



ADVANCE PUBLICATION OF REPORTS

This publication gives five clear working days' notice of the decisions listed below.

These decisions are due to be signed by individual Cabinet Members and operational key decision makers.

Once signed all decisions will be published on the Council's Publication of Decisions List.

- 1. APPOINTMENT OF HTA ARCHITECTS TO UNDERTAKE ADDITIONAL DESIGN SERVICES FOR THE JOYCE AVENUE AND SNELL'S PARK REGENERATION PROJECT. (Pages 1 - 12)**
- 2. THE PROVISION OF SECURITY GUARDING SERVICES CONTRACT FOR CORPORATE PROPERTIES (NON-HOUSING). (Pages 13 - 46)**

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London Borough of Enfield

Title of Report:	Appointment of HTA Architects to undertake additional design services for the Joyce Avenue and Snell's Park regeneration project.
Report to:	Joanne Drew
Date of Report:	5 April 2023
Directors:	Joanne Drew Sarah Cary
Report Author:	Nick Weston
Ward(s) affected:	Upper Edmonton
Key Decision Number	KD 5594
Implementation date, if not called in:	26 April 2023
Classification:	Part I and Confidential Appendix 1
Reason for exemption	<i>Commercially sensitive</i>

Purpose of Report

1. This report seeks to award a contract to HTA Design LLP ('HTA') who have been procured to provide architectural, technical, and planning advice for the Joyce and Snell's hybrid masterplan application.

Recommendations

- I. Approve appointment of HTA Architects to undertake the necessary design work including coordination of technical consultants in accordance with the Council strategic brief for Joyce and Snell's estate regeneration. The Scope of Work is set out in Appendix 1.
- II. Delegate approval of the Contract and ancillary documents as necessary to the Director of Housing and Regeneration

Background and Options

2. In September 2021, Cabinet approved (KD5343) a Council-led redevelopment of the estate and approved fees and construction works budgets to deliver the initial detailed phases of the regeneration, supported by GLA grant funding under the AHP 21-26 programme. The approval also included undertaking a residents' ballot as required by the GLA in order to access the grant, submission of a planning application and authorised leaseholder buybacks for phases 0-3. A budget of £10m for professional fees was agreed for Phases 0-3.
3. The ballot took place in December 2021 and there was a strong 'YES' vote in the ballot with 85.5% of eligible voters taking part, and 78.5% voting in favour of the regeneration.
4. The planning application was submitted in September 2022 and is targeted for planning committee later this year.
5. More recently, a further £50m of grant has been secured from the GLA's Land Fund to assist with land assembly, principally through buying back Leaseholders and Freeholders who don't wish to stay on the estate; and acquiring properties from non-resident Leaseholders and Freeholders who want to sell.
6. Receipt of Land Fund monies will allow the Council to offset a considerable amount of cost that needs to be incurred early on in the scheme to accommodate the decanting of existing residents. This reduction in initial debt brings a long-term finance benefit to the scheme.
7. The original grant settlement of £54m plus this additional Land Fund money represents a very significant amount of funding towards mobilising and delivering the scheme, and clearly shows the GLA's strong support for the scheme and willingness to invest in Enfield.
8. HTA are the lead designer on the Joyce and Snell's masterplan and appointed initially in 2020 to provide architectural services to planning submission. That contract has expired, and a new procurement is required to maintain programme delivery of the Joyce and Snell's regeneration scheme.
9. In consultation with Procurement and Legal Services, Notting Hill Genesis (NHG) framework was selected as a route to procure additional design and technical services. The procurement is necessary to ensure a full multidisciplinary team is retained from post-submission to contract of works. External law firm Pinsent Masons have reviewed the Framework Agreement and consultant contracts and are satisfied that this is in accordance with the Council's requirements. The procurement was undertaken through the London Tenders Portal (LTP) with the Procurement Team.

10. HTA have been called off the Framework and following a 4 week tender period and negotiated fee has been agreed for full services to the end of December.
11. HTA are being recommended as they have demonstrable experience and evidenced an ability to develop a strong masterplan and deliver on time and within budget. HTA have accumulated knowledge about the residents and housing need on the Joyce Avenue and Snell's Park estates which has helped to co-produce and successfully deliver a planning application. They will act as Lead Consultant with responsibility for appointing and managing a suite of sub-consultants to deliver the amended planning application and Environmental Impact Assessment.
12. The tender is in the sum of £652,800 and covers all work to determination. This includes the process of submitting the revised planning application following a period of review and dialogue with the Local Planning Authority.
13. The fee is comprised of the following work stages:
 - **Stage 1** - Work to date, strategic brief, options appraisals, LPA engagement, Client approvals, project meetings
 - **Stage 2** - Refine options, coordination, technical reports, LPA engagement, project meetings, approval
 - **Stage 3** - Coordination, EIA preparation, LPA approvals, design meetings, submission
 - **Stage 4** - Query responses, minor amendments, clarifications, determination
14. Subject to this approval, HTA is ready to commence work straight away.

