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15 July 2011

To: All Members of the Full Council

Dear Member,

Full Council - Monday, 18th July, 2011

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda. The Community Safety Partnership Strategy 2011-14 (shown at item 2) will be considered for admission by the Mayor:

- 2. TO ASK THE MAYOR TO CONSIDER THE ADMISSION OF ANY LATE ITEMS OF BUSINESS IN ACCORDANCE WITH SECTION 100B OF THE LOCAL GOVERNMENT ACT 1972 (PAGES 1 - 62)**
- 6. TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE (PAGES 63 - 66)**
- 12. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 67 - 116)**
 - a) Governance Review Delivery Group – Report No.1 – 2011/12
 - b) Corporate Committee – Report No.1 – 2011/12
 - c) Constitution Review Working Group – Report No.1 – 2011/12

Yours sincerely

Ken Pryor
Deputy Head of Local Democracy and Member Services

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Agenda item:

[No.]**Full Council****on: 18th July 2011**

Report Title. Community Safety Partnership Strategy 2011-14 and Annual Delivery Plan

Report of : Lyn Garner, Director Place and Sustainability

Signed :

12.7.11

Contact Officer : Claire Kowalska, Community Safety Strategic Manager,
Neighbourhood Services, Department of Place and Sustainability

Wards(s) affected (All)

Report: Key

1. Purpose of the report (That is, the decision required)

- 1.1. To seek endorsement by Full Council of the statutory Community Safety Strategy (known nationally as a Partnership Plan) and the annual delivery plan - as per the legal duty outlined in 8.2 below
- 1.2. Please note that the plans attached at 2 and 3 have been endorsed elsewhere

2. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 2.1. This supports the Safer element of the priorities under Rethinking Haringey
- 2.2. Two closely linked strategies are appended and they address adult re-offending and youth crime and justice
- 2.3. The strategy has close links with the safeguarding of vulnerable children, adults and families
- 2.4. The outcomes in this strategy are also linked to underlying factors and actions regarding local employment and skills, health, child poverty, and housing
- 2.5. The strategy has taken account of the evolving frontline services within the Council and the opportunities for closer co-operation with key partners

<p>3. Recommendations</p> <p>3.1. That Full Council note and adopt the three strategic priorities and seven objectives based on the content of the full strategy</p> <p>3.2. That Full Council endorse the approach and actions in the Annual Delivery Plan – Att 1</p>
<p>4. Reason for recommendation(s)</p> <p>4.1. This is a statutory plan according to the Crime and Disorder Act 1998</p> <p>4.2. The priorities, objectives and actions in this plan are based on comprehensive data analysis from across the partnership and full consultation with all partners and key stakeholders</p>
<p>5. Other options considered</p> <p>N/A</p>
<p>6. Summary</p> <p>6.1. It remains a statutory duty on Community Safety Partnerships (CSP) to agree a partnership plan (or strategy). Both format and content are less subscribed under the Coalition government but there is a requirement for agreed priorities to show a clear, evidenced link to the local strategic assessment and to information from surveys and consultation that demonstrates local concerns</p> <p>6.2 The strategy does not aim to outline all related work but rather to address gaps in partnership responses. This work is by its nature highly cross-cutting and overlaps with the objectives of most other departments and cabinet portfolios.</p> <p>6.3 The shift towards an elected Police and Crime Commissioner (the Mayor or Deputy Mayor in London) is accompanied by a concentration of community safety funding and resources within the Mayor’s Office for Policing and Crime. This will mean that London priorities will take more precedence. All boroughs are now being encouraged to work cross-borough to achieve efficiencies and to work on joint bidding and delivery.</p>
<p>7. Chief Financial Officer Comments</p>

7.1 The Council's Community Safety work is largely funded by external grant funding. The level of grant funding was reduced in 2011-12 and is expected to be further reduced in 2012-13.

7.2 At this point it is expected the activities identified in the delivery plan can be funded from existing staffing resources but this needs to be reviewed on a regular basis and if spend is likely to exceed available resources then work should only proceed if funding is fully identified.

7.3 It should be further noted that the delivery plan requires support from both a variety of other Council departments and external organisations and their funding may also be subject to change and thus delivery plan may need to be revised in light of available funding.

8. Head of Legal Services Comments

8.1 The Head of Legal Services has been consulted in the preparation of this report and confirms that the attached Community Safety Strategy 2011-2014 complies with the Council's statutory duty under the Crime and Disorder Act 1998, as amended, to publish a three year strategy demonstrating how it and its partners intend to reduce crime and disorder, substance misuse and re-offending in the Borough. There are no legal implications arising from this report.

8.2 The Local Authorities (Functions and Responsibilities) Regulations 2000 set out those functions that are not to be exercised solely by the Cabinet which includes the duty to implement a crime and disorder reduction strategy under s 5 & 6 of the Crime and Disorder Act 1998. Under the Council's budget and policy framework, the approval of this strategy is reserved to full Council and therefore does not fall within the remit of the non-executive committees.

9. Head of Procurement Comments – [Required for Procurement Committee]

9.1. N/A

10. Equalities & Community Cohesion Comments

10.1. An equalities impact assessment has been done in collaboration with Policy, Equalities and Partnerships

11. Consultation

11.1. Full consultation was undertaken with partners and stakeholders to assess the strategic assessment and agree priorities

11.2. Results from the most recent surveys and Safer Neighbourhood Team local priorities were consulted and used

11.3. An enhanced ward panel consultation was piloted in Northumberland Park

12. Use of appendices /Tables and photographs

- 12.1. App1: Annual delivery Plan
- 12.2. App 2: Haringey Adult Reducing Re-offending Plan 2011-14
- 12.3. App 3: Haringey Annual Youth Justice Plan 2011

13. Local Government (Access to Information) Act 1985

- 13.1. A New Approach to Fighting Crime 2011
- 13.2. Police Crime and Social Responsibility Bill
- 13.3. Rehabilitation Revolution (under review)
- 13.4. National Drugs Strategy 2010

**HARINGEY'S COMMUNITY SAFETY STRATEGY
2011-2014**

(IMAGE(S) AND LOGO TO BE ADDED)

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Appendices:

App 1: Delivery Plan 2011-12

App 2: Haringey Adult Reoffending Strategy 2011-14

App 3: Haringey Annual Youth Justice Plan and Equalities Impact 2011-12

FOREWORD

This strategy has been written in a challenging environment and should be considered in that context. It proposes a range of actions to meet the objectives agreed by all partners. These objectives are informed by recorded data and the views of local residents.

We have achieved excellent results over the past three years and more. These include significant reductions in property crime, effective drug treatment and fewer young people entering the criminal justice system. Recognition is due to many colleagues and partners for all the hard and imaginative work that has occurred across the Haringey Community Safety Partnership. However, pressures are already building in response to reduced public services, tighter household budgets and growing unemployment.

The current circumstances have prompted us to re-state our principles and approach. In short, we need more integration across disciplines and stronger collective responsibility. We need to address the underlying causes of offending earlier and more thoroughly and engage more effectively with local residents, traders and other stakeholders to shape solutions.

Experience tells us that success also rests on strong and open partnership, effective enforcement, intensive support and targeting resources where they are most needed. We will continue to evaluate and learn from our joint practices and we will report outcomes back to the community.

In the meantime, we should all remember that, in different and complementary ways, crime prevention is everyone's business.

Councillor Bernice Vanier
Cabinet Member for Community Safety and Cohesion
Haringey Community Safety Partnership

1. Introduction

- 1.1. The Crime and Disorder Act 1998 and subsequent Acts have required Community Safety Partnerships (CSPs) to submit a crime reduction plan that is informed by evidence, local opinion and collaboration with statutory partners and key stakeholders.
- 1.2 The statutory partners are the local authority, police, fire service, health authority, the police authority and, since April 2010, the Probation Trust.
- 1.3 The coalition government in England has pledged to reduce the range of obligations, bureaucracy and barriers to performance. This means fewer targets, fluid structures and swifter enforcement procedures. It also places greater responsibility on local partnerships in a climate of pared back resources and support.
- 1.4 The remaining statutory duties are: An annual strategic assessment; a community safety plan informed by public consultation; an information sharing protocol and an annual 'face the people' session.

2. Scope of the strategy

- 2.1 This strategy focuses on actions that address gaps in crime prevention and reduction services where a partnership approach can improve the outcome and save resources. It does not intend to replicate all ongoing activity.
- 2.2 We do not anticipate that the main priorities and objectives will change greatly over the next few years but we will undertake ongoing consultation and conduct a full annual review. Any changes will be reflected in amended annual delivery plans.
- 2.3 There are numerous strategies and plans which overlap with this agenda; for example those addressing drugs and alcohol, mental health, child poverty, homelessness and unemployment. Two specific plans are appended to this document, alongside the overall delivery plan (App 1) which impact directly on the objectives. They are the:
 - : Haringey Adult Reducing Reoffending Strategy 2011-14 (App 2)
 - : Haringey Annual Youth Justice Plan 2011-12 (App 3)

Plans to address other priorities such as violence and anti-social behaviour will be agreed with relevant partners and monitored by the Community Safety Partnership. A partnership delivery plan for domestic and gender-based violence is currently under development.

