



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. AIDS AND ADAPTATIONS TERMS CONTRACT (Pages 1 - 24)**

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London Borough of Enfield

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|---------------------------------|--|
| Title of Report: | Aids and Adaptations Terms Contract |
| Report to: | Operational KD – Joanne Drew, Strategic Director of Housing and Regeneration |
| Date of Report briefing: | 12th February 2024 |
| Directors: | Joanne Drew, Strategic Director of Housing and Regeneration |
| Report Author: | Andrew Cotton - Andrew.Cotton@enfield.gov.uk |
| Ward(s) affected: | Boroughwide |
| Key Decision Number | 5632 |
| Classification: | Part I and II |

Purpose of Report

1. To obtain approval to award one contract for delivery of aids and adaptations in council housing, within the London Borough of Enfield, following a compliant tender process.
2. The programme is required to ensure that the Council statutory duty to provide adaptations for residents with disabilities is met.

Recommendations

- I. Approve the award of one contract for a duration of 2 years plus the option to extend for one further year to provide adaptations for residents with disabilities within the Council's housing stock.
- II. To note the budget of £3,600,000 which includes contract sum, contingency and staff costs.

Background and Options

- 3 The Council has a statutory duty under The Housing Grants, Construction, and Regeneration Act 1996, with amendments from the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008, to provide adaptations for residents with disabilities both within the Council's housing stock and more widely. This paper relates only to those properties within the Council's housing stock.
- 4 The project does not include works to leasehold properties. These will be dealt with under Disabled Facilities Grant funded through the Better Care Fund.
- 5 The tender was issued with the intention of entering one contract for two years; with the potential to extend the contract for a further year subject to performance. The contract is designed to be flexible in use and is need based once recommendations have been received from an Occupational Therapist.
- 6 The scope of works includes:
 - Level Access Showers
 - Over bath showers
 - Ramps
 - Widening entrances
 - Adapted kitchens
- 7 Each component listed above will only be instructed, on the request of an Occupational Therapist and following a validation survey and testing where required.

Preferred Option and Reasons for Preferred Option

- 8 The following two options were looked at:
 - Option A: A single contract to covering the whole borough 3 years duration
 - Option B: Geographically based contracts of up to 3 years duration

- 9 Option A was chosen as works are on a need-based approach and cannot be spilt into geographic areas. By keeping it as one contract it ensured the contract size was desirable to the market.

Relevance to Council Plans and Strategies

- 10 The contract will support the following objectives from the Council Plan 2023-26:
- 11 **Strong, healthy and safe communities:** The works are to support/protect our most vulnerable residence to live safely in their own homes as independently for as long as possible. Early intervention reduces additional care cost and keeps residents at home, safely for longer.
- 12 **Thriving children and young people:** Adaptations support families to care for family members at home, reducing stress. This allows safe handling when caring and promotes a healthier care/home environment. Adapted properties mean that a young person can be part of the family which in turn promotes better educational/relationship/social outcomes. Children feel safe and more involved in decisions that affect their lives.
- 13 **More and better homes:** As we are an aging population with more complex needs, adapted homes within our stock allows for tenants with needs to be allocated/match to suitable properties

Financial Implications

- 15 This report is requesting for approval to award and enter a contract with "Contractor A" for the Aids and Adaptions for Council Housing.
- 16 To approve a total estimated project budget of £3.6m which includes contract sum and staff costs.
- 17 The full implications of the project can be found in the confidential appendix.

Legal Implications

- 18 The Council has the power under section1(1) Localism Act 2011 to do anything individuals generally may do providing 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 as recommended in this report. The Council has the power to alter, repair or improve its housing stock in accordance with section 9 of the Housing Act 1985. Further, under section 111 Local Government Act 1972 local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions. The recommendations in this report are in accordance with these powers.

- 19 As noted elsewhere in this report, this project does not include works to leasehold properties and therefore a consultation with leaseholders under Section 20 of the Landlord and Tenant Act 1985 has not taken place.
- 20 The aggregate value of this opportunity is estimated as £3,600,000 and has been classified as a works contract which is below the relevant threshold (presently £5,372,609) for the Public Contracts Regulations 2015 to apply to this procurement exercise, but as noted elsewhere in this Report the procurement has been conducted in accordance with the Council's own procurement rules (Contract Procedure Rules) (including the requirement for 'sufficient security' e.g. a performance bond or parent company guarantee to be obtained from the contractor for a contract whose value exceeds £1,000,000). The contract to be entered into with the chosen contractor will need to be sealed by the Council on account of its high value.

Equalities Implications

- 21 An equalities impact assessment has been undertaken and is appended to this report.
- 22 The works will be delivered to the social housing stock described and will benefit residents irrespective of their protected characteristics.
- 23 Individual requirements are addresses prior to starting on site to ensure all relevant individual circumstances are considered during the works.
- 24 The awarded contracts will include a duty to assist us with meeting the requirements of the Equalities Act 2010 as described in the Fairer Enfield policy.
- 25 Engagement with residents will be undertaken by the Contractor in accordance with their processes for resident engagement and liaison.