Preferred Option and Reasons for Preferred Option

15. The preferred option is to appoint HTA to undertake the redesign work, resubmit the planning application and to provide support for any additional information required during the determination period in accordance with their submitted pricing schedule at Appendix 1.
16. HTA have the resources and expertise to undertake this work and have demonstrated their competency throughout their previous appointment on this scheme.
17. The proposed sub-consultant team have mostly all worked on the scheme previously and have excellent working knowledge of the site, its constraints and the rationale behind the design.
18. Appointing HTA will provide continuity with the LPA, with whom there have been long and continuous discussions around the constraints and opportunities the site possesses.

Relevance to Council Plans and Strategies

19. The Joyce and Snell's regeneration project will deliver much needed new and better council housing for existing residents as well as increasing

housing for a range of incomes. The scheme is aiming to reach 50% affordable housing, providing a major boost to the social rented stock in the area and provide affordable home ownership opportunities to aspirant local buyers.

20. Progression of this scheme supports a number of strategies that sit within the Council plan

21. Good homes in well-connected neighbourhoods

- Regeneration of Joyce and Snell's will bring about a fundamental change in both in terms of improved, energy efficient dwellings and changes to the immediate environment within the new master plan, highly enhanced green areas and upgrades to the high street.
- The scheme will provide additional affordable housing as well as new private for sale homes to help achieve mixed and balanced communities.
- The regeneration scheme forms part of an exciting and cohesive ward, when considered alongside other regeneration projects in the area including Upton & Raynham, Meridian Water and North Middlesex University Hospital.

22. Safe, healthy and confident communities

- The green areas around the estate are designed to provide leisure facilities to people of all ages and much better biodiversity.
- The master plan is designed to minimise unseen spaces and maximise natural surveillance to deter crime and antisocial behaviour.
- Improved links between the estate, the high street and the community to the west including North Middlesex University Hospital and environs.

23. An economy that works for everyone

- New shops on the high street and 'makers lane' to provide premises for new businesses.
- Better access to public transport including a new pedestrian crossing to Silver Street Station.
- New employment opportunities during the construction period including links to the new Upper Edmonton Skills Academy.

24. Healthy Streets – the new master plan puts sustainable transport at the centre of the design, with streets designed to prioritise walking and cycling, reduced on-street carparking and green spaces integrated into the layout. This reduces local pollution and promotes cleaner air around spaces where people live. The estate is also a key hub point for the east-west cycle route that links the North Middlesex Hospital with Meridian Water.

25. Energetik - It is proposed that the Energetik district heating network will be connected to all new homes, providing clean, competitively priced heating and hot water and obviating the need for gas supplies on the estate.

Financial Implications

26. In September 2021, a Joyce and Snell's report (KD5343) went to cabinet

which approved a budget of £10m for professional fees to continue work on the development. Within the £10m approved budget an allocation for architectural and planning advice has been set aside. The award of the contract set out in this report will be funded from this allocation

27. This report requests approval to award a contract to HTA Designs LLP, to provide architectural, technical, and planning advice for the Joyce and Snell's development.
28. This report is requesting approval for the contract value of £652,800. There hasn't been a contingency included because this is a fixed term contract, and any changes will be subject to variation approval.

The table below shows the breakdown of the contract value.

Services Required	Total cost
Legal Consultant Services	£22,975.00
Architecture and Masterplanning Services	£195,275.00
Planning Services	£91,750.00
Ancillary Services Required	£342,800.00
Total	£652,800.00

29. A financial assessment has been completed on HTA Design LLP and they have sufficient financial stability to undertake contracts up to the value of £6m. The contractor will be monitored on the Equifax credit software.

Legal Implications

Prepared by CP based on version of report circulated 21.3.23

30. Section 1 of the Localism Act 2011 provides the Council with the power to do anything an individual may do, subject to a number of limitations. This is referred to as the "general power of competence". A local authority may exercise the general power of competence for its own purpose, for a commercial purpose and/or for the benefit of others.
31. Pursuant to section 8 of the Housing Act 1985, the Council is required to consider the housing conditions and needs of their area with respect to the provision of further housing accommodation. The Council has the power under section 9 of that Act to provide housing accommodation and under s17 of that Act to acquire land for housing purposes.
32. Further, under Section 111 of the Local Government Act 1972, the Council has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The

appointment of HTA to carry out the proposed services in connection with the Joyce Avenue and Snell's Park regeneration scheme is in accordance with these statutory powers.

