

## MUNICIPAL YEAR 2019/2020 REPORT NO.

### ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

**OPERATIONAL DECISION OF:**  
Director of Law and Governance

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**Agenda – Part: 1**

KD4857

Recommendation to award grant funding to support the provision of universally accessible, independent advice and guidance in Enfield 2019-2021

**Wards: ALL**

### 1. EXECUTIVE SUMMARY

Following an open tendering process initiated in September and completed in January 2019, this report requests approval from the Director of Law and Governance to proceed with awarding a grant agreement. The purpose of this award will be to deliver universally accessible, independent advice and guidance to local residents and organisations.

These agreements will take effect from 1<sup>st</sup> June 2019 for an initial 22 months period to March 2021 with the option to be extended for a further two years to March 2023 subject to satisfactory performance and on-going resource availability.

The award recommended to be made as follows:

- a. The provision of universally accessible, independent advice and guidance to local residents to be awarded for a twenty-two month period from 1<sup>st</sup> June to 31<sup>st</sup> March 2021 at an annual rate of £340,000 pa. The total amount to be awarded will be £623,334

### 2. RECOMMENDATIONS

1. That the Director for Law and Governance approves the grant award as set out above.

### 3. BACKGROUND

- 3.1 Since July 2013, the Council has managed some highly successful agreements to deliver front line services to local residents, connect local people to volunteering opportunities and provide support to local community organisations. These agreements were extended to allow for a new commissioning round and will expire on 31<sup>st</sup> May 2019.
- 3.2 Following a review of performance, demand for services and consideration of ongoing priorities (including those expressed in our new corporate plan), the local authority initiated a new commissioning process in September 2018 to seek submissions from the local voluntary/not-for-profit sector to provide new services covering the following area:
- a. Universally accessible, independent advice and guidance to Enfield residents
- 3.3 Business case was agreed by the Commissioning and Procurement Board on the 25<sup>th</sup> October 2018.
- 3.4 Open competitive tender process was undertaken using the Council's electronic tendering system ([www.londontenders.org](http://www.londontenders.org)). Tendering process was supported by Procurement and Commissioning Hub according to the Council's Contract Procedure Rules (CPR's) and all documents were reviewed by Legal Department. The bidding window closed on 11<sup>th</sup> January 2019.
- 3.5 The one bid received was assessed by 3 officers in February 2019 against the agreed evaluation criteria advertised with all tender documents as an opportunity by Procurement and Commissioning Hub. Following the bid moderation, the recommendations to award contained in this report were agreed to go forward for funding approval subject to the financial assessments being made.
- 3.6 The recommended offer will be made based on a 22-month service agreement to commence on 1<sup>st</sup> June and conclude on 31<sup>st</sup> March 2021. The local authority will have the option to exercise a further two-year extension to the agreements based on performance and the availability of resources to (31<sup>st</sup> March 2023)

- **Next Steps**

- 3.7 If approval is received the following key milestones will be delivered.
- March 2019 – Grant award letters and contracts issued to successful Bidder
  - March 2019 - Performance management and monitoring refresh with delivery partner
  - 1<sup>st</sup> June 2019 – New agreement comes into effect

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Alternative options considered included:
- Ceasing to support the service area  
Although non-statutory in nature, this was discounted on the grounds that the services being provided were required by local people and that the cost to the council of not working with the voluntary sector to supply these functions would result in greater cost and pressure on front line local authority services.
  - To extend the services currently in place on present terms  
This was rejected on the grounds that the previous agreements had already been extended and it was 5 years since the last full tendering process was engaged covering this service areas and therefore appropriate and fair that the local market was tested to seek expressions of interest.

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The recommendations are made following a transparent and open competitive grants process and represent good value for money to the local authority and will ensure some highly valued services that support some of our most vulnerable and disadvantaged residents will continue to be delivered.

## **6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

- 6.1.1 *The Council has an operational budget for grants to VCS groups in 2019/20 within the Chief Executives Department of £547,000. This means that the commitments proposed in the report can be met.*

### **6.2 Risk Management Implications**

- 6.2.1 *The Third Sector and Partnerships Development Team within the SPEC Hub adopts a robust approach to managing risk associated with the deployment of council resources. In agreeing the awards to be issues, the grant offer makes clear the condition for potential partner organisations to provide suitable and robust evidence both financial and relating to project delivery of outputs on a quarterly basis. Failure to provide adequate information may result in withholding of grant payments.*
- 6.2.2 *The proposed grant offer allows for flexibility and gives the local authority the option to either conclude an agreement after 2 years or extend it further. This agility allows for future decisions to be made straightforwardly in light of changes in financial position or priority for the council.*

### **6.3 Legal Implications**

- 6.3.1 The Council has power under section 1(1) of the 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 in this way.
- 6.3.2 Under Section 111 of the 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.
- 6.3.3 The Council has conducted a competitive tender process in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules (CPR 3.5)
- 6.3.4 The award of the grant is a Key Decision as it involves expenditure of £250,000 or above and, as such, must comply with the Council's Key Decision governance process. The Director has power to approve the award under CPR 1.22(Authority to Award)
- 6.3.5 The grant agreement must be in a form approved by the Director of Law and Governance.

