipated to adversely impact on any of the duties defined in the Equality Act 2010.

Health impact statement

76. There are no significant direct health implications arising from the proposals set out in this report.

Climate change implications

77. There are no significant climate change implications arising from the proposals set out in this report, however, all suppliers for this agreement have committed to comply with the Procurement Policy Note 06/21: 'Taking account of Carbon Reduction Plans in the procurement of major government contracts and the council's Climate Change Strategy and action plan as required.

Social Value considerations

78. 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 social value will be agreed within the ERP Programme and at the Board and then incorporated within the tender documentation.

Economic considerations

79. The current incumbent has been providing the ERP system since 1999, which will be unsupported from 2027 and unavailable to use by 2030. Procuring a replacement ERP solution will ensure value for money and provide an up to date

and more usable system. All suppliers will be asked to agree to pay relevant staff the London Living Wage or Real UK Living Wage as appropriate.

Social considerations

80. There are no significant social considerations arising from the proposals set out in this report, however, all suppliers for this agreement have committed to comply with the Procurement Policy Note 06/20: 'Taking account of Social Value in the award of Central Government contracts. Social value is being worked on collaboratively within Southwark and will be incorporated within the procurement documents, however, it must be noted that social value is difficult to achieve within a procurement of this type.

Environmental/Sustainability considerations

81. There are no significant environmental/sustainability considerations arising from the proposals set out in this report.

Plans for the monitoring and management of the contract

82. 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.
83. Annual Performance Reports will be produced and presented in line with Contract Standing Orders.
84. The contract management once the system is live will be conducted by officers within the IT department. More details of the plans for the management and monitoring of the contracts (which may include suppliers signing up to a collaboration agreement) will be included with the contract award, GW2 reports.

Staffing/procurement implications

85. This procurement exercise will be managed by external resources with support from internal resources. The cost for the external resources has already been included in the approval to set up a small programme team.

Financial implications

86. As the council are recommending procuring a fully integrated ERP solution, the majority of the estimated cost cannot be capitalised, therefore, the council will need to set aside a significant fund for implementation costs. As we approach post implementation, a full review of the revenue budgets will be required.
87. This report seeks cabinet approval of the proposed procurement strategy as outlined in the body of this report.

88. £22.75m is the estimated cost to deliver and implement an ERP replacement system with a phased Go-Live for the first three years including extensive Business Change Management. The £22.75m will include report development and associated automation based upon the content of the ITT and specific requirements.
89. The estimated cost for the initial three-year term is £22.75m. For the initial extension of five years, it is £10.05m and the remaining two-year term is £2.9m. The estimated total for ten years is £35.7m.
90. Lots 1-5 will commence at contract commencement except Lots 6 and 7 support, and archiving (see risk 3 relating to Lot 5 Reporting) which will commence towards the end of the implementation phase.
91. The table noted in the closed report shows the costs throughout the implementation phase of the programme estimated up to a three-year duration.

Legal implications

92. Please see concurrent from the Assistant Chief Executive – Governance and Assurance.

Consultation

93. There is no external requirement to consult on the proposals set out in this report. Internal consultation will be completed and has commenced with appointing Workstream Leads from Finance, Procurement, HR and Payroll who also sit on the Programme Board which aligns with the Technology and Digital Strategy 2024-2026.

Other implications or issues

94. Existing contract and dates to align to this programme may need to be considered and an extension of the current contract in the form of GW3 may need to be presented once the detail of the programme has been set out and agreed. Three months termination notice in writing is required to terminate the contract with SAP.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance (Fin 24/05)

95. The report recommends a competitive procurement exercise via CCS RM6193 and RM6194 Back Office Systems framework agreement for the replacement of the ERP system. The strategic director of finance notes the financial implications in paragraphs 86-91. The costs will be mainly borne by setting aside earmarked reserves to cover the three year implementation phase with potentially some small scope to capitalise specific elements of the project. The on-going revenue costs of the new system will eventually be part funded by savings from

discontinuing a number of existing systems with the remainder being a commitment for future year's revenue budgets.