33. The contract is a public services contract under the Public Contracts Regulations 2015 (PCR 2015) and the estimated contract value exceeds the threshold under Part 2 of the PCR 2015 (currently £213,477 inclusive of VAT). The Council must therefore ensure compliance with the PCR 2015 and its Constitution - in particular, the Contract Procedure Rules ('CPRs'). Both the PCR 2015 and the CPRs permit the use of Framework agreements. CPR 14.4 states that Frameworks, where they exist, should be used provided Best Value can be demonstrated and managers are required to retain sufficient evidence to demonstrate compliance. A due diligence exercise must have been carried out by the Procurement and Commissioning Hub (P&C Hub) prior to calling off from the framework and the Council must be clearly identified as a contracting authority able to use the framework when it was set up.
34. The proposed direct award must be permitted under the terms of the framework, and relevant conditions for such a direct award must be met.
35. The call off contract must be consistent with the framework terms, and in a form approved by Legal Services on behalf of the Director of Law and Governance. Due to the value, it will need to be sealed as a Deed.
36. Under the CPRs, for a contract of this value, the Council should consider requesting 'sufficient security' (a bond, parent company guarantee or similar) to manage risk. Evidence of the form of security required, or why no security was required, must be stored and retained on the E-Tendering Portal for audit purposes. In addition, the Council should seek to obtain collateral warranties from the sun-consultants engaged in the delivery of the services.

Equalities Implications

37. The Equalities Team have confirmed an EqIA is not needed in this instance.

Procurement Implications

38. When awarding the contract proposed in this report the Council must comply with its contract procedure rules and the Public Contracts Regulations 2015, both of which permit direct awards off framework agreements provided the framework terms permit. The Notting Hill Genesis Framework permits direct awards.
39. In accordance with the CPRs, sufficient security from the Supplier must be considered to manage risk. Evidence of the form of security required, or why no security was required, must be retained for audit purposes.
40. A contract of this size must have a proper contract management schedule and measurable KPI's. This is to ensure that the contract is delivered and value for money is maintained.

41. The procurement and award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of the executed contract must be undertaken on the London Tenders Portal including future management of the contract.
42. In accordance with the Councils CPR's the service must ensure that a Contract Manager is nominated and allocated to the procurement and that the monitoring requirements are adhered to.
43. The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

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Appendices

Confidential Appendix 1 Pricing Schedule and deliverables

HRD 2324_005

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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London Borough of Enfield

Title:	<i>KD Report: The Provision of Security Guarding Services Contract for Corporate Properties (non-housing).</i>
Report to:	<i>Interim Director Development (Property)</i>
Date of Report:	<i>12 April 2023</i>
Directors:	<i>James Wheeler and Sarah Cary</i>
Report Author:	<i>James Smith: James.Smith3@enfield.gov.uk</i>
Ward(s) affected:	<i>All</i>
Key Decision Number	<i>KD 5605</i>
Implementation date, if not called in:	<i>26th April 2023 (if not called in)</i>
Classification:	<i>Part I Public or Part II Private: Appendix 1</i>
Reason for exemption	<i>Financial Information (para 3)</i>

Purpose of Report

1. Following a notice of cessation from the supplier of security services to Council properties (non-housing), this report seeks authority for a compliant procurement process for a replacement provider.

Recommendations

- I. To approve that a replacement supplier of security services be procured via the EEM framework, and that the Council enter into a call off contract with the successful supplier/s.
- II. To note that the annual expenditure will be circa £2.2m and will be funded from existing budgets (see para 26).
- III. To delegate authority to the Director of Development to procure and award a contract for an initial 3-year term (with the option to extend for a fourth and final year only) to a replacement supplier of security services for corporate properties (non-housing) in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

Background and Options

2. The incumbent supplier of security services for corporate properties (non-housing) served notice on 29 November 2022 that it will cease the provision of services on 31 May 2023.
3. The incumbent supplier was procured in accordance with the Public Contracts Regulations (PCR's) 2015 using an OJEU notice that opened competition to the whole market and required a lengthy procurement process exceeding 6-months duration.
4. A replacement supplier must be procured and commence the provision of the services by no later than 31 May 2023. Therefore, there is insufficient time to follow a similarly open procurement process.
5. The purpose of the security services for corporate properties (non-housing) is threefold:
 - (i) to support the statutory requirement of ensuring the safety of corporate property (non-housing) building users via the provision of risk assessments and security assignments.
 - (ii) to provide a proactive service with the aim of eliminating criminal activity, including counter terrorism support in complimenting the prevent strategy; and
 - (iii) to provide expertise in matters related to Security Industry Authority (SIA) best practices in reactive investigations, and adjustments necessary to ensure the continued safety of corporate property building users.
6. The Council has a duty to ensure the health and safety of their employees and any visitors to their premises such as customers,

suppliers and the general public and without risk to health and safety as required by S2(e) of the Health and Safety at Work Act 1974 and as directed by secondary legislation such as Management of Health and Safety at Work (MHSWR) 1999, The Regulatory Reform (Fire Safety) Order 2005, The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. Additional duties arise from Counter-Terrorism and Security Act 2015 a duty on “specified authorities” in preventing terrorism via early risk management to minimise the likelihood of terrorism and radicalisation.