- 2.4 There is a renewed focus in central government on organised crime. A national strategy will be published later this year and a National Crime Agency is envisaged with effect from 2013. In the meantime, work will continue locally to disrupt organised crime and its harmful impact on communities. This frequently involves cooperation at all levels of government and across boundaries. In Haringey, the work ranges from enforcement against illegal trading and fraud to offences planned by organised criminals from, for example, a Turkish/Kurdish or Albanian/Kosovan background. The borough has also provided a safe haven for drug cartels with links to South America. In recent years, the influx of people from east and central Europe has put additional strain on criminal justice services, especially the Youth Offending Service.

3. The national and regional contexts

National

- 3.1 The Home Office recently published 'A New Approach to Fighting Crime' with a strong focus on informing and engaging citizens including the publication of street level crime data and the encouragement of accountability and action through a 'community trigger'.
- 3.2 The most significant change is the introduction of accountability through elected Police and Crime Commissioners with effect from 2012. In London, the post will default to the Mayor.
- 3.3 The new approach is accompanied by a reduction in regulatory demands and a simplification of enforcement tools to address, for example, anti-social behaviour and gang-related violence. An increase is envisaged in local controls over licensing and Houses in Multiple Occupation (HMOs). Statutory guidance is planned to strengthen the powers of teachers to deal with poor behaviour.
- 3.4 There is a new strategic approach to rehabilitation and sentencing which intends greater use of non-custodial sentences and steps up efforts to make prisons 'places of hard work and industry'. See appendix 2 for the full Haringey Adult Reducing Reoffending Strategy.
- 3.5 The new drugs strategy has three key themes of reducing demand, reducing supply and building recovery in communities. Tackling the harm caused by alcohol remains a primary concern and the government intends to speed up the collection and sharing of associated data across local partnerships.
- 3.6 In terms of both crime and ASB, there is renewed emphasis on building local resilience and addressing problems with communities at very local levels. The delivery of crime reduction services will be further opened up to the voluntary sector and to private enterprise on a payment by results model. The exact format of the latter will be subject to the outcome of pilots.
- 3.7 Young people and violence reduction remain top priorities nationally. The Youth Justice approach will continue to focus on three areas: Preventing entry to the youth justice system, reducing reoffending and alternatives to custody (see Appendix 3).

London Region

- 3.8 At the time of writing, delivery structures were still developing. However, a new Mayor's Office for Policing and Crime (MOPC) is under development and will prepare the Mayor and Deputy Mayors for their forthcoming responsibilities.
- 3.9 A streamlined London Crime Reduction Board (LCRB) has been formed with links to the London Safeguarding Board. The LCRB will be served by a Delivery Monitoring Group and a number of specialist advisory groups. The London Heads of Community Safety group has been formalised and a representative will attend the LCRB to provide professional input.

- 3.10 The LCRB has stated three crime priorities: Violence reduction (especially serious violence); Violence against women and Reducing reoffending. The Anti-violence Partnership is the first to be formed in response to delivering outcomes.
- 3.11 Community safety funds for London will, in future, be channelled through the Mayor's office with more regional control being inevitable. There will be increased encouragement for cross-border collaboration and joint commissioning within London and this has already started.

Haringey

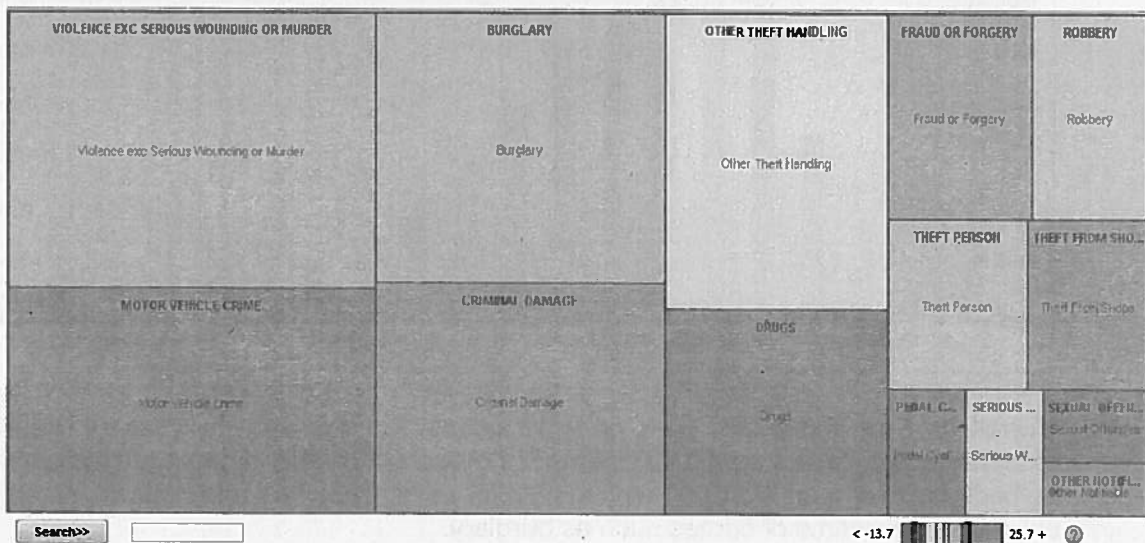
- 3.12 The approach and actions agreed by the Community Safety Partnership reinforce the five outcomes and all principles quoted in *Rethinking Haringey: One Borough One Future. 2011*
- 3.13 The Directorate of Public Health has amalgamated with Haringey Council providing a real opportunity for closer joint working on data sharing, common determinants of poor health and crime and, critically, mental health.
- 3.14 The Community Safety function has joined the Single Frontline and will amalgamate with a streamlined engagement team.

4. How we reached our priorities

- 4.1 We analysed and applied the lessons learnt from the former Safer for All Strategy 2008-2011, identifying new opportunities and ensuring continuity where relevant
- 4.2 We used the results of the annual strategic (data) assessment 2010 in conjunction with recent surveys and results from local priority setting with Safer Neighbourhood Teams
- 4.3 We responded to requests from residents for more consultation via public meetings (ref: Haringey Community Engagement Framework consultation) by conducting a trial enhanced ward panel meeting in the most challenging crime and disorder hotspot in the borough (Northumberland Park). The Vulnerable Localities Index (VLI) and Index of Multiple Deprivation (IMD) confirm this area of the borough as severely affected by crime and ASB – see point 5.17
- 4.4 The attendees unanimously confirmed the community safety priorities as: Young people, violence, ASB, drugs and alcohol, and reducing re-offending. Further, they felt that the top three problems in their own area were: Burglary, drugs/alcohol and personal safety. This reflects actual increases in recorded street crime over the past few months. This model of local consultation will be expanded through newly formed Area Committees and the development of Neighbourhood Action Plans over the coming years.
- 4.5 We have shared information and consulted thoroughly with colleagues and partners, using their experience to identify gaps and their performance indicators to reinforce the chosen priorities.

5. Crime in Haringey

- 5.1 Crime in Haringey has fallen year on year by over a third (37%) from 39,017 incidents in 2002/03 to 24,588 in 2010/11. The chart below breaks down all crime in Haringey by volume of each type. The chart also shows which types of crime have reduced compared to the previous year (blue) and which showed an increase (orange). The size of each box refers to the volume (number of offences).
- 5.2 The most common types of crime by volume are violence against the person, motor vehicle crime, burglary and criminal damage (which is often linked to burglary or motor vehicle crime). These volume crimes showed significant reductions year on year. The crime types that showed increases were theft offences, sexual offences and serious violence. These offences represent much smaller volumes but in the cases of serious violence and sexual offences have a disproportionately high physical and emotional effect on the victim.
- 5.3 Despite a reduction of 7.2%, residential burglary in Haringey is a high volume crime, consistently amongst the top three London boroughs for absolute numbers of offences. Property crimes such as burglary and motor vehicle are spread throughout the residential areas of the borough, but tend to be higher in the east. The risk of property crime according to the British Crime Survey (BCS) is greater in households with no or less than basic security than within households with basic or higher than basic security. Lone parent households had the highest risk by household structure.



- 5.4 Calls to the Anti-Social Behaviour Action Team (ASBAT) have also seen a steady decrease in volume since 2005 however this has been coupled with a corresponding increase in the severity of the calls received. Over half (55%) of all calls to the ASBAT were for 'Verbal abuse/harassment & intimidation', of which the largest sub group is 'Groups/Individuals making threats'. As-stated earlier disorder is often co-located with crime in the east of the borough but tends to be more tightly focused along the commercial venues on Wood Green High Road and Tottenham High Road.