Head of Procurement

96. The report seeks the approval from Cabinet of the procurement strategy in this report for the replacement of the Enterprise Resource Planning (ERP) system. This programme and strategy covers seven lots, including the Vendor, System Implementation Partner, Data Migration, Business Change Management, Archiving and Support associated for the ERP system. The report recommends use of Crown Commercial Service (CCS) framework agreement RM6193 and RM6194. The duration for each of the contract lots, and durations (of up to ten years) are set out in the table at paragraph 24 of the open report with an estimated aggregate value of £35.7m across all contracts.
97. The report also seeks approval to delegate authority to the Strategic Director of Finance to approve the GW2 decision for the award of contracts to the successful supplier(s) in consultation with the Cabinet Member for Communities, Democracy and Finance for the reasons set out in paragraph 61 of the open report.
98. The background and requirements associated with this programme and its contracts are set out in paragraphs 9-12 with the procurement options in paragraphs 21-44 and the recommended procurement strategy in 45-48 but the detail of paragraphs 49-54 should be noted given the framework timescales and complexity considered within the report. Risks associated with the procurement and their mitigations are set out in the table at paragraph 54, with the community, equality, health and climate change impact are detailed in paragraphs of the report.
99. The details of the tender information and evaluation weightings for each the lots are set out at paragraphs 68-71, with details of social value considerations and note on the challenges around obtaining social value for contracts of these types in paragraphs 78-81. The plans for the management and monitoring of the contracts are set out in paragraphs 82-84 of the open report.

Assistant Chief Executive – Governance and Assurance (Con/KM/20240424)

100. This report seeks the Cabinet's approval to the procurement strategy for the replacement of the ERP system through the CCS framework RM6193 and RM6194 Back Office Solutions, as further detailed in paragraph 1. As a strategic procurement, Contract Standing Order 6.4.3 (a) reserves this decision to the Cabinet, after consideration of the report by CCRB.
101. The nature and value of these services and supplies are such that they are subject to the full tendering requirements of the Public Contract Regulations 2015 (PCR 2015). As noted in paragraph 46, the intention is to procure this service through the CCS RM6193 and RM6194 framework, and the latter's replacement for lots 6 and 7. This framework has been established following a PCR 2015 compliant tendering process and is established to allow local

authorities to use for their own requirements. The tendering requirements of the PCR 2015 are therefore satisfied. Paragraphs 68-71 set out the evaluation methodology to be used, which will need to accord with any CCS Framework requirements. As this procurement is split into seven lots, then the outcome of the procurement could see contracts with up to seven suppliers being recommended at Gateway 2 stage to deliver the programme of requirements.

102. To allow contracts to be awarded within the required timescales, authority is also sought to delegate the award of contracts to the Strategic Director of Finance in consultation with the Cabinet Member for Equalities, Democracy and Finance. Approval is also sought to delegate the decision on alternative procurement routes (in the circumstances noted at paragraph 49-53) to the Strategic Director of Finance in consultation with the Cabinet Member for Communities, Democracy and Finance. Officers from legal services will review and provide advice to the Strategic Director of Finance in relation to any alternative frameworks, to allow that decision to be made.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Gateway 0 report IDM. April 2024	Online	
Link: Decision - Gateway 0 - Strategic Options Assessment for the replacement of an Enterprise Resource Planning system - Southwark Council		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Equalities, Democracy and Finance	
Lead Officer	Clive Palfreyman, Strategic Director of Finance	
Report Author	Jason Martin, Programme Director	
Version	Final	
Dated	6 June 2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	Yes	Yes
Head of Procurement	Yes	Yes
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Exchequer (For Housing contracts only)	No	No
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		6 June 2024

Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Appointments to Outside Bodies 2024-25
Cabinet Member:	Not applicable
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Proper Constitutional Officer

RECOMMENDATION

1. That the cabinet consider and agree appointments to the outside bodies listed in Appendix A of the report for the 2024-25 municipal year.

REASONS FOR RECOMMENDATIONS

2. To secure appointments to outside bodies for 2024-25 municipal year.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3. Not applicable.