7. Failure by the Council to meet this duty would present an increased risk of injury or death to employees and the public and could result in criminal prosecution, fines, and imprisonment. The Council would also be at risk of claims for personal injury and associated costs. Reputational damage could be far reaching should the right and proper security management of the councils’ premises and staff be discharged.
8. The cost of the security guarding provision is currently £1,148,719 per annum and provides planned and reactive provision of security guarding services to the Council’s corporate property buildings.
9. The council currently operates security provisions for void property access via 2 different service streams at £979,854 per annum. This provides for the security of void properties located in developments such as Meridian Water.
10. The scope for the replacement security services for corporate properties (non-housing) will be expanded to include property entry management for void properties, and related ad-hoc services, ensuring synergies are utilised to best capture efficiencies and provide value for money.
11. The re-procurement and mobilisation of the replacement security services for corporate properties (non-housing) must be completed by 31 May 2023 in order to ensure the continuity of those services and therefore the Council’s compliance with its duties defined by the Health and Safety at Work Act 1974.
12. The current security provider served notice in line with their governance framework, which requires them to do so when a formal contract is either expiring or has expired.
13. Should relevant statutory functions not be complied with, there is an increased possibility of legal action with associated financial penalties and/or imprisonment.
14. A lack of compliance with relevant statutory functions would increase the possibility for far reaching reputational damage.
15. The security services for corporate properties (non-housing) promote operational continuity by decreasing the possibility of substantial interruption to corporate buildings by guaranteeing a proactive security approach to threats stemming from the intent to injure building users or cause building damage.

16. There are no risks associated with the proposed decision.
17. Do nothing – the cessation of security services would render the Council unable to demonstrate compliance with the Management of Health and Safety at Work Regulations (1999) and would present significant risk of loss or damage to its property assets. Rejected.
18. Attempt to negotiate an extension of the contract with the incumbent supplier – this would be a breach of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules as it would materially alter the contract awarded and be anti-competitive. It would also likely decrease the Value for Money to the Council. Rejected.

Preferred Option and Reasons For Preferred Option

19. Due to the short notice given by the incumbent contractor and the time available to complete the re-procurement and associated Governance procedures dictates the use of an existing framework already procured in compliance with Public Contracts Regulations 2015 will be the most appropriate method.
20. To enable a compliant procurement to be undertaken, it is proposed to procure these services via the EEM (Efficiency East Midlands) framework "Void Property Services", an existing framework procured in accordance with the Public Contracts Regulations 2015 and in compliance with the Council's Contract Procedure Rules.
21. The EEM Void Property Services framework was selected as this allows both the security guarding services and vacant property services elements to be tendered together. There are other frameworks in the market, but these would require 2 separate tender exercises. Given the timescales, that approach is not feasible on this occasion, and this approach also allows the appointment of 1 Contractor for the service rather than potentially 2. Procurement and Legal Services have carried out due diligence on the framework and confirmed this is compliant.
- ~~22.~~ The selected framework is Void Property Services, Lot 2, Void Property Security Services which allows for the provision of security services in security guarding services and unattended properties. There is also a scope to include related services which may be required throughout the contract term.
23. The framework was procured in accordance with the Public Contracts Regulations (PCR's) 2015. It used an open competitive process to assign suppliers and defined the scope of works and services, pricing mechanism and rates. The framework allows appointment of a Contractor via Mini-Competition or Direct Award however the mini-competition route will be used for this procurement as it provides an

additional layer of demonstrable competition.

24. The framework contract is 'scalable' so will allow the addition of Meridian Water security services when they expire in circa 1-year. It will also enable the Council to implement a future hybrid approach for security guarding services during the period of this contract, whereby some of the currently outsourced security services are insourced to enable greater integration with FM and Service teams at key locations whilst still relying on outsourced security guards at vacant sites and to meet spikes in demand.

Relevance to Council Plans and Strategies

25. The security services for corporate properties (non-housing) supports the delivery of the Council Plan by:

- a. To ensure everyone who comes into contact with the council to have a positive experience of our staff, our buildings and the service we provide.
- b. Ensuring our buildings will be welcoming, safe, accessible and inclusive places, where residents can access all the support they need in one place, and where our staff feel happy to work.
- c. Working in partnership with the private sector for the benefit of all Enfield residents and make sure our supply chain is robust and fit for purpose to support service delivery.

Financial Implications

26. This procurement exercise will bring together the three previously separately procured security services, which costs circa £2.2m per annum, and is funded from approved budgets within three different Services. Bringing these services into one holistic contact will give economies of scale, greater competition and increased value for money, please refer to appendix 1.

Security Guarding	Vacant Sites	Meridian Water	Total
Yearly Forecast	Yearly Forecast	Yearly Forecast	Yearly Forecast
£1,148,719	£400,000	£579,854	£2,128,573

Legal Implications

**by Kalvinder Saib on behalf of
the Director of Law & Governance, Terry Osborne.**

27. The Council has the power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. There is

no express prohibition, restriction or limitation contained in a statute against use of the power in the way anticipated in this report.