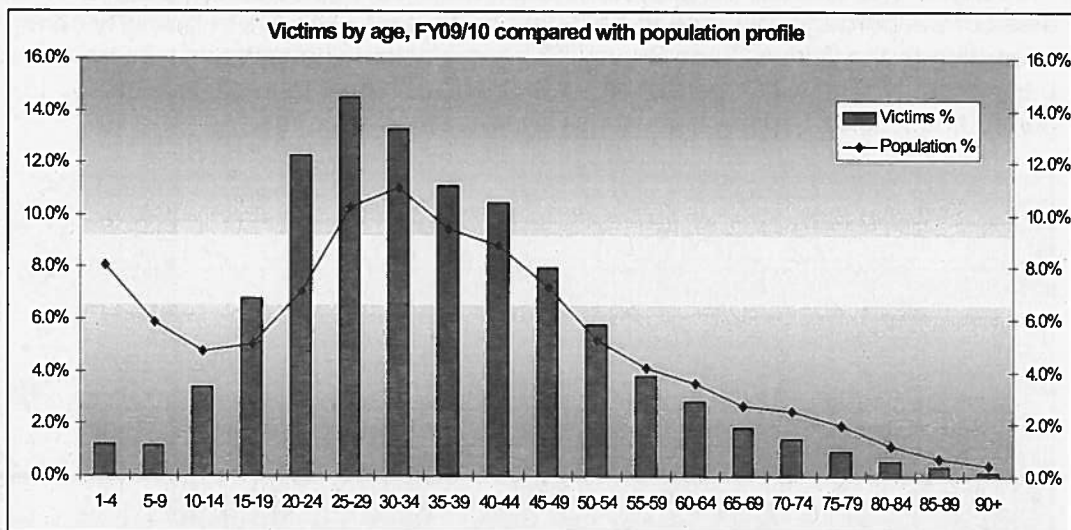
5.5 Overall, disorder and violent crime tends to occur predominantly around the transport hubs (particularly around Seven Sisters and up Tottenham High Road into Northumberland Park). Personal robbery is also prevalent in these areas. The Wood Green/Turnpike Lane corridor also sees high levels of some crime types, but less so than in previous years. Acquisitive crime such as burglary and motor vehicle crime are spread throughout the residential areas of the borough. The high crime locations correlate strongly with areas of multiple deprivation and this is acute in the north-east of the borough.

5.6 **Emergency calls (999) to the police**
 Over two thirds (69%) of 999 calls for disorder related incidents are categorised as 'Rowdy/Inconsiderate behaviour' (46%) and 'Domestic Incidents' (22%).

5.7 **Victims and offenders/accused¹**

Victims

The graph below shows a breakdown of victims by age (purple bars) compared with the age profile of the resident population. People in their 20s are more likely than others to be victims of crime especially as a percentage of the local population. Children and older people (aged 55+) are less likely to be victims of crime.



5.8 Overall, children and youths aged up to 17 are disproportionately less likely to be victims of crime, as they make up 9% of victims but over 20% of the population. This is likely to be because they tend not to be responsible for assets, (eg cars and houses), so are unlikely to be victims of crimes such as burglary.

5.9 However children and youths up to age 17 are disproportionately likely to be victims of personal robbery (37.6% of victims), probably due to the fact they routinely carry 'craved' high value items such as mobile phones and iPods. Of greater concern is their increased vulnerability to serious violence and sexual offences including most serious violence (17.4% of victims), other violence (45.2%), rape (28.1%) and other sexual offences (36.2%).

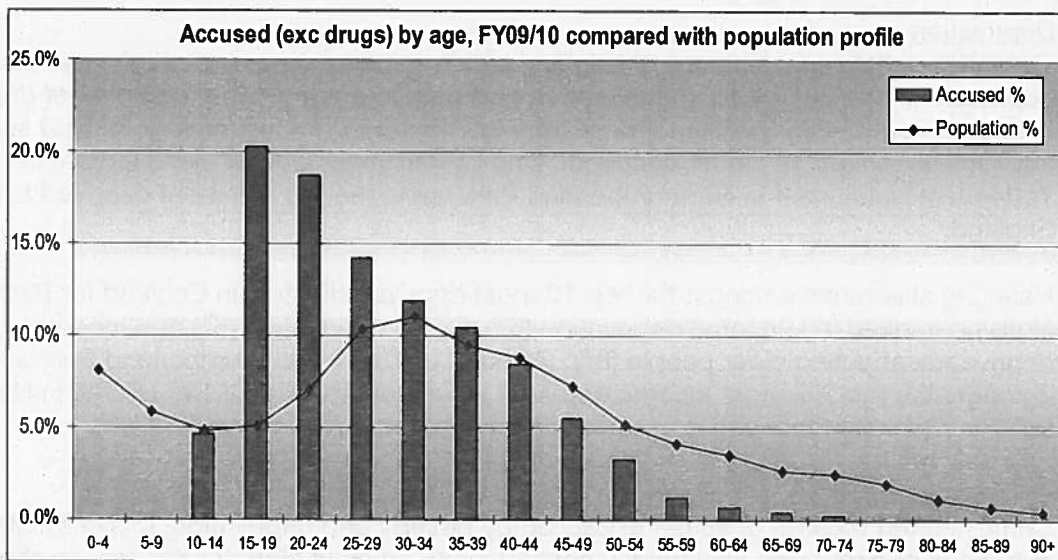
¹ Data used in for offender analysis was sourced from the police accused database

5.10 Older people (50+) make up 22% of the population and account for 17.8% of all victims. This age group is more likely to be affected by property crime, criminal damage, theft and pickpocketing.

5.11 In terms of ethnicity, there is a mismatch between police and Census categories. At the time of writing, the census was also 10 years out of date. The 2006 Pupil Level Annual School Census gives a more up-to-date picture and this indicates that the population of young people is extremely diverse with 20% of pupils registered as White British; 21% White Other; 6% South Asian and 34% Black African and Caribbean. The School Census gives a more proportionate picture of victims relative to their numbers in the population although we know that victimisation correlates strongly with areas of multiple deprivation.

5.12 **Offenders/accused**

The graph below shows a breakdown of accused by age (purple bars) compared with the age profile of the resident population (blue line). There is a clear trend showing younger people offending, with over a third (36.8%) of accused aged 18-24. There is a jump in offending at age 18 but, after the age of 40, people are less likely to offend.



5.13 More young people live in the east of the borough than in the west. Approximately 60% of the 10-19² population lives in the east and 40% in the west. Twenty two percent of all flagged (cross-referenced) calls to the ASBAT were identified as youth related disorder. It should be noted that only 44% of calls received were flagged.

5.14 The ethnicity of accused persons suggests an under-representation of White Other and Asian and an over-representation of Black African and Caribbeans relative to their numbers in the population (see point 5.11). However, the high proportion of accused in Northumberland Park and Bruce Grove again reinforces the importance of wider deprivation factors.

² Sourced from ONS Mid-2009 Population Estimates for Parliamentary Constituencies in England and Wales by Quinary Age and Sex and Working Age

5.15 Male on female

Male on female crime in Haringey makes up almost half (46.6%) of all crime, more than male on male crime (40.2%). This trend is particularly apparent for violent and sexual crime types with 56.2% of these crimes committed by men against women. Many of these incidents relate to domestic violence.

5.16 Domestic violence (DV)

Haringey had a 3-year stretch target to reduce the number of repeat victims of DV by 2009/10. This target was achieved overall. However the number of repeat victims increased from 102 to 110 in the final year of the target. When the female DV rate is mapped i.e. the number of DV offences per thousand of the female population, there are 9 Super Output Areas (SOA)³ identified as having a rate greater than twice the borough average. All of these were located in the east of the borough with Northumberland Park, Seven Sisters and Noel Park⁴ each having two SOAs.

Risk factors

5.17 Deprivation

The IMD⁵ identifies small areas of England which are experiencing multiple aspects of deprivation. The 2010 IMD shows Haringey is ranked amongst the top 20 most deprived in England out of 326 local authorities (ranked 13th based on the average of IMD score). In 2007 it was ranked 18th most deprived. One Lower Super Output⁶ Area (LSOA) in Tottenham Hale and 4 in Northumberland Park are in the top 3% most deprived LSOAs in England.

5.18 Haringey also ranks amongst the top 10 most deprived districts in England for Barriers to Housing (ranked 4th), Income deprivation (6th), Crime deprivation (6th) and Income deprivation affecting older people (8th). All eight LSOAs in Northumberland Park are amongst the top 3% most Income deprived in the country and all 144 LSOAs in Haringey for The Wider Barriers⁷ sub domain are in the most deprived 5% in England

5.19 Vulnerable localities

Crime is often thought of as being caused by poverty and deprivation. It is certainly true that areas of high crime in Haringey correlate with areas of high deprivation, as shown in the Vulnerable Localities Index (VLI) map below. The VLI identifies places that display high levels of crime alongside problems of deprivation and other demographic factors that can

³ DV rates were aggregated to SOA geography. There are 144 SOAs in Haringey

⁴ The number of DV offences used to calculate the rate will include victims who have suffered numerous repeat incidents of DV.