POST DECISION IMPLEMENTATION

4. As set out.

Key Activity	Target completion date
Inform outside bodies and councillors of agreed appointments	4 July 2024

BACKGROUND INFORMATION

5. Each year the council makes appointments/nominates individuals to outside bodies.
6. Details of all the nominations received for the bodies listed in Appendix A will be published in advance of the cabinet meeting on 18 June 2024.

KEY ISSUES FOR CONSIDERATION

Appointments to outside bodies

7. It is for the cabinet to affiliate to and appoint representatives to outside bodies where such appointments are a function of the cabinet.
8. Attached as Appendix A is a list of the outside bodies the cabinet are being recommended to consider appointing to for the 2024-25 municipal year.

Policy framework implications

9. This is an annual process in line with the matters reserved for cabinet decision making.

Community, equalities (including socio-economic) and health impacts

Community impact statement

10. The council is being invited to make nominations to various outside bodies. The nominations process has no direct impact on the community.

Equalities (including socio-economic) impact statement

11. There are no specific implications arising.

Health impact statement

12. There are no specific implications arising.

Climate change implications

13. There are no specific implications arising.

Legal implications

14. Appointments to some of the outside bodies may carry risk both corporately and to the individuals appointed. Standards committee at its meeting on 9 November 2011 approved 'Guidance to Members who serve on Outside Bodies' which is intended to help councillors understand their duties when appointed to outside bodies, and how to handle conflicts of interest that may arise. The guidance is available in the library on the council website.

Consultation

15. The political group whips have been consulted on the issues contained in the report and have been invited to submit nominations.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix A	Appointments to outside bodies 2024-25

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Member Services	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	5 June 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance and Assurance	No	No
Strategic Director, Finance	No	No
Date final report sent to Constitutional Team		5 June 2024

APPENDIX A

APPOINTMENTS TO OUTSIDE BODIES 2024-25

Name	Purpose	No. of places	Notes
Better Bankside Board	To improve the quality of the Bankside environment, further develop the potential draw of the area, increase the sense of security and ensure that better and sustainable maintenance and management arrangements are put in place.	1	Councillor (usually a cabinet member) or officer.
Blue Bermondsey BID Board	<p>To help tackle street crime and anti-social behaviour.</p> <p>To offer access to free recycling services to local businesses.</p> <p>To engage the local community to report on areas of grime to ensure streets stay clean.</p> <p>To work with local business support organisations to try and get local people into jobs.</p> <p>To work with local schools to get young people involved in apprenticeships and works schemes.</p>	1	<p>(Community safety function)</p> <p>Councillor (usually a ward councillor).</p>
Board of Southwark College Corporation	The college offers a range of provision including short courses, higher education and apprenticeships. The	1	Councillor (cabinet member).

Name	Purpose	No. of places	Notes
	governance of the college is headed by a Corporation Board.		
Browning Estate Management Association	To oversee the management/running of Browning Estate with its own independent budget.	1	Councillor
Capital Letters (Boroughs' Representative Body (BRB))	Working in partnership to solve the homelessness crisis across the Capital creatively, innovatively, collaboratively and relentlessly.	1	Tends to be cabinet member responsible for housing (although no requirement).
Central London Forward	To provide a cross-sector 'voice for central London'. It operates at a strategic level, seeking to influence policy makers on matters of mutual interest to the communities and businesses of central London.	1	Must be the Leader of the Council.
Central London Forward (Employment and Skills Board)	The Employment and Skills Board brings together some Leaders, cabinet members and senior officers from across CLF member authorities, along with other key stakeholders such as GLA and FE providers to discuss employment and skills priorities for central London.	1	Councillor (usually relevant cabinet member).
Centre for Literacy in Primary Education	Professional development and family learning centre. Provides a range of education support, advisory and direct delivery services	1	Councillor (usually cabinet member, although no requirement).