28. The Council has a duty under both common law and legislation including the Occupiers' Liability Acts 1957 and 1984, Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 to take such care as is reasonable in all the circumstances to ensure that individuals do not suffer injury on its premises and that it does all that is reasonably practicable to ensure the health and safety of individuals on its premises. In addition, section 111 of the Local Government Act 1972 enables local authorities to do anything which facilitates or is conducive or incidental to the discharge of their functions.
29. The use of a framework is a complaint route to award, provided that the Council's procurement officers have carried out due diligence on the framework in question, and officers follow the terms and conditions of the framework in procuring and awarding the call-off contract.
30. Instructing officers should be mindful of the requirement to obtain sufficient security from the chosen contractor in accordance with the Council's Contract Procedure Rules.
31. The Council must also be mindful that TUPE may apply to the service provision change, and appropriate steps should be taken to protect the Council's interests.
32. Throughout the engagement of the chosen contractor, the Council must comply with its obligations of obtaining best value under the Local Government Act 1999.
33. As the anticipated contract value exceeds £500,000, this is a Key Decision, and the Council must comply with the Key Decision procedure.

Equalities Implications

34. Please refer to Appendix 2.

HR and Workforce Implications

35. As identified above, TUPE may apply to the service provision change. At this stage, as a new contractor has yet to be appointed, employer liability information has been provided to the Council for staff currently in scope for a TUPE transfer. Consultation with the affected individuals will take place with the new provider. However, or if a new provider cannot be appointed through this process, and the service was to be carried out 'in house' pending appointment of a new provider, the Council will need to consult with affected individuals and meet TUPE obligations.

Property Implications (if any, delete if not relevant)

36. Without the continuity of a supplier to provide security services for corporate properties, corporate properties would become unsafe places for staff to work, and Council services would be forced to rely on business continuity plans to remain operative. As such the proposals in this report have highly significant safety implications if they are unable to be delivered. Lack of appropriate security on site may lead to incursions / unauthorised access to site and additional costs to the council to rectify.

Other Implications (Delete if not necessary)

37. A Gateway Report outlining the Procurement options/strategy and recommending the stated route to market was presented and approved at Procurement Assurance Group on the 15th February 2023.
38. Due diligence and approval of the EEM Framework, Void Property Services, Lot 2, Lot 2, Void Property Security Services), was undertaken by Procurement Services. Social Value benefits to the Council as part of this service have been requested within the Method Statement questions Tenderers will be required to complete.
39. ESPO, CCS, YPO and EEM all provide Security Frameworks which were reviewed for suitability. The EEM (Efficiency East Midlands) Framework for Void (vacant) Property Services was deemed the most suitable. This is the only framework option which allows for security guarding to be included in the requirement and both services covered under a single procurement. Other options required 2 separate frameworks/procurement exercises undertaken. Given the situation and limited timeframe, this would take longer and potentially mean 2 separate providers delivering the service.
40. EEM are also willing to run the entire mini-tender process via their portal, or provide assistance as required on the documentation.
41. The proposed procurement must be undertaken using London Tenders Portal (reference DN652247).
42. The award of the contract, including evidence of authority to award, promoting to the Council's Contract Register, and the uploading of executed contracts must be undertaken on the LTP, including future management of the contract.
43. In accordance with the Council's CPR's the service must ensure that a Contract Manager is nominated and allocated to the procurement once uploaded onto the LTP, and that the monitoring requirements are adhered to.

44. The awarded contracts must be promoted to Contracts Finder to comply with the Government's transparency requirements.
45. Due to the nature of the value of the contract CPR's Section 7, Financial Risk requires that the Supplier must be required to provide sufficient security. Evidence of the form of security required, or why no security was required, must be stored and retained on the E-Tendering Portal for audit purposes. If no security is to be requested, authorisation to waive this must be sought from the Executive Director of Resources.

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Appendices

- *Appendix 1: Procurement Assurance Procurement Strategy Options Report Gateway*
- *Appendix 2: EQIA Report*

Background Papers

N/A

#Departmental reference number, if relevant:

PL2223_018 P

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Equalities Impact Assessment (EqIA) Guidance

This document gives you information and guidance on how to carry out an Equality Impact Assessment.

Before carrying out a full assessment as set out under 'stage 2', please complete an initial screening form, 'stage 1,' to see if it is necessary to carry out an equality impact assessment for your decision/ activity/ project.

STAGE 1– Initial Screening.

Details of Officer completing this form:					
Name:	James Smith	Job Title:	FM and Compliance Manager	Date:	01.04.23
Dept:	Property	Service:	CMFM		
What change is being proposed? Provide a brief description (and title if applicable)					
The Provision of Security Guarding Services Contract for Corporate Properties (non-housing).					
Does the proposal?					
Affect service users, employees or the wider community			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Have a significant impact on how services are delivered			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Plan to withdraw a service, activity or presence			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Plan to introduce a new service or activity			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Aim to improve access to, or the delivery of a service			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Involve a significant commitment of resources			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	

Relate to an area where there are known inequalities	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<p>If you have answered NO to <u>all</u> of the questions above then the screening process is complete and you do not need to complete a Full Equality Impact Assessment or Action Plan. This decision must be signed off by your Head of Service.</p>		
Sign off by Head of Service:		
Name:	James Smith	Signature: 
Date:	01/04/2023	
<p>Please note: If equality issues are identified during the course of the policy, plan or practice development/review, the EqIA Initial Screening will need to be revisited. This may result in a full EqIA being required where it previously was not.</p>		

STAGE 2- Carry out full EqIA

Before completing the Equality Impact Assessment, (EqIA), it is important to understand what an EqIA is, why it is necessary to carry one out and when you should begin the EqIA.