⁵ The Indices of Deprivation 2010 is the collective name for a group of 7 indices or domains which measure different aspects of deprivation including Income, Employment, Health and Disability, Education/Skills/Training, Barriers to Housing Crime and Living Environment Deprivation

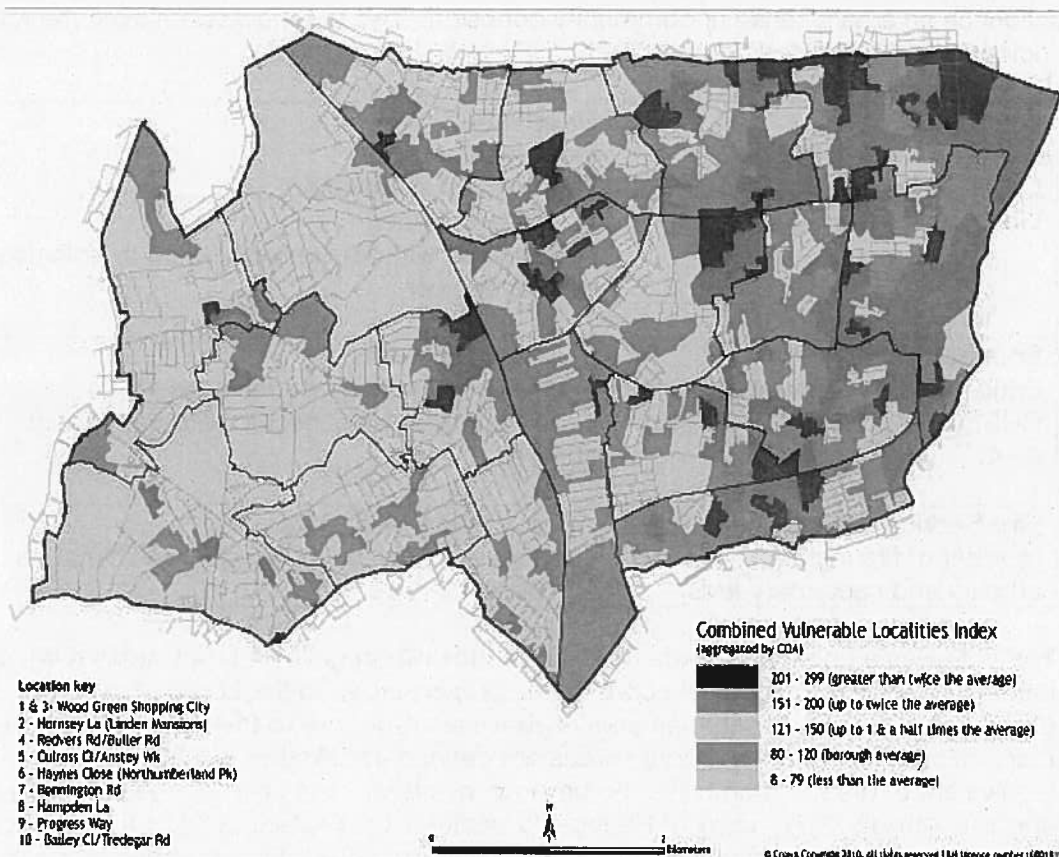
⁶ The Department of Communities and Local Government have divided every local authority into small areas called Lower Layer Super Output Areas (LSOA). Haringey has been divided into 144 LSOAs (England has a total of 32,482). Each ward in Haringey is made up of 7, 8 or 9 LSOAs

⁷ The Wider Barriers sub domain includes homelessness, household overcrowding (from the 2001 census) and the cost of affordable housing enabling owner occupation. 22 London boroughs are in the top 27 most deprived local authorities in England for this measure. The Wider Barriers is one of two sub domains that comprise the Barriers to Housing and Services domain. The other sub domain is Geographical boundaries.

influence an area's sense of community cohesion. The VLI allows data from the following indices to be combined and mapped;

Crime data Burglary in a dwelling Criminal damage in a dwelling Violence in a domestic setting	Deprivation data Income deprivation Employment deprivation Health deprivation Households without central heating or sole use of bath or shower
Education data Educational attainment below 5 GCSEs or equivalent at grades A - C	Demographic data Population of young people, ages 15-24 Lone Parents in a household with dependent children
Fire Service data Number of fire incidents (all primary and secondary fires)	At Risk Individuals data Location of individuals engaged with Youth Offending Service

- 5.20 The VLI gives a combined score for each of the boroughs 737 Output Areas (OA). An index value of 100 indicates a score that is proportionate to the borough average. A score exceeding 100 indicates that an area is above average and so the higher the score the more vulnerable the area. Priority areas are defined as OAs scoring 200 or more (equivalent or greater than twice the borough average). The priority areas highlighted correlate strongly with many of Haringey's traditional persistent hotspot maps. The top 10 highest scoring areas, showing scores ranging from 242 – 299, have been labelled.



5.21 There were 55 priority areas largely located in the east of the borough. Northumberland Park and Tottenham Hale contained the highest number of priority areas with 12 and 7 respectively. Noel Park ward was particularly significant as it contains three out of the top ten most vulnerable areas as well as being the only ward to have a crime rate greater than double the borough average. It is important to note that both Noel Park and Tottenham Hale contain major shopping centres and busy transport interchanges with the highest volumes of LBH stock in the borough (31.2% of the total). Many of the high scoring areas identified also experience high numbers of disorder emergency calls, further implying that these areas are particularly vulnerable with issues beyond the indices measured in the VLI (No data sourced from disorder databases was included in the VLI indices).

5.22 Other risk factors

Unemployment is a significant risk factor for criminality. For context, approximately 9% of Haringey's population is unemployed⁸ (compared to 7.3% in London and 5.2% nationwide). However, 56.7% of accused had their occupation recorded as unemployed. Acquisitive crimes tend to have a particularly high proportion of unemployed accused as does drug trafficking. The concentration of problem drug users broadly mirrors the levels of crime, disorder and deprivation. Approximately three quarters of drug users who were in drug treatment in 2009-10 reside in the N17, N15 and N22 postcodes.

⁸ http://www.haringey.gov.uk/chapter_5_work_and_economic_activity.pdf

5.23 Mental health

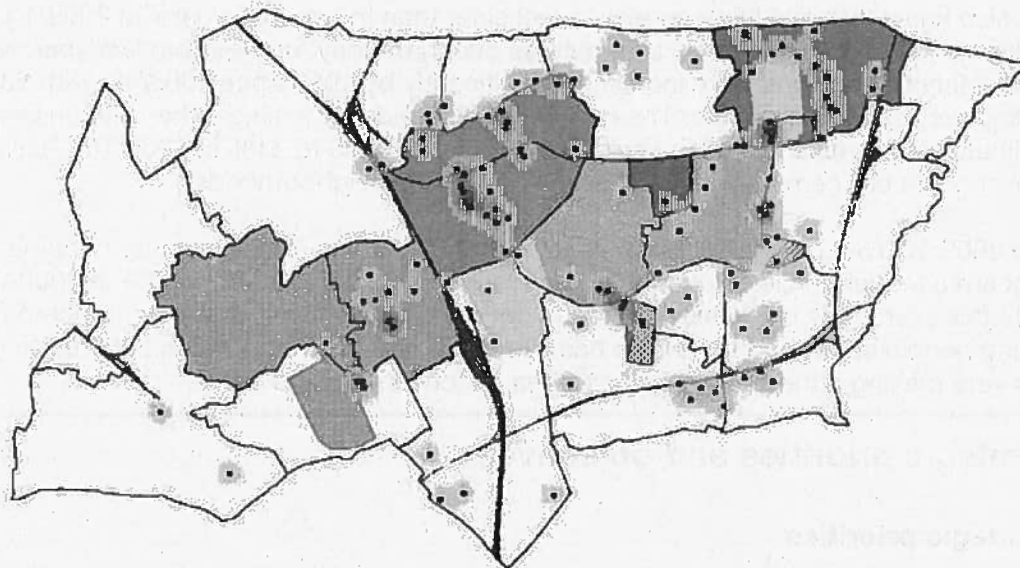
There is a considerable link between mental health and victimisation. According to a UK wide 2007 Mind report⁹:

- 71% of people with mental health issues had been victimised in the previous 2 years
- Nearly 90 per cent living in local authority housing had been victimised.
- 41 per cent of respondents were the victims of ongoing bullying.
- 34 per cent had been the victim of theft of their money or valuables, from their person or from their bank account.
- 27 per cent had been sexually harassed and 10 per cent had been sexually assaulted.
- 22 per cent had been physically assaulted

5.24 Specific issues

Gang crime

High levels of Acquisitive crime are not unusual in boroughs containing busy town/shopping centres such as Wood Green and Tottenham High Road. Haringey, however, also has a protracted history of street gang activity which is the main driver for the increase in most serious violence, serious youth violence and gun crime in the borough in 2009/10. The three main gang areas historically across Haringey have been Tottenham, Wood Green and Hornsey. Over time the gangs in these areas have broken up into multiple street gangs usually based around particular estates.



The map above outlines gang territories in Haringey overlaid with gang crime hotspots. Almost half of all these offences occurred on the street with priority hotspots seen in Wood Green and Northumberland Park, illustrating feuds between two of the most problematic gangs in these areas.

- 5.25 Gang membership demographics show that victims and accused of gang crime are overwhelmingly likely to be young. Young victims of gang crime are disproportionately likely to be victims of violent crime (assaults and robberies), with older victims more likely to be victims of property crime or criminal damage. Overall, 60% of gang crime victims

⁹ Mind (2007), Another Assault

and 25% of gang crime offenders were youths (note that accused data is only available for 16 gang flagged incidents, making gang accused analysis less statistically reliable).

5.26 Most Serious Violence (MSV)

There were 476 incidents flagged as MSV in Haringey in 2009/10, an increase of 14.7% on the 415 incidents recorded the previous year. MSV is mainly Grievous Bodily Harm (GBH) with intent (57%) and GBH with wounding (26%). MSV hotspots are focused in similar areas as gang related crime. Northumberland Park is especially affected by violent crime in general, including gun and knife enabled crime.

5.27 Repeat offending

Reoffending constitutes a significant proportion of overall recorded crime and there are considerable barriers to the successful resettlement of former offenders in London. This remains a priority nationally and locally and Haringey has produced an aligned strategy (see Reducing Reoffending Strategy at appendix 2 for full data and delivery plan).