Environmental and Climate Change Implications

- 26 Contractors are required to comply with the Minimum, Preferred or Enhanced standards in the environmental categories of the Sustainable and Ethical Procurement Policy which will have significant impact on the Council's footprint, depending on the approach the contractor commits to.
- 27 The Contractor is a local company based in Enfield and uses local workforce/suppliers where possible to minimise the carbon footprint of delivers

Public Health Implications

- 28 The works will improve the living conditions of those residents that receive works. This aligns with the provisions of the Enfield Joint Health and Wellbeing Strategy, which refers to the importance of housing quality as a determinant of health.

- 29 The works will also cover our duties under the Care Act 2014 in promoting health and well-being of individuals along with assisting with prevention and early intervention for individuals and/or carers.
- 30 The contractors will be completing works in-line with the government's Covid Secure and CLC guidelines. They are required to provide a detailed method statement and risk assessment for each activity and the Council, and its advisors will review and comment on these prior to the commencement of works.
- 31 A dedicated communication strategy and information pack will be jointly developed by the Council and Contractor, and both will provide an RLO function to enable access and support residents during the works to their home.

Property Implications

- 32 None

Safeguarding Implications

- 33 The works will require Contractors to enter residents' homes and therefore the Contract Documents require Disclosure & Barring Services (DBS) and adherence with the Council's Safeguarding Policy.
- 34 The works will require Contractors to enter residents' homes and therefore the Contract Documents require Disclosure & Barring Services (DBS) and adherence with the Council's Safeguarding Policy.
- 35 In addition to the above the Contractor is required to provide a dedicated Resident Liaison Officer (RLO) whose role is to ensure that residents needs are reflected in both the works delivered and the processes adopted by the Contractors. Evaluation of the Contractors offers in this area are a major component of the qualitative evaluation.

Procurement Implications

- 36 The procurement was carried out on behalf of the Council by Echelon Consultancy Limited via e-Tendering system DN658757. As the procurement was not led by Procurement Services, ultimate accountability for procurement compliance lies with Echelon Consultancy Limited.
- 37 Gateway 2 Procurement Strategy report was presented and endorsed at Procurement Assurance Group on the 21/11/2023.
- 38 Gateway 3 Contract Award report was presented and endorsed at Procurement Assurance Group on the 30/01/2024.
- 39 As the contract is over £1,000,000 the supplier must be required to provide sufficient security in accordance with Clause 7 (Financial Security) of the Councils Contract Procedure Rules.

- 40 The 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.
- 41 As this contract will be over £500,000, the CPR's state that the contract must have a nominated contract manager in the Council's e-Tendering portal. Contracts over £500,000 must show evidence of contract management of KPI's to ensure VFM throughout the lifetime of the contract. The contract will be managed in line with the Contract Management Framework and evidence of robust contract management, including, operations, commercial, financial checks (supplier resilience) and regular risk assessment shall be uploaded into the Council's e-Tendering portal.
- 42 The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

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Appendices

Appendices 1 EQIA

Background Papers

None

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

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Enfield Equality Impact Assessment (EqIA)

Introduction

The purpose of an Equality Impact Assessment (EqIA) is to help Enfield Council make sure it does not discriminate against service users, residents and staff, and that we promote equality where possible. Completing the assessment is a way to make sure everyone involved in a decision or activity thinks carefully about the likely impact of their work and that we take appropriate action in response to this analysis.

The EqIA provides a way to systematically assess and record the likely equality impact of an activity, policy, strategy, budget change or any other decision.

The assessment helps us to focus on the impact on people who share one of the different nine protected characteristics as defined by the Equality Act 2010 as well as on people who are disadvantaged due to socio-economic factors. The assessment involves anticipating the consequences of the activity or decision on different groups of people and making sure that:

- unlawful discrimination is eliminated
- opportunities for advancing equal opportunities are maximised
- opportunities for fostering good relations are maximised.

The EqIA is carried out by completing this form. To complete it you will need to:

- use local or national research which relates to how the activity/ policy/ strategy/ budget change or decision being made may impact on different people in different ways based on their protected characteristic or socio-economic status;
- where possible, analyse any equality data we have on the people in Enfield who will be affected eg equality data on service users and/or equality data on the Enfield population;
- refer to the engagement and/ or consultation you have carried out with stakeholders, including the community and/or voluntary and community sector groups you consulted and their views. Consider what this engagement showed us about the likely impact of the activity/ policy/ strategy/ budget change or decision on different groups.

The results of the EqIA should be used to inform the proposal/ recommended decision and changes should be made to the proposal/ recommended decision as a result of the assessment where required. Any ongoing/ future mitigating actions required should be set out in the action plan at the end of the assessment.