#### **6.4 Property Implications**

*6.4.1 If any community organisations seeking funding/expressing interest in providing services are either already located in, or are planning to occupy the Council's premises, it is important that the occupation is regularised by way of formal documentation in the form of a lease or a licence. Occupation of premises will not be permitted without the appropriate lease/licence in place.*

*(if appropriate, all reports with property implications should be sent to the Assistant Director of Finance and Corporate Resources - Property who will co-ordinate this section, paragraph 7.2 of the guidance notes refers)*

#### **6.5 Procurement Implications**

This procurement is subject to the full OJEU process that is open, fair and transparent and follows Council's Contract Procedure Rules (CPR's).

### **7. IMPACT ON COUNCIL PRIORITIES**

#### **7.1 Good Homes in Well Connected Neighbourhoods**

The services will form part of a co-ordinated approach to place building that is inclusive and can help drive regeneration in the borough and help ensure that local people can access the front lines services they need.

## **7.2 Sustain Strong and Healthy Communities**

The successful continuation of service delivery of the provision of universally accessible, independent advice and guidance to local people by offering support to those in most need and will assist with addressing any underlying health issues that may be driving behaviours.

## **7.3 Build Our Local Economy to Create a Thriving Place.**

The awards and continuation of service provision will enable us to support residents to take more responsibility and take a more active role in their communities.

*(All reports should show how the proposals meet the new Council priorities of Fairness for all, Growth and Sustainability, and Strong Communities. This could be a combination of positive/negative and/or neutral and should consider the full range of the Council's manifesto commitments). An example could be parking charges which would be positive in allowing investment to take place by raising income but could be viewed as for example, a negative impact on business growth.*

## **8. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 8.1 The Third Sector and Partnerships Development Team within the SPEC Hub at Enfield Council has established itself as exemplar for managing and monitoring performance proactively in its agreements with the voluntary and community sector. It is regularly engaged with by other parts of the local authority seeking a similarly robust approach to managing financial agreements with the voluntary and community sector.

This will be replicated in full for any new grant agreements that may result from the process being initiated in this report.

## **9. EQUALITIES IMPACT IMPLICATIONS**

- 9.1 Local authorities have a responsibility to meet the Public Sector Duty of the Equalities Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. The Council considers the needs of diverse groups when designing and changing services, policies, staffing structures or budgets so that our decisions do not unduly or disproportionately affect access by some groups more than others. The proposal to equalise the resources made available to support targeted groups is reflective of this.

As part of the review of existing services that informs the process to be engaged, an equality impact assessment has been carried out to assist

with the content and focus of the new offers. The analysis arising from this piece of work has helped inform the expression of interest process.

- 9.2 The findings of the EIA in combination with service review and analysis of socio-demographic and socio-economic data made available means that we are recommending the offers to express interest are framed for each of the areas as contained at Appendix A, and which covers service provision for key communities covered under the Equality Act within the corporate grants programme.

As stated in our Valuing Diversity and Equal Opportunities Policy – “Enfield Opportunities for All”, Enfield Council will not discriminate on grounds of age, colour, disability, ethnic origin, gender, HIV status, immigration status, marital status, social or economic status, nationality or national origins, race, faith, religious beliefs, responsibility for dependants, sexual orientation, gender identity, pregnancy and maternity, trade union membership or unrelated criminal conviction. The Council will promote equality of access and opportunity for those within our community who suffer from unfair treatment on any of these grounds including those disadvantaged through multiple forms of discrimination.

Furthermore, the Council welcomes the diverse communities and cultures in the Borough and sees them as a significant positive force for the good of all through creativity and innovation.

As a recognised ‘Excellent’ local authority in how equalities issues are approached, all prospective offers inviting an expression of interest from the voluntary and community/not-for-profit sector contain a requirement to demonstrate clearly how the equalities agenda informs service delivery and support those organisations who may wish to provide services in partnership with the local authority in the future.

It is noted that as part of monitoring returns that would be requested should grants be made that data relating to equalities in the context of users will need to be supplied to enable future Equality Impact Assessment work.

## **10. PUBLIC HEALTH IMPLICATIONS**

- 10.1 *Where services have implications for public health, they will be monitored accordingly and information relating to outcomes and progress made will be shared with the Public Health Team at Enfield Council. Where services do not directly have implications for public health, we would expect the services to be able to demonstrate an impact on the wider determinants of health given their strategic focus on supporting our most vulnerable and deprived residents to make better lifestyle choices and connect them more closely to the community.*

## Background Papers