Name	Purpose	No. of places	Notes
	to schools and families throughout Southwark.		
Cross River Board	To deliver cross-borough regeneration initiatives north and south of the River Thames in the London Boroughs of Southwark and Lambeth, the Corporation of London and the City of Westminster.	1	Councillor (usually the leader or cabinet member for regeneration).
Crystal Palace Community Development Trust	Trust set up to oversee the development of the Crystal Palace area.	1	Councillor
Greencoats Studios (UAL, Wilson Road) Steering Group	<p>To provide high-level oversight of Greencoats Studios (educational hub under UAL Institute of Creative Computing, plus incubator workspace) and delivery against SLA aims and outputs, including community programme, community free use of space, community resource scheme & lettings approach.</p> <p>Attendance at and input to Steering Group meetings.</p>	1/2	Councillor/s
Groundwork London, Local Authority Strategic Input Board	<p>The Local Authority Strategic Input Board enables Local Authorities to shape the strategic direction of Groundwork within Local Authorities by:</p> <ul style="list-style-type: none"> • Advising 	1	Councillor (usually relevant cabinet member).

Name	Purpose	No. of places	Notes
	<p>Groundwork on the regeneration needs of local communities.</p> <ul style="list-style-type: none"> • Providing input to the development process for projects and programmes. • Developing and maintaining close relationships with elected members and officers of local authorities. • Developing relationships with other key local partners. 		
<p>Guys and St Thomas NHS Foundation (Council of Governors)</p>	<p>To advise the trust on how it carries out its work so that it is consistent with the needs of the members and wider community.</p> <p>The governors:</p> <ul style="list-style-type: none"> • help the trust to carry out its duties in ways that meet with NHS values and the terms agreed with Monitor, the independent regulator for NHS Foundation Trusts • advise the trust on its longer term strategy • provide advice and support to the Board of Directors, who are responsible for the overall management of the trust. 	1	Councillor

Name	Purpose	No. of places	Notes
Kings College Hospital NHS (Council of Governors)	Their vision is to become a fundamentally new kind of hospital built around patient need, offering patients the highest quality of care, and to deliver this as part of a joined-up and well-managed healthcare system, built in partnership with GPs and other healthcare providers.	1	Councillor
London Bridge Improvement District BID	<p>The BID works with partners and 350+ business members, with a vision to make London Bridge one of the most sustainable, culturally innovative and compelling places for business and tourism in the world to create:</p> <ul style="list-style-type: none"> • A Great Place to Work and Visit • An Environmentally Focused Business District • A Thriving Community. 	1	Councillor (cabinet member).
London Road Safety Council (LRSC)	To reduce the number of road accident casualties within Greater London and provide a means of communication relating to road accident prevention between London local authorities, central government and other organisations.	2	Councillors Up to two elected members and an officer from road safety education.
London Youth Games Limited	The London Youth Games Limited organise the annual London Youth Games on behalf	1	Councillors (cabinet member as representative and councillor as deputy).

Name	Purpose	No. of places	Notes
	of the London boroughs. It is a non-profit making company owned and guaranteed by the London boroughs and the City of London Corporation.		
Millwall For All	<p>The objectives of Millwall for All are:</p> <ul style="list-style-type: none"> • To promote equality and diversity in football and other sports at amateur and professional • To promote awareness of equality and diversity in primary schools in Lewisham and Southwark • To develop active programmes and partnerships designed to promote equality and diversity in football and build community cohesion • To raise funds for equalities programmes • To represent the boroughs of Lewisham and Southwark on equalities and diversity in football • To publicise the work being done by Millwall Football Club to tackle racism and promote equalities and 	1	Councillor (ward councillor).

Name	Purpose	No. of places	Notes
	community cohesion.		
Mountview	Mountview is a world-leading drama school that offers professional vocational training in performance and production arts to over 500 Foundation, Undergraduate and Postgraduate students. In 2018 Mountview moved into a purpose-built facility in Peckham that comprises two theatres, 23 acting and dancing studios, TV and radio suites, practice rooms, meeting rooms and café / bars.	1	Ward councillor
Newable Limited (formerly Greater London Enterprise Limited)	To assist, promote, encourage and secure the physical and economic development and regeneration of the whole or any part of Greater London.	1	Does not have to be a councillor.
North Southwark Environment Trust	<p>The preservation and conservation of the environment for the benefit of the public, including the promotion of energy efficiency and efficient methods of disposing of waste.</p> <p>The provision of facilities for education, recreation or other leisure time occupation, in the interests of improving the conditions of life of the inhabitants covered by the area of benefit.</p>	1	<p>Does not have to be a councillor.</p> <p>The area of benefit covered by the trust is north of the roads known as Camberwell New Road, Camberwell Church Street, Peckham Road, Peckham High Street and Queens Road.</p>