5.29 Public perception

The Residents Survey 2009/10 shows that crime remains a key priority for our residents, and is consistently listed as residents' top concern (35% in 2009/10). This is 6% lower than for London and is the third consecutive year there has been a reduction in Haringey.

We also know that residents appear to feel safer than in previous years. In 2009/10 85% of residents felt very safe or fairly safe outside during the day; up 9% from last year. Night time safety perceptions have increased significantly by 10% since 2008/09, with 53% now feeling very safe or fairly safe. The number of respondents feeling either very unsafe or fairly unsafe has fallen year-on-year from 39% in 2007/08 to 31% in 2009/10. Resident's fear of crime still corresponds with actual high crime neighborhoods.

The 2009/10 Young Peoples Survey shows that crime also remains young people's top concern although the level of concern has reduced significantly from 56% in 2008/09 to 41% this year. This is 2% less than the London value of 43%. However, concern among young people about bad behaviour has increased notably from 27% in 2008/09 to 40% this year making it the second highest area of concern behind crime.

6. Strategic priorities and objectives

6.1 Strategic priorities

The following priorities and objectives have been agreed by Community Safety partners in Haringey:

1. Improve partnership governance and information sharing
2. Improve service delivery and public confidence (through engagement and data)
3. Deliver coordinated prevention and operational activity

6.2 Key objectives

1. Reduce serious violent crime (youths and adults)
2. Reduce violence against women (including domestic violence)
3. Reduce all property crime
4. Reduce repeat offending (Crime and ASB)
5. Provide an effective response to anti-social behaviour (ASB)
6. Increase public engagement, confidence and satisfaction
7. Prepare for emergencies and major events (inc. Olympics 2012)

6.3 Annual delivery plan

The plan for 2011-12 is attached at appendix 1. It is designed to address the gaps in current delivery and to focus on how the partnership can collectively achieve the stated objectives. Each area of activity is cross-referenced against the objectives listed above and set under the relevant strategic priority.

6.4 Principles / Approach

The partnership aspires to a set of guiding principles to improve the chances of success. These are to:

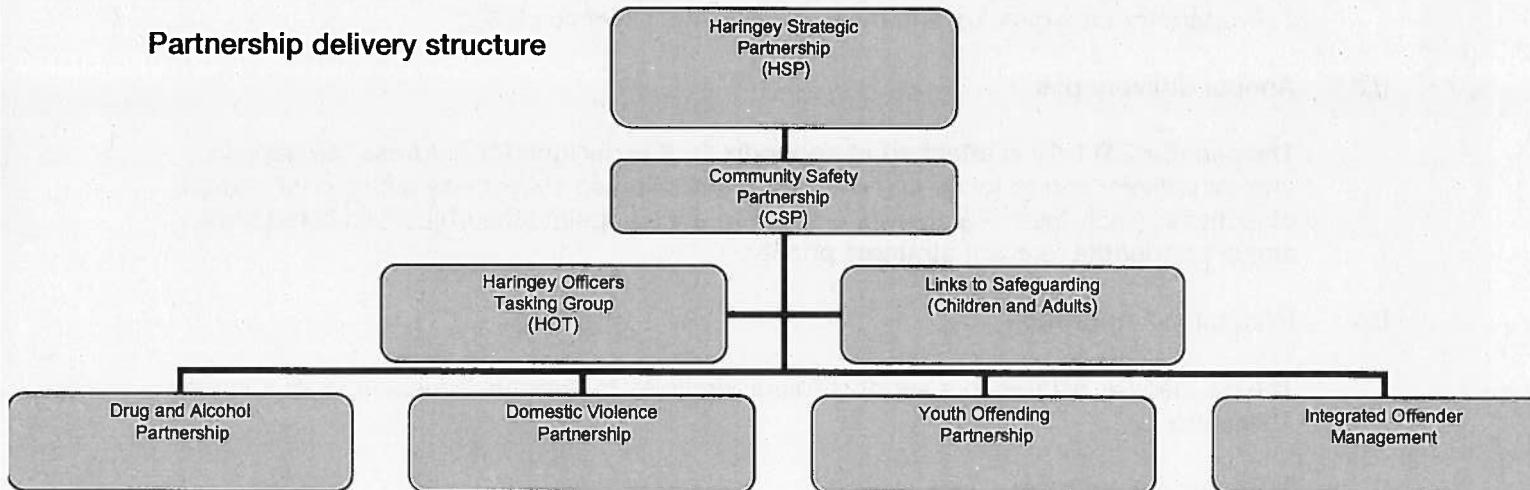
- Balance risk and harm
- Respond to known risk factors
- Seek long-term solutions to areas of multiple deprivation (with the HSP)
- Maximise resources (co-locating, reducing duplication and pooling budgets where possible)
- Share information effectively as a default principle
- Build on proven interventions
- Facilitate effective community input and capacity
- Integrate approaches to enforcement/front-line services
- Integrate offender management
- Monitor robustly, evaluating progress and applying good practice

7. Monitoring and delivery

- 7.1 The delivery of all agreed actions will be monitored through specialised partnership boards accountable to the Haringey Community Safety Partnership. The structure has been streamlined as below. This may be subject to further review as time goes on.
- 7.2 Where there are priorities without a formal board structure (e.g. ASB, non-domestic violence, property crime, gang-related work), a lead officer will pull together meetings and activity as required and report back to the main board. It is expected that board meetings will focus on understanding what is working and will have the flexibility to adjust actions and resources on a problem-solving basis.

Please note that the following structure is subject to change, pending the outcome of the current governance review of partnerships

Partnership delivery structure



8. Partnership resources

- 8.1 Mainstream resources and ad hoc project funds make up the bulk of finances. Volunteers have also been engaged to support case work, where relevant. A Community Safety Fund is allocated via the Mayor for London’s Office. This totalled £416,000 in 2011/12 and is due to reduce by 50% in 2012/13.
- 8.2 The leaders of all statutory agencies are fully committed to the partnership plan and effort. Haringey MPS is particularly committed to maximising all possible opportunities across the partnership at the strategic and operational levels. This includes leading work to create a multi-agency safeguarding hub; supporting integrated offender management and joining up frontline resources.
- 8.4 The partnership will be further assessing the contribution of a range of resources over the coming years.

9. Summary of key indicators

No	Indicator
1	Number of violent crimes (police records)
2	Rates of violent crime inc. sexual violence
3	Sanctioned detections for rape (central MPS lead)
4	Number of property crimes
5	Number of ASB incidents
6	Percentage of people believing that the Police and Council are dealing with crime and ASB (NI 21)
7	Percentage of victims satisfied with overall service provided by police by a) white users and b) BME users
8	Percentage change in people killed or seriously injured in road traffic collisions
9	First-time entrants to the Youth Justice System
10	Reduction in rate of youth re-offending
11	Reduction in proven adult re-offending
12	Reduction in use of custody for youths
13	Numbers accessing Hearthstone (DV) facility
14	Incidents of domestic abuse
15	Repeat victims of domestic violence
16	Numbers leaving drug treatment free of dependence
17	Rate of hospital admissions per 100,000 for alcohol-related crime
18	Reduce fires in the home
19	Reduce fires in non-domestic buildings
20	Reduce deaths from fire by at least one death a year
21	Number of home fire safety visits (including partners), targeting those most at risk by 2013
22	Reduce fires of rubbish (with deliberate or unknown motive)
23	Levels of street cleanliness (NI 195) measured quarterly.

Appendices:

- 1: Delivery Plan 20011-12
- 2: Reducing Reoffending Strategy
- 3: Youth Justice Plan 2011-12

COMMUNITY SAFETY PARTERSHIP DELIVERY PLAN 2011-2012 APPENDIX 1

Key actions	SMART target	By when	Lead Service/Agency	Progress
Priority 1: Improve partnership governance and information sharing				
Maintain effective links and influence with London decision makers (Objectives: All)				
1.1 Deliver at least one flagship project in Haringey in collaboration with the GLA/MPA		July 11	Neighbourhood Services, Frontline (FLS)	
1.2 Strengthen influence with key community safety players in London		March 12	Community Safety and Engagement Manager	
1.3 Oversee co-location of key staff to improve efficiency, information exchange and delivery of safeguarding outcomes		March 12	Police Borough Commander and Council Chief Executive	
Strengthen participation across roles and disciplines (Objectives: All)				
1.4 Strengthen contribution to community safety across Council services (inc join up around health/crime determinants)	Agreement by Council's Executive Board (ref. s17 Crime & Disorder Act 1998)	Dec 11	Department of Place and Sustainability	
1.5 Examine an integrated response to top crime	Paper submitted to board	July 11	Department of Place and Sustainability with support	

Key actions	SMART target	By when	Lead Service/Agency	Progress
locations (i.e. areas of multiple deprivation)			from Haringey Police	
Improve information sharing and partnership delivery with mental health services (Objectives: 1,2,4,5)				
1.6 Strategic link and responsibility established between CSP and Mental Health PS Board	Senior attendance at board levels agreed	June 11	Deputy Director Adult and Housing Services	
1.7 Improve information on mental health issues in ASB court cases	Formal agreement on timely provision of assessments	Sept 11	As above	
1.8 Divert/support arrestees with mental health problems	Continue forensic nurse assessments in custody suites	March 12	As above	
1.9 Improve understanding of services and support at the operational level	Training completed for multi-agency operational staff	Oct 11	As above	
Integrate services to reduce adult re-offending (Objectives: 1,2,3,4)				
1.10 Deliver Reducing Re-offending Strategy	Approved by SCEB Board	May 11	Asst. Chief Officer, Probation with support from Offender Management Board	
	Annual plan delivered Monitored quarterly	March 12 June 11	As above As above	
1.11 Agree and lead an Integrated	Scope agreed	Sept 11	Asst. Chief Officer, Probation	