What is an EqIA?

The aim of an EqIA is to identify and remove any potential barriers to fairness and equality in a service provision and take all reasonable steps to advance equality, by considering the impact that a proposed change could have on different groups with protected characteristics.

The analysis is not an end in itself but should be used to inform the organisation's decision making and service improvement plans.

Why is EqIA needed?

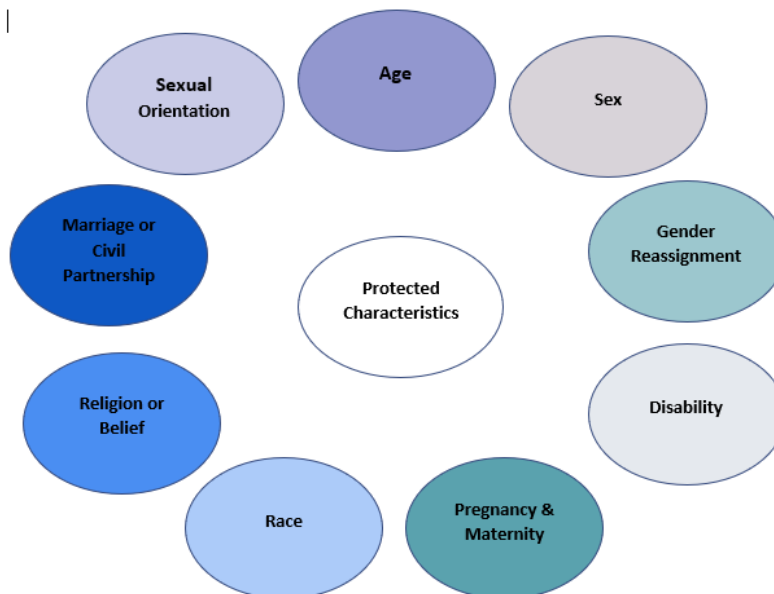
Under the Equality Act 2010 Enfield Council has a legal duty, in the performance of its functions, to have **due regard** to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act.
- taking steps to meet the needs of people with protected characteristics where these are different from the needs of other people.
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
- foster good relations between people who share a relevant protected characteristic and those who do not share it

An Equality Impact Assessment helps to make sure we are fulfilling this statutory requirement by considering how our services, policies, budgets, and projects are designed to help eliminate discrimination, advance equality and foster good relations.

Who is protected by the Equality Act 2010?

The Equality Act 2010 protects individuals against discrimination on the grounds of the following 'protected' characteristics:



A diagram illustrating the protected characteristics under the Equality Act 2010;

Age, Sex, Gender Reassignment, Disability, Pregnancy & Maternity, Race, Religion or Belief, Marriage or Civil Partnership and Sexual Orientation.

What areas of work does an EqlA apply to?

You should undertake an EqlA if you are making changes to policy, strategy, services, functions, projects or budgets that could have an impact on people or their lives.

This could include:

- new policies, strategies, budgets, projects and service reviews,
- existing services and functions, particularly when considering the withdrawal of a service,
- employment policies and procedures and governance arrangements
- tenancy and estate management policies and procedures
- procurement and partnership working
- responsive repairs and major works

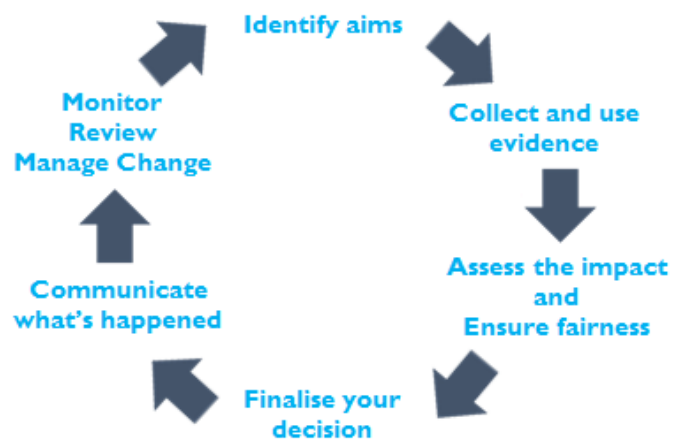
When should equality analysis be carried out?

An EqlA needs to be completed **as a project starts** to identify and consider any possible impacts on people and their lives, to inform project planning and, where appropriate, to identify mitigating action.

It must be completed **before** any decisions are made or agreed so that the EqlA **informs that decision**.

It is also a **live document** that you should review and update as your project progresses.

Outcomes of the project should be monitored and reviewed to inform future decisions. Equality impact assessments should be viewed as a constant cycle of assessment, actions and monitoring, as demonstrated in the diagram.



A diagram illustrating the ongoing life cycle of an Equality Impact Assessment

Who is responsible for the EqlA?

This will usually be the person responsible for developing or implementing the policy, or the service manager.