Name	Purpose	No. of places	Notes
Oru Space (20-22 Lordship Lane) Steering Group	<p>To provide high-level oversight of Oru Space (Co-work space & Wellness Hub) and delivery against SLA aims and outputs, including business support and community events use.</p> <p>Attendance at and input to Steering Group meetings.</p> <p>Quarterly meetings.</p>	1/2	Councillor/s
Peckham Levels Steering Group	<p>To provide high-level oversight of Peckham Levels (cultural event space, workspace and creative studios) and delivery against SLA aims and outputs, including oversight of community use of event space, community resource scheme and community investment fund, lettings and supported space.</p>	1/2	Councillor/s
Peckham Palms Steering Group	<p>To provide high-level oversight of Peckham Palms (Hair & beauty and retail arcade plus workspace) and delivery against SLA aims and outputs, including business support and community events.</p>	1/2	Councillor/s
Potters Fields Park Management Trust	<p>Potters Fields Park Management Trust leases the park for events, functions and other activities in order to provide funds for maintenance, and to</p>	2	<p>Does not have to be a councillor.</p> <p>However, usually a councillor and the second appointment the strategic director, environment,</p>

Name	Purpose	No. of places	Notes
	develop programmes which educate and engage with the community.		neighbourhoods and growth or their representative.
Shared ICT Services Joint Committee	<ul style="list-style-type: none"> • Oversee implementation and delivery of the shared ICT service • Sets key strategic direction and associated activities • Act as arbiter where there is a conflict in either direction or priority of each council • Those matters for which is identified as responsible for under the Inter-Authority Agreement for the three way shared ICT service. 	2	Councillors (usually relevant cabinet member/s but not a requirement).
South Bank and Waterloo Partnership (previously South Bank Partnership)	Engagement with South Bank employers groups, local MPs and community organisations in North Lambeth and Southwark (Bankside).	4	Councillors (relevant cabinet member and ward councillors).
South Bank Business Improvement District Ltd	The South Bank BID Board consists of representatives of local organisations and employers within the South Bank area. The board represents the interests of over 160 organisations within the South Bank BID and aims to improve the quality of the area to make South Bank one of the prime areas in the country in which to do business.	2	Councillors (relevant cabinet member and ward councillors).

Name	Purpose	No. of places	Notes
South London Gallery Trustee Limited	<p>To act as trustees and director of South London Gallery Trustee Ltd (the sole trustee of the South London Fine Art Gallery and Library Trust), which operates the South London Gallery as a public contemporary art gallery. Southwark Council is a major funder of the gallery but trustees must act solely in the best interests of the charity and are responsible for controlling the management and administration of the charity in line with the governing document.</p>	2	Councillors
South London and Maudsley (SLaM) NHS Trust Members Council	<p>To support the board of directors in setting the longer-term vision for the trust and to influence proposals to make changes to services and to act in a way that is consistent with NHS principles and values and the terms of the trust's authorisation.</p>	1	Councillor
Southwark and Lambeth Archaeological Excavation committee (SLAEC)	<p>SLAEC is an advisory body established to promote archaeological work in Southwark and to advance the knowledge of the history of Southwark and Lambeth by archaeological investigation.</p>	1	Councillor representative and one deputy (who does not need to be councillor).