Key actions	SMART target	By when	Lead Service/Agency	Progress
Offender Mmt. Model for the borough	Model in place	Sept 11	with support from Police Borough Commander	
1.12 Co-ordinate delivery around diverse offender groups	Map services, needs and responses to 9 pathways Agree priority investment	Dec 11	As above As above	
Mainstream domestic violence work into safeguarding agendas (Objective 2)				
1.13 Improve strategic planning around impact on safeguarding of young people, adults and families	Annual joint conference held	Nov 11	Policy, Equalities and Partnerships in partnership with Haringey Police and Public Health	
1.14 Deliver the DV and Gender-Based Violence Plan	Agreed by stakeholders Progress reporting	Sept 11 Dec 11	As above As above	
Maintain effective information sharing protocols (Objective: All)	Main ISP reviewed Further protocols agreed, if needed Safe and Secure Protocol agreed	Dec 11 March 12 Oct 11	Neighbourhood Services As above Housing Support and Options, Haringey Council	
1.15 Improve safe housing options for those at risk (esp. gang-related members)				

Key actions	SMART target	By when	Lead Service/Agency	Progress
Objective 2: Improve service delivery and public confidence (through engagement and data)				
Improve partnership data				
2.1 Produce annual strategic assessment to reflect Victim /Offender/Location/Time Model (Objectives: 1-7)	Draft	Oct 11	Policy, Equalities and Partnership with Neighbourhood Services	
2.2 Improve data collection on violent crime inc domestic violence (Objectives: 1,2)	Public consultation New priorities agreed	Nov 11 Jan 12	As above	
2.3 Identify funding gaps and prepare data for bids	Process agreed with key hospitals Data available	July 11 July 11	Asst Director, Public Health Neighbourhood Services with Haringey Police	
Improve communication with residents and delivery of local priorities (Objectives: 5,6)				
2.4 Develop and deliver Neighbourhood Action Plans to reflect local priorities	Approach agreed Data collation Consultation Plans agreed	May 11 June – Sept 11 Oct/Nov Dec 11	Neighbourhood Service, FLS As above As above As above	
2.5 Increase confidence in how police and Council deal with crime and ASB locally (Residents' Survey/RS)	ASB Summit Action Plan delivered Co-ordinate input from RSLs	March 12	Director, Homes for Haringey As above	

Key actions	SMART target	By when	Lead Service/Agency	Progress
	Maintain SNT ward presence	March 12	Haringey Police	
	ASBAT PIs delivered	March 12	ASBAT, FLS	
	Over 56% confidence return from RS	March 12	Neighbourhood Services	
	Co-location with FLS	Sept 11	As above	
2.6 Strengthen link with CPCG (Community Police Consultative Group)	Key projects delivered (JusNorth / HYPE)	March 12	CPCG	
Deliver a victim-centred approach (Objectives: 2,4,6, 7)				
2.7 Increase reporting of hate crimes esp. disability linked	Baseline agreed	March 12	Adult & Housing Services	
2.8 Reduce repeat victimisation of harassment/hate crime	Baseline agreed	March 12	As above	
2.9 Access funding to support young victims and court users	Submit 2 bids with Victim Support	March 12	Neighbourhood Services with Victim Support	
2.10 Strengthen support to victims of sexual violence	Deliver specialist rape counselling (18 hrs per week)	March 12	DV Co-ordinator	
	Increase sanctioned detections for rape by 4%	March 12	Central MET liaising with Chief Insp. Partnerships	
2.11 Increase reporting, access	All key actions in		DV Co-ordinator with all key	

Key actions	SMART target	By when	Lead Service/Agency	Progress
and support for victims of DV and gender-based crimes	D&GBV strategy delivered. Monitored quarterly		partners	
Priority 3: Deliver co-ordinated prevention and operational activity				
Improve joint tasking (Objectives: 3,5,6,7)				
3.1 Improve outputs from the Haringey Officers Tasking Group (HOT) or equivalent	Response in place to 'Rebalancing of the Licensing Act'	Sept 11	Neighbourhood Services with Haringey Police	
3.2 Improve joint working between police and ASBAT inc optimal use of new tools and powers	Function of the HOT reviewed inc ASB	June 11	Supt Ops (Haringey Police) and Asst Director FLS	
3.3 Respond to Vulnerable Localities Index data	Reduce property crime by 1%	March 12	Supt Ops and Neighbourhood Services	
	Working protocol signed	June 11	As above	
	Reduce violent crime by 2%	March 12	As above	
	Police baseline agreed	March 12	As above	
	Confidence improved by over 56% (re NI21)	March 12	Neighbourhood Services and Chief Inspector SNT	
3.4 Establish a Licensing Forum to address premises-related crime and disorder	Forum established Outcomes agreed Progress reported	March 12	Police Borough Commander to lead	

Key actions	SMART target	By when	Lead Service/Agency	Progress
Reduce gang-related crime (Objectives: 1 and 4) 3.5 Deliver Operation CONNECT in the borough to reduce gang- related incidents	Plan agreed Agreed outcomes delivered Reduction in serious violence of 2%	June 12 March 12 March 12	Neighbourhood Service, FLS with Haringey Police As above with Public Health	
3.6 Maintain an effective Gang Action Group (13-24 yrs)	No. removed from list (performance maintained)	March 12	As above	
Reduce youth-related crime (Objectives: 1,2,3,4,5)	Number of first time entrants reduced	March 12	Youth Offending PS Board; YOS Strategic Manager	
3.7 Deliver annual Youth Justice Plan 11-12	Youth reoffending reduced	March 12	As above	
	Use of custody reduced	March 12	As above	
3.8 Co-ordinate prevention activity and target at those most at risk	Early Intervention and Prevention Strategy delivered	March 12	Asst Director Youth, Participation and Community	
Reduce the harm caused by drugs and alcohol (Objectives 1 - 4,6,7)	Increase numbers successfully completing drug treatment	March 12	DAAT PS Board; Public Health	
3.9 Increase recovery from drug dependency	Community recovery	Oct 11	As above	
3.10 Reduce demand				

Key actions	SMART target	By when	Lead Service/Agency	Progress
3.11 Disrupt/restrict supply	model agreed Young People's Substance Misuse Plan delivered	March 12	Head of Service CYPS (commissioning and placements)	
3.12 Deliver Alcohol Action Plan	All actions on target. Report to CSP twice yearly	Oct 11 April 12	DAAT PS Board; Public Health	
Reduce fire-related incidents (Objectives 5,8)	Reach annual target for 7 numerical indicators re. deliberate and accidental fires (home, commercial and rubbish), deaths, false alarms, operational incidents and prevention activities	March 12	Borough Commander, London Fire Brigade	
3.13 Deliver Haringey Borough Commander's Plan 2010-13				
Prepare for – and respond to – emergencies and major events (inc Olympics 2012) (Objective: 8)				
3.14 Put in place and test arrangements required to respond to the London Olympic Resilience Planning Assumptions	Arrangements tested Local Olympic Action Plan delivered	March 12 March 12	Haringey Emergency Planning Partnership Board Olympic Steering Committee (Dir Place & Sustainability and all partners)	
3.15 Olympic and Paralympic Safety and Security Programme in place	Green status	March 12	Supt. Ops (Haringey Police)	
3.16 MPS CONTEST plan in	Green status on partnership elements of	March 12	Supt. Ops (Haringey Police)	

Key actions	SMART target	By when	Lead Service/Agency	Progress
<p>place locally</p> <p>3.17 Improve road safety</p>	<p>CONTEST strategy</p> <p>Reduce number of people killed or seriously injured in road traffic collisions by 2%</p>	<p>March 12</p>	<p>Central MET Police in partnership with Frontline Services and SNTs</p>	

London Borough of Haringey Adult Reducing Reoffending Strategy 2011/14



**An Annex of the
Haringey Community Safety Strategy 2011/14**

LOGOS TO BE ADDED

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1. Introduction

1.1. What is the purpose of this strategy?

- 1.1.1. There is a duty on Community Safety Partnership's (CSP) to formulate and implement a strategy to reduce reoffending by adult and young offenders under *Section 108* of the *Policing and Crime Act 2009*, which came into effect on 1 April 2010. Underpinning this new requirement is, *Section 17* of the *Crime and Disorder Act 1998*; which extended the duties on certain authorities to include reducing reoffending. Responsible authorities under the Crime and Disorder Act are defined as; the police, police authorities, local authorities, fire & rescue, health and probation.
- 1.1.2. Reducing reoffending should not be regarded as solely the responsibility of the police, local authority and probation¹. Reducing reoffending is part of the core business of all CSP partners and many non-CSP partners. Tackling reoffending effectively, requires a commitment to service change and improvement across the partnership.
- 1.1.3. The Haringey Adult Reducing Reoffending Strategy (HARRS) is both a standalone strategy and an Annex of the *Haringey CSP Strategy 2011/14*.
- 1.1.4. The HARRS will focus on reducing reoffending by adults aged eighteen and over but will work closely with the Haringey Youth Offending Service (YOS).
- 1.1.5. The HARRS aims to support the ongoing development of a cohesive, strategic and holistic approach to end-to-end offender management in Haringey which encompasses all of the Reducing Reoffending Pathways (for details of the pathways see page 7).