The EqIA Template

The EqIA template provides a framework for completing the analysis.

STEP 1 – Collect data and information.

Before you start the assessment, collect as much relevant equality information about your service as possible to use as a starting point for the analysis.

What equality information is available?

You need relevant and reliable information about the different protected groups that the policy is likely to affect. The information needed will depend on the nature of the project. This may be recent consultation reports, monitoring data, or service reviews. Information from service users will be especially useful as this identifies who is affected, and what the effect is, as well as the service outcomes.

The following information may also be useful:

- analysis of enquiries, complements and complaints to understand the needs or experiences of different groups
- recommendations from inspections or audits to help you identify any concerns about equality matters from regulators
- customer profiling information and other demographic data
- recent research from a range of national, regional and local sources to identify relevant equality issues
- results of engagement activities or surveys to help you understand the needs or experiences of different groups
- customer feedback and information from voluntary or community organisations will help you understand the needs or experiences of different groups
- performance monitoring information
- previous impact assessments
- customer satisfaction surveys

What are your information gaps?

If you do not have sufficient information, you may need to do further research to fill in the information gaps. If it is not possible to collect this in time to inform your analysis, consider how you can increase your understanding in the short

term. You can also consider using national data and applying it to trends in Enfield, if appropriate.

It may also be helpful to review information outlined in the Equality Act Codes of Practice. These Codes clearly set out what the legislation means. They draw on precedent and case law and explain the implication of every clause in technical terms. These statutory codes provide advice for anyone who want a rigorous analysis of the legislation's detail.

Engagement and Consultation

If you do not have recent feedback or performance data from customers, you may need to carry out some consultation exercises and you should plan to do this early in the project development or review process.

Before undertaking further research or consultation, consider whether it is necessary and would be proportionate to the importance of the proposed policy. Remember that groups sharing protected characteristics are not homogeneous and you may need to consult more than one section of any single group. For example, you may need to consult with several different Black and Minority Ethnic communities or different groups of disabled people, rather than just one.

STEP 2- Scope the Project.

Section 1 of the EqIA Template asks for details of the project.

Section 2 asks you to give a brief overview of and reasoning behind the project, including its aims and expected outcomes. This does not need to be specifically related to protected groups or the advancement of equalities.

Section 1 – Equality Analysis Details

Title of service change / policy or budget change/project plan that you are assessing	
Team/ Department	
Lead officer(s) name(s) and contact details	
Project sponsor	
Date of EQIA completion	

Section 2 – Summary of Proposal

<p>Please give a brief summary of the proposed project plan or change to service / policy/ budget.</p> <p>Please summarise briefly:</p> <p>What is the proposed project or change? What are the reasons for the proposal or change? What outcomes are you hoping to achieve from this change? Who will be impacted by the project or change - staff, service users, or the wider community?</p>

STEP 3- Analyse Equality Impact.

Section 3 of the EqIA template goes through each protected characteristic and asks you to consider the impact that the project will have on each group. It then asks you to consider potential mitigating actions which you could take, if the information you have suggests that the project could have an adverse impact on a protected group.

Have a general think about your project. Consider which protected groups and which parts of the equality duty is it relevant to. Thinking about which aspects of the project relate to equality will help you to focus on the most important area and identify the potential effect on protected groups at an early stage. The outcome of this thinking could mean that you decide to change your overall project aims to make sure it promotes equality effectively.

Section 3 – Equality Analysis

This section asks you to consider the potential differential impact of the proposed project plan or change to service/policy/budget on different groups with a 'protected characteristic', and what mitigating actions should be taken to avoid or counteract any negative impact.

"Differential impact" means that a particular group will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts, and, where possible, provide evidence to explain why this group might be particularly affected. If there is no differential impact for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share the following protected characteristics:

<p>Age</p> <p>This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18 year olds.</p>
<p>Will the proposed change to service/policy/budget have a differential impact [positive or negative] on people of a specific age or age group (e.g. older or younger people)?</p> <p>Please provide evidence to explain why this group may be particularly affected.</p>
<p>Mitigating actions to be taken</p>

Analysing the Information.

The basic question you need to ask is 'what will happen in relation to equality and good relations for each protected group if we do things this way?'. Consider all the information available. How does it suggest your proposed changes will affect each protected group?

Avoid making general conclusions. You cannot assume that a policy which applies to all service users will automatically benefit protected groups. You will need evidence to support this conclusion.

Consider what issues you need to think about. For some policies, the relevant questions will be obvious. For example, when reviewing a recruitment policy for disability equality, it would be useful to establish how many disabled people applied for, and were offered jobs, at what grades and on what salaries.

Some of the questions you may need to ask are:

- Are the services delivered at premises that are accessible?
- Is information about the service accessible?
- Are there differences in access to or use of the service?
- Does monitoring information show any differences in the levels of satisfaction or outcomes for different groups?
- What does customer feedback tell you about the how different groups experience the service?
- Could or does the policy affect different groups disproportionately?
- If yes, is this consistent with the policy aims?
- Has the policy delivered practical benefits for protected groups?
- Does the policy miss opportunities to advance equality and foster good relations, including, for example, participation in public life?
- Could the policy disadvantage people from a protected group?
- Could any part of the policy discriminate unlawfully?