Section 1 – Equality analysis details

| | |
|---|--|
| Title of service activity / policy/ strategy/ budget change/ decision that you are assessing | Aids and Adaptations |
| Team/ Department | Accessible Housing and Adaptations Team |
| Executive Director | |
| Cabinet Member | N/A |
| Author(s) name(s) and contact details | Elpida Moscardini |
| Committee name and date of decision | N/A |

| | |
|---|------------------|
| Date the EqIA was reviewed by the Corporate Strategy Service | |
| Name of Head of Service responsible for implementing the EqIA actions (if any) | Bini Shah |
| Name of Director who has approved the EqIA | |

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.

Section 2 – Summary of proposal

Please give a brief summary of the proposed service change / policy/ strategy/ budget change/project plan/ key decision

Please summarise briefly:

What is the proposed decision or change?
 What are the reasons for the decision 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?

1. To award one contract for delivery of aids and adaptations in council housing, within the London Borough of Enfield.
2. The programme is required to ensure that the Council statutory duty to provide adaptations for residents with disabilities is met.
3. To continue to deliver adaptations for our most vulnerable residents so that they can remain living at home independently for as long as possible.

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Section 3 – Equality analysis

This section asks you to consider the potential differential impact of the proposed decision or change on different protected characteristics, and what mitigating actions should be taken to avoid or counteract any negative impact.

According to the Equality Act 2010, protected characteristics are aspects of a person's identity that make them who they are. The law defines 9 protected characteristics:

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

At Enfield Council, we also consider socio-economic status as an additional characteristic.

“Differential impact” means that people of a particular protected characteristic (eg people of a particular age, people with a disability, people of a particular gender, or people from a particular race and religion) will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts, and 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 one of the following protected characteristics.

Detailed information and guidance on how to carry out an Equality Impact Assessment is available [here](#). (link to guidance document once approved)

Age

This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18 year olds.

Will the proposed change to service/policy/budget have a **differential impact positive** on people of a specific age or age group (e.g. older or younger people)?

Please provide evidence to explain why this group may be particularly affected.

There is no anticipated differential impact. This is an existing scheme to meet the Council statutory duty to provide adaptations for residents with disabilities.

The adaptations are based on recommendations on assessed needs. The assessment has no relevance to age, gender, faith etc

Mitigating actions to be taken

N/A

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include: physical impairment, hearing impairment, visual impairment, learning difficulties, long-standing illness or health condition, mental illness, substance abuse or other impairments.

Will the proposed change to service/policy/budget have a **differential impact positive** on people with disabilities?

Please provide evidence to explain why this group may be particularly

This funding is specifically for those with all types of disability of all ages. The funding is to promote independent living and wellbeing.

Mitigating actions to be taken

N/A

Gender Reassignment

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on transgender people?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and gender plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Marriage and Civil Partnership

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the U.K both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people in a marriage or civil partnership?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and marriageable status plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Pregnancy and maternity

Pregnancy refers to 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.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on pregnancy and maternity?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and pregnancy plays no role in the assessment or recommendation

Mitigating actions to be taken

N/A

Race

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people of a certain race?

Please provide evidence to explain why this group may be particularly affected.

The funding is disability based and race plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Religion and belief

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism). 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.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who follow a religion or belief, including lack of belief?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and religion plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Sex

Sex refers to whether you are a female or male.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on females or males?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and gender plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Sexual Orientation

This refers to whether a person is sexually attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, non-binary or asexual.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people with a particular sexual orientation?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and sexual orientation plays no role in the assessment or recommendation.

Mitigating actions to be taken

N/A

Socio-economic deprivation

This refers to people who are disadvantaged due to socio-economic factors e.g. unemployment, low income, low academic qualifications or living in a deprived area, social housing or unstable housing.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who are socio-economically disadvantaged?

Please provide evidence to explain why this group may be particularly affected.

No anticipated differential impact. The funding is disability based and social-economic factors do not play a role in the assessment or recommendation. The works will support all those with disability especially those who are unable to pay towards aids and adaptations.

Mitigating actions to be taken.

N/A

Section 4 – Monitoring and review

How do you intend to monitor and review the effects of this proposal?

Who will be responsible for assessing the effects of this proposal?

The project manager within the service will be responsible for managing the contractor and ensuring they undertake their responsibilities as per the contract, including delivering the works as per the specification. The contractor will have a dedicated Resident Liaison Officer (RLO) who will support the resident throughout the process.

The winning contractor is a specialist company that employs trusted assessors who have deep knowledge and experience of working with clients who have all types of disability.

On completion of works an Occupational Therapist and the project manager sign off the works and check client satisfaction.

Section 5 – Action plan for mitigating actions

Any actions that are already completed should be captured in the equality analysis section above. Any actions that will be implemented once the decision has been made should be captured here.

| Identified Issue | Action Required | Lead officer | Timescale/By When | Costs | Review Date/Comments |
|---|--|-------------------|----------------------|-------|----------------------|
| EDI Policy to be provided by the Contractor | The Contractor will be required to submit their Equality Diversity and Inclusion policy to the council | Programme Manager | Pre-Contract Meeting | None | TBC |
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