Name	Purpose	No. of places	Notes
Southwark Construction Skills Centre ("the Centre")	<p>To work together in the delivery of the Southwark Construction Skills Centre ("the Centre").</p> <ul style="list-style-type: none"> • Establish a centre of construction training excellence for the local construction industry • Deliver high quality construction skills training • Inspire local school age children to pursue a career in the construction industry • Provide pathways into employment in the construction industry for local people, by increasing the employment and training opportunities in the sector for the borough's residents, as well as helping the local construction industry meet their skills needs • Provide a visible 'front door' to enable local people to find new skills and employment opportunities within the construction sector. 	1	Councillor (cabinet or deputy cabinet member).
Southwark Twinning Association	<p>To be a representative of the council on their committee to help drive forward the activities of the association. Meetings will be monthly.</p>	1	Councillor

Name	Purpose	No. of places	Notes
	<p>The role of “Southwark Twinning Association” will provide strategic direction and leadership to foster meaningful partnerships between Southwark Municipality and international municipalities to promote social, cultural, and economic exchanges. The initiative seeks to facilitate interactions among youth, students, and older members of the community to share experiences, skills, and resources.</p>		
<p>Safer Neighbourhood Board (Southwark)</p>	<p>The role and purpose of the Safer Neighbourhood Board is: to ensure communities are more closely involved in crime reduction and prevention; to have a broad remit to reflect M.O.P.A.C’s (Mayor Office for Policing and Crime) broader responsibilities; to have greater reach in community involvement; to achieve greater coherence between different engagement mechanisms and; to make more efficient use of resources to deliver value for money and target funds at tackling issues of local concern and crime prevention.</p>	1	<p>Councillor (cabinet member with community safety portfolio).</p>

Name	Purpose	No. of places	Notes
WeAreWaterloo BID (Business Improvement District)	To create a safer and more pleasant trading environment for businesses and to promote the area to bring in more visitors, whilst maintaining its individuality and unique character.	1	Usually a ward councillor (St. George's).
Walworth Group	This group brings together community groups, voluntary organisations, the council, statutory service providers, housing associations and other stakeholders that work within Walworth (the three wards of North Walworth, Faraday and Newington).	1	Councillor

Meeting Name:	Cabinet
Date:	17 June 2024
Report title:	Nominations to Panels, Boards and Forums 2024-25
Cabinet Member:	Not applicable
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Proper Constitutional Officer

RECOMMENDATIONS

1. That the cabinet agrees the allocation of places to the panels, boards and forums set out in Appendix A of the report for the 2024-25 municipal year and nominates members accordingly.

REASONS FOR RECOMMENDATIONS

2. To secure appointments to panels, boards and forums for 2024-25.

ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3. Not applicable

POST DECISION IMPLEMENTATION

4. As set out

Key Activity	Target completion date
Inform panels, forums and councillors of agreed appointments	4 July 2024

BACKGROUND INFORMATION

5. It is for the cabinet to agree the allocation of places to panels, boards and forums in connection with the functions that are the responsibility of the cabinet.
6. Details of all the nominations received for the panels, boards and forums listed in Appendix A will be published in advance of the cabinet meeting on 18 June 2024.

KEY ISSUES FOR CONSIDERATION

Proportionality

7. Appendix A sets out the detail of those, panels, boards and forums for which nominations are required for the 2024-25 municipal year. There is no requirement that appointments to panels, boards and forums are proportionate and in the past, where the allocation of seats has been proportionate, this has been done by local agreement.
8. There is no requirement that a seat allocated to a particular group can only be filled by a member of that group. Therefore, groups have the discretion to allocate seats as they wish, including to a member of another group or an individual councillor.

Establishment of new bodies

9. Members may wish to establish new bodies or recommend that officers look into changing the status of existing bodies. In relation to the creation of new bodies, Members will need to:
 - (i) agree new terms of reference
 - (ii) agree the membership and allocation of places
 - (iii) consider whether to appoint the chair and vice-chair.

Policy framework implications

10. This is an annual process in line with the matters reserved for cabinet decision making.

Community, equalities (including socio-economic) and health impacts

Community impact statement

11. The council is being invited to make nominations to various panels, boards and forums. The nominations process has no direct impact on the community.