Remember that equality analysis is also an opportunity to identify ways to advance equality of opportunity and to foster good relations.

The outcome of your analysis will tell you the impact, either actual or potential, of the policy on different groups. There are three types of impact you need to consider:

- **Adverse impact:** differences in outcomes or access to services for different groups
- **Positive impact:** outcomes that promote equality of opportunity and good relations between different groups
- **Differential impact:** outcomes that have a positive impact for one group but may have an adverse impact for others.

The scope of discrimination

You need to consider the potential forms of discrimination as set out in the Equality Act 2010.

- **Direct discrimination** involves treating or group **differently and worse** to other people because of their protected characteristic.
- **Indirect discrimination** occurs when there is a policy that applies in the same way for everybody but disadvantages a group of people who share a protected characteristic.

As well as direct and indirect discrimination, prohibited acts include (but are not limited to) harassment, victimisation and failure to make a reasonable adjustment.

Justifying Adverse Impact

There may be occasions where it is appropriate that an activity has an impact that is less favourable for some groups or sections of the community. In this situation, you must say why less favourable impact can be justified. **Direct discrimination, however, is unlawful and can never be justified.**

STEP 4 – What to do with your findings.

Having considered the potential or actual effect of your policy/ service change/ decision on equality, you should be able to make an informed judgement about how to proceed with your policy/ service change/ decision. There are four options available to you:

No major change – Your analysis shows no evidence that the policy/ service change/ decision has the potential to discriminate and you have taken all appropriate opportunities to advance equality and foster good relations between groups. You must record the reasons for making this decision and the information that you have used.

Adjust– You can do more to remove barriers or to better advance equality, for example taking steps to mitigate the potential effect. Remember, it is lawful under the Equality Act to treat people differently in some circumstances, for example taking positive action or putting in place single-sex provision where there is a need for it. It is both lawful and a requirement of the general equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

Continue– You decide to continue with the recommendation to adopt the policy/ continue with the service change or decision even though there may be adverse effects or missed opportunities to advance equality. You must be satisfied that the policy/ service change/ decision does not discriminate unlawfully, for example because it is objectively justified, and you must record what the objective justification is for continuing the policy, and how you reached this decision.

Stop– If there are adverse effects that cannot be justified or mitigated, you should consider stopping the policy/ service change/ decision altogether. You

must remove or change a policy/ service change/ decision if it shows unlawful discrimination.

STEP 5 – Planning how you will monitor and review impact.

Section 4 of the EqIA template asks you to plan how you will review the effects of the project.

Section 4 – Monitoring and Review

<p>How do you intend to monitor and review the effects of this proposal?</p> <p>Who will be responsible for assessing the effects of this proposal?</p>

Equality analysis is an ongoing process that does not end once a policy/ service change/ decision has been agreed or implemented.

You need to think about how you will evaluate the impact of the policy/ service change/ decision. 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.

Consider:

- How you will measure the effects?
- When to review the policy/ change/ decision and what could trigger an early revision.
- Who will be responsible for monitoring and review?
- What type of information is needed for monitoring and how often it will be analysed?
- How you will engage stakeholders in implementation, monitoring and review

STEP 6 – Action Planning

The real value of completing an EqIA comes from the actions that will take place and the positive changes that will emerge through conducting the assessment. A good EqIA will result in resources and services being targeted where they should be, and where they most efficiently support the organisations priorities.

The Action Plan should be:

- SMART
- Be clear about resource implications.
- Make sure that action feed into service and team plans and other appropriate corporate documents.

What to include in the action plan?

The action plan should contain several actions to remove or alleviate adverse impact or unlawful discrimination.

The action plan should include actions to remove or alleviate adverse impact or unlawful discrimination and only the main actions or activities likely to have the greatest influence. The action plan should not be a list of all possible things that might help.

It should include details of any additional monitoring or research that was identified in the information gathering part of the process and information that is still required or was not available the point of assessment.

Section 5 – Action Plan for Mitigating Actions.

Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments

STEP 7- Publication

What happens when the analysis is completed?

We must publish details of how the Council has had due regard to the general equality duty in its decision making.

The completed EqIA should be included as an appendix to relevant EMT/ Delegated Authority/ Cabinet/ Council reports regarding the service activity/ policy/ strategy/ budget change/ decision. Decision-makers should be confident that a robust EQIA has taken place, that any necessary mitigating action has been taken and that there are robust arrangements in place to ensure any necessary ongoing actions are delivered.

. Actions identified by the equality analysis should be recorded in the policy development proposal or action plan and referred to in the associated EMT/ Cabinet/ Council/ delegated authority report. These reports should also include a brief summary of the equality analysis carried out. For retrospective analysis the actions should be included in service plans to ensure they are completed, and the effect of the improvement is monitored.

The analysis and action plan must be stored in the central EqIA folder in the staff library.

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