1.2. What are the governance arrangements?

- 1.2.1. As an Annex of the *Haringey CSP Strategy 2011/14* the governance arrangements are through the CSP.
- 1.2.2. Haringey CSP devolves responsibility for the development and implementation of the HARRS to the Haringey Offender Management Group (OMG). The OMG will ensure regular progress reports are presented to the CSP as required.
- 1.2.3. The membership of the OMG includes; probation, police, the local authority, the Crown Prosecution Service (CPS), the Drug and Alcohol Action Team (DAAT), the Youth Offending Service (YOS), the Drug Interventions Programme (DIP) and partners from the Voluntary and Community Sector (VCS). The OMG is currently chaired by London Probation Trust.

¹ Reducing Reoffending, Cutting Crime, Changing Lives (Home Office/MOJ) March 2010
<http://tna.europarchive.org/20100413151441/http://www.crimeeducation.homeoffice.gov.uk/community-safetly-guidance.pdf>

1.3. What is the scope of the strategy?

- 1.3.1. The HARRS focuses on adult offenders who are already involved with the criminal justice system or those who have a history of offending and are currently deemed to be 'at risk' of reoffending.
- 1.3.2. This includes offenders across all cohorts irrespective of sentence length, or current criminal justice status. It includes offenders located in the borough as well as those in custody or placed temporarily outside of the borough.
- 1.3.3. It does not address those interventions designed to prevent entry into the criminal justice system in the first place. Interventions of this kind play an extremely important role in reducing crime and diverting vulnerable people away from offending behaviour but are not the focus of this strategy.

1.4. What is the context for this strategy?

- 1.4.1. The HARRS has been written at a time of considerable change and flux. For this reason the main body of the HARRS is high level to allow room for the flexibility to accommodate fundamental policy changes that may occur over the next three years. It is the annual *HARRS Delivery Plan* which will contain the details of **how** the overarching objectives will be achieved. In the first year the focus will be on understanding the current situation through mapping, assessment and analysis in order to help strengthen partnership working and identify locally agreed priorities.
- 1.4.2. The HARRS has been informed and shaped by a wide range of local and national strategy, policy, guidance and good practice. The first year of the strategy is likely to see further direction; albeit within the context of localism and therefore more likely to be 'narrative' or examples of good practice as opposed to guidance or direction.
- 1.4.3. We await the evaluation and learning from various national pilots including the Integrated Offender Management (IOM) pioneer areas. We also await the outcome of the government's consultation on sentencing and rehabilitation², the publication of the National Crime Strategy (due in spring 2011) and the Police Reform and Social Responsibility Act (which will provide the statutory framework for the new Police and Crime Commissioners due to take up their posts in 2012).

1.5. Who has been involved in developing the strategy?

The development of the HARRS has involved wide consultation and liaison with stakeholders including (this list is not exhaustive);

- Haringey Community Safety Team
- Haringey Drug and Alcohol Action Team (DAAT)
- Haringey Youth Offending Service (YOS)
- The Metropolitan Police: Haringey BCU
- London Probation Trust
- Voluntary and Community Sector (VCS) partners.

² <http://www.justice.gov.uk/consultations/breaking-cycle-071210.htm>

1.6. Definition of key terms

- 1.6.1. The term '**offender**' is used to describe an adult (aged eighteen plus) who is in contact with the criminal justice system, either in custody or in the community, or is at risk of reoffending. The term includes people held on remand in custody who are not yet convicted – although we recognise that they may not be found guilty of a crime, they are still affected by incarceration – or are on remand awaiting sentencing. Once an individual has completed their licence or sentence, they are still considered to be at risk of reoffending for up to two years, so the term offender is still applied.
- 1.6.2. Where we refer to '**offender services**' or '**services for offenders**'. These are services that have either a direct or indirect impact on the likelihood of an individual reoffending, and operate both within and outside of the criminal justice system
- 1.6.3. The abbreviation **VCS** (Voluntary and Community Sector) has been used as shorthand to include all Third Sector, Civil Society organisations, charities, Trusts, Social Enterprises and other voluntary sector partners.
- 1.6.4. The Haringey Adult Reducing Reoffending Strategy has been abbreviated to **HARRS** for brevity so as to differentiate it from the overarching CSP Strategy which it is an Annex of.

2. Why is reducing reoffending a priority for Haringey?

2.1. The economic and social costs of reoffending in Haringey

- 2.1.1. The cost of reoffending in Haringey in 2007/8 was £39,715,658³; an average of £176.28 per Haringey resident per year. Of this an estimated forty-six percent (£18,113,247) relates to violence against the person. Whilst this is only an estimate it does provide an indication of the cost of reoffending in Haringey.
- 2.1.2. This figure does not include the wider costs of reoffending on the borough such as those met by; health, housing, Adult Services or the loss of earnings experienced by victims of crime.
- 2.1.3. The estimated cost of keeping an individual in custody fluctuates between £27,000⁴ and £45,000 depending upon who estimates it and what they include. The most commonly quoted figure is £45,000 per year which in 2008/9 was the cost of a prison place (not including health or education)⁵.
- 2.1.4. The National Audit Office estimates that reoffending by people released from short-term prison sentences (less than twelve months) costs the tax payer between £7– £10 billion per year⁶. It has also been estimated that an ex-prisoner who reoffends is likely to be responsible for an average of £65,000⁷ in crime and associated criminal justice costs.

³ Home Office estimates based on 2007/8 data

⁴ NOMS Annual Report (2008/9): management information addendum (p68)

⁵ <http://www.justice.gov.uk/publications/docs/noms-annual-report-0809-stats-addendum.pdf>

⁶ <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/chan49.pdf>

⁷ http://www.nao.org.uk/publications/0910/short_custodial_sentences.aspx

⁷ Reducing Re-offending of Ex-prisoners, Social Inclusion Unit Report, Cabinet Office, July 2002

- 2.1.5. Haringey already invests a significant amount of resources in services and interventions to reduce crime therefore in this current climate it is essential that these resources are used more efficiently. The underpinning tenet of the HARRS is 'delivering core business differently' in order to achieve greater efficiencies for reinvestment and more effective sustainable outcomes.
- 2.1.6. It should be noted that in addition to the economic costs of reoffending the social costs also need to be emphasised. Reoffending affects families and communities and by reducing it we can help to increase community cohesion and improve the quality of family life. The fear of crime, whether real or perceived, can also have a very serious impact upon people and communities. Reducing reoffending and the visibility of crime can help to build stronger safer communities and increase public confidence in the criminal justice system. Forty-three percent of Haringey DIP clients have children, and twenty-five percent stated that their children lived with them⁸; many of whom are likely to be repeat offenders.
- 2.1.7. The reoffending rate for adults in the UK varies depending upon the criteria used to assess it. The Ministry of Justice (MOJ) looks at **reconviction** rates *within one year of release or commencement of a court order supervised by the probation service*; which by its very nature will produce an under estimate of reoffending as it includes only those offenders who have been reconvicted. The MOJ launched a consultation on proposed improvements to the *transparency and accessibility of data and information* in November 2010; one aspect of which was the measurement of reoffending. The government is now committed to developing a streamlined single framework which will focus on reoffending rates as opposed to the current reconviction rates. Whilst this new framework is being developed the MOJ has published; the *Compendium of Reoffending Statistics and Analysis (November 2010)*⁹. This report focuses on the data for the 2008 cohort and states a reconviction rate (referred to as *reoffending rate*) of **forty point one percent**¹⁰. This has been followed up with a second document; *Adult Reconvictions: results from the 2009 cohort (March 2011)*¹¹ which indicates a decrease in reoffending to **thirty-nine point three percent**¹². The report does however suggest caution when attempting to compare data with previous sets due to changes in criminal justice process and data collection. However the most commonly quoted reoffending rate for short-term prisoners is **sixty-one percent** which relates to the 2008 cohort¹³.
- 2.1.8. Offenders may not always be considered as a 'popular' group in terms of public perceptions and resource prioritisation; in fact the label can sometimes be quite unhelpful and disguise the real issues. People who offend are not a homogenous group they are individual members of our community, many of whom have experienced serious social exclusion and have multiple support needs. By addressing these needs in tandem with their offending behaviour it may be possible, not only to reduce reoffending, but to have a positive long-term impact upon offenders' families, their children, and the learned cycle of offending behaviour.

⁸ Haringey DAAT: DIP Attrition and Needs Analysis 2009/10

⁹ <http://www.justice.gov.uk/compendium-of-reoffending-statistics-and-analysis-exec-summary.pdf>

¹⁰ Ibid: p1

¹¹ <http://www.justice.gov.uk/publications/docs/adult-reoffending-statistics-09.pdf>

¹² Ibid: p8

¹³ <http://www.justice.gov.uk/compendium-of-reoffending-statistics-and-analysis-exec-summary.pdf>

- 2.1.9. A 2007 joint priority review on the children of offenders¹⁴ revealed that approximately 160,000 children have a parent in prison each year. The report found that these children are three times more likely to have mental health problems or to engage in antisocial behaviour than their peers and nearly two thirds of boys who have a parent in prison will go on to commit some kind of crime themselves.