Equalities (including socio-economic) impact statement

12. There are no specific implications arising.

Health impact statement

13. There are no specific implications arising.

Climate change implications

14. There are no specific implications arising.

Consultation

15. The political group whips have been consulted on the issues contained in the report and have been invited to submit nominations.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix A	Nominations to Panels, Boards and Forums 2024-25

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional and Member Services	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	5 June 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES/CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	No	No
Strategic Director, Finance	No	No
Date final report sent to Constitutional Team		5 June 2024

APPENDIX A

NOMINATIONS TO PANELS, BOARDS AND FORUMS 2024-25

JOINT PARTNERSHIP PANEL (TRADE-UNION CONSULTATION)

Summary of Functions	Status	Membership	Politically Proportionate
To provide a member-level trade union consultation forum for dialogue on corporate policy issues and corporate proposals affecting the workforce.	Non statutory	2 Councillors, Human Resources Director, Chief officer team representative, plus accredited Branch Secretaries of Unison, GMB and Unite.	Not applicable (N/a)

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
2 representatives from the cabinet. The previous appointment by cabinet was the leader of the council and cabinet member responsible for human resources.	2 representatives from the cabinet	2 Councillors	None

HOMEOWNERS SERVICE CHARGE ARBITRATION TRIBUNAL

Summary of Functions	Status	Membership	Politically Proportionate
To resolve homeowner service charge disputes.	Non statutory	1 Independent chairperson 1 Leaseholder representative 1 Councillor (from pool) 1 Independent legal representative	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Unlimited	Unlimited	Members to act as pool	Cabinet members are not able to be members of the panel.

TENANCY AND LEASEHOLD ARBITRATION TRIBUNALS

Summary of Functions	Status	Membership	Politically Proportionate
<p>To resolve certain disputes between secure tenants and the council (landlord) arising from a breach within the terms of the Tenancy Agreement.</p> <p>To resolve disputes between Southwark Right to Buy applicants, Southwark Council leaseholders and Residential Freeholders who pay a service charge to Southwark Council.</p>	Non statutory	1 Independent chairperson 1 Tenant or Leaseholder representative 1 Councillor (from pool)	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Unlimited.	Unlimited	Members to act as a pool	Cabinet members are not able to be members of the panel.

SOUTHWARK SAFEGUARDING ADULTS BOARD

Summary of Functions	Status	Membership	Politically Proportionate
The purpose of the Board is to ensure that adults can live a life free from abuse and neglect.	Statutory	Senior managers from different services and agencies including independent and voluntary sector	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Cabinet Members with responsibility for public health and community safety	Cabinet Members with responsibility for public health and community safety	2	

SOUTHWARK SAFEGUARDING CHILDREN'S BOARD

Summary of Functions	Status	Membership	Politically Proportionate
<p>To promote and safeguard the welfare of children.</p> <p>To engage in activities that safeguard all children and aim to identify and prevent maltreatment or impairment of health or development.</p> <p>To ensure that children are growing up in circumstances consistent with safe and effective care.</p> <p>To lead and co-ordinate proactive work that aims to target particular groups and to arrange for responsive work to protect children who are suffering, or likely to suffer significant harm.</p>	Statutory	Senior managers from different services and agencies including independent and voluntary sector.	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Cabinet Member with responsibility for children, young people and education	Cabinet Member with responsibility for children, young people and education	1	

STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

Summary of Functions	Status	Membership	Politically Proportionate
To review the existing provision of Religious Education and consider whether any changes need to be made in the agreed syllabus or in support offered to schools. To monitor the provision of the daily collective worship and to consider any action to improve such provision.	Statutory	4 Councillors Plus representatives of local faith groups and Teachers Associations	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Labour – 3 Liberal Democrats – 1	Labour – 3 Liberal Democrats – 1	4 Councillors	

SOUTHWARK TENANT MANAGEMENT ORGANISATION COMMITTEE

Summary of Functions	Status	Membership	Politically Proportionate
To discuss with representatives of TMO's issues of mutual interest.	Statutory	4 Councillors TMO Representatives Cabinet Member for Housing Management and Modernisation	N/a

Allocation 2023-24	Proposed Allocation 2024-25	Council Appointment	Comments
Labour – 3 Liberal Democrats – 1	Labour – 3 Liberal Democrat – 1	4 Councillors and Cabinet Member with responsibility for Housing	

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