2.2. National, local and other drivers for reduce reoffending

National Drivers

- 2.2.1. The Social Exclusion Unit's report; *Reducing Reoffending by Ex-prisoners (2002)* helped to kick-start the recent dialogue around reducing reoffending and led to the Home Office response; *Reducing Reoffending National Action Plan (2004)*. The National Action Plan introduced the original seven Reducing Reoffending Pathways (see below) and required all regions to develop their own Regional Reducing Reoffending Plan. This was led in London by GOL (Government Office for London) and London NOMS (National Offender Management Service). However, with the recent closure of the regional government offices and the reduction in NOMS Directors it means that this piece of work is no longer being driven at a regional level.

The original Reducing Reoffending Pathways:

1. Accommodation
2. Employment Training and Education
3. Health (including Mental Health)
4. Drugs and Alcohol
5. Finance, Debt and Benefit
6. Children and Families
7. Attitudes, Thinking and Behaviour

The two new Pathways:

8. Women who have experienced Domestic Violence
9. Women who have been involved in Prostitution

- 2.2.2. Other drivers have included NOMS target to reduce reoffending by ten percent by March 2011. Public Service Agreements such as PSA 16 and PSA 23. Various national indicators within Local Area Agreements such as NI16 and NI18. The current focus on localism means that areas will now be able to decide for themselves what their priorities are and how they wish to target their resources to meet these – albeit within an environment of significant financial cuts and spending limitations.
- 2.2.3. In December 2010, the government issued a number of consultation papers which provided a good indication of the direction of travel for the Coalition Government with regards to criminal justice. The consultation period for *Breaking the Cycle: effective punishment, rehabilitation and sentencing of offenders (Dec 2010)*¹⁵ closed on 4th March and we await their response due in May 2011. The consultation document focused on three key themes;

¹⁴ DCSF and MOJ 2007 Joint priority review on the children of offenders.

http://www.cabinetoffice.gov.uk/social_exclusion_task_force/families_at_risk/review_analysis.aspx

¹⁵ <http://www.justice.gov.uk/consultations/docs/breaking-the-cycle.pdf>

- Reviewing the sentencing framework
- A more effective response to rehabilitation
- Breaking the cycle of reoffending.

2.2.4. It placed weight on the Integrated Offender Management (IOM) model and proposed a new approach to delivering services for offenders' embracing the involvement of the VCS, private and public sectors. This approach includes increasing competition; decentralising control; enhancing transparency; strengthening accountability; and *Payment by Results*. Most importantly it focused on the role, involvement and accountability to the local community, through the election of local Police and Crime Commissioners and through improved feedback on the performance of local services. It is hoped that the Service User Council pilot being commissioned by London Probation Trust in 2011 may enable us to include service user involvement in the HARRS from 2012. We will also explore other methods for achieving this through liaison with VCS organisations which have developed a strong service user focus.

2.2.5. The cross-departmental national *Drugs Strategy; Reducing Demand, Restricting Supply, Building Recovery: supporting people to live a drug free life (2010)*¹⁶ also signals a shift of responsibility from the centre to local areas. The breadth of the strategy includes alcohol, prescription, over-the-counter drugs as well as illegal substances. The strategy has two key aims:

- Reduce illicit and other harmful drug use, and
- Increase the numbers recovering from dependence.

Recovery is at the heart of the strategy which is based on a 'whole systems approach' to delivery and an integrated holistic approach to commissioning. The HARRS fully supports and embraces these approaches.

Local Drivers

2.2.6. The key driver for the HARRS is that it is being developed at a challenging time as Haringey prepares itself to manage significant cuts to the public purse in wake of the *Corporate Spending Review 2010*. This means that the HARRS must be implementable within current resources, or better still be able to achieve efficiencies for reinvestment.

2.2.7. The HARRS has been written in advance of the *CSP Strategy 2011/14* being finalised therefore to ensure a good fit, there has been full consultation with the CSP during the development of the HARRS. Reducing reoffending will be one of the key objectives of the CSP Strategy and the HARRS will be its Delivery Plan.

2.2.8. The HARRS wishes to learn from, and build upon, the approaches and interventions that are already working well in the borough in order to increase the positive outcomes and overall efficiency of reducing reoffending initiatives in Haringey. For example the *Haringey Strategic Assessment (2010)*, highlights the significant reduction in recorded crime over the last seven years;

"This remarkable decrease in crime is partly due to a combination of effective prevention and diversion (inc. drug treatment), better problem-solving, smart use of a range of data and intelligence, robust case work, neighbourhood policing and a focus on the most vulnerable locations and people.

¹⁶ <http://www.homeoffice.gov.uk/publications/drugs/drug-strategy/drug-strategy-2010?view=Binary>

Other Drivers

- 2.2.9.** *Mental Health: The Bradley Report (2009)*¹⁷: This report highlights the high rate of prisoners with mental health needs and the inappropriateness of prison for people with mental ill health in cases where custody was not necessary for public protection. The report refocused discourse in this area and recommended diversion wherever possible. The government is currently exploring effective robust community based treatment options for offenders with mental health needs. It is therefore essential that the HARRS is informed by good practice through liaison and engagement with Haringey Mental Health Trust and VCS partners.
- 2.2.10.** *Women offenders: The Corston Report (2007)*. The last few years have seen significant movement in this area including the development of the *National Framework for Female Offenders*, the closure of women's Approved Premises in London, the addition of two new Reducing Reoffending Pathways for women (see page 7), and the piloting of the women's Diversion Projects; including the London Project delivered by Women in Prison. The catalyst for the long awaited acknowledgment that the criminal justice system is not meeting the needs of women was the publication of Baroness Corston's report; *A review of women with particular vulnerabilities in the criminal justice system*. The report made forty-three recommendations for change and led to the formation of the All Party Parliamentary Group on Women in the Penal System and the subsequent follow-up report; *The Second Report: women in the penal system*. The HARRS will therefore be mindful of the specific needs of women offenders and in be guided by the *NOMS London Strategy on Women Offenders 2010/13*.
- 2.2.11.** *Young offenders*: whilst this strategy focuses on adult offenders it is essential that it works closely with Haringey Youth Offending Service (YOS) to ensure an effective transition from youth services to adult services. The *Haringey Strategic Assessment (2010)* identified a jump in offending rates at eighteen. This is consistent with national trends and something which Haringey wish to explore and understand more fully by working closely with the YOS.
- 2.2.12.** *Diversity*: the needs of the BME communities in Haringey will be reflected throughout the HARRS, and the mapping of offender services and activity will help to highlight any specific gaps in this area which may require further exploration. Some partners have suggested that they are not seeing the range of referrals to community based interventions that they would expect to see in relation to the current ethnic make-up of the borough; this is something we will be mindful of when conducting our analysis.
- 2.2.13.** *Victims of crime*: are central to the HARRS and the reducing reoffending agenda. We recognise that many offenders are themselves also victims of crime and that by reducing reoffending we can help to reduce the number of people who become victims of crime.

2.3. Haringey's offender population and needs profile: the headlines

- 2.3.1.** One of the key strategic priorities of the HARRS in the coming year is to conduct a profile of offending needs and activity in the borough. In lieu of this we have produced some headline data to illustrate the offender profile in Haringey. These

¹⁷ http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_098694

headlines are based on a number of data sources including the; *Police Detainees and Offenders in London 2009/10*, London Probation Trust commencement and OASys data, *DIP Attrition and Needs Analysis 2009/10*, the *YOS Active Snapshot (December 2010)* and the *Haringey Community Safety Strategic Needs Assessment 2010*.

2.3.2. It is not possible to cross compare the various data sets due to the way in which data has been collected and codified. For instance the London Probation Trust data set for April 2009 – March 2010, states there were 1838 new commencements during that period, where as the *Police and Detainee and Offenders in London* report states 1725 commencements. Therefore the following headlines are simply by way of an illustration of the current needs.

2.3.3. London Probation Trust

We have looked at three data sets relating to different periods in 2009/10 based on either caseload or OASys (Offender Assessment System) data. Please note that as the data relates to different catchments periods and sample sizes the following headlines are intended to provide an indication of needs and demography only.

April 2009 – March 2010

1838 new commencements of which there were:

- 1137 (62%) community orders
- 287 (16%) offenders released on licence
- 414 (22%) offenders who started a custodial sentence

Demography

82% male
 78% aged 18-39
 40% self defined as white
 37% self defined as black

Employment, Training & Education (ETE)

Of those who had an ETE support need on average:
 46% had a mild or severe learning difficulty
 64% had mental health support needs
 48% had a drug problem
 38% were aged 18-24

Domestic Violence

29% had committed a DV related offence or were a known perpetrator

Support Needs

Of those who had completed this section:
 84% had a problem with 'thinking & behaviour'
 62% had a problem with 'lifestyles & associates'

Accommodation

On average 25% had an accommodation problem and of this group around 67% had a mental health support needs, 44% drugs misuse and 36% alcohol misuse.

Offence Type

Theft and handling = 407 (22%)

Violence against the person = 395 (21%)

2.3.4. Profile Report on Police Detainee and Offenders in London 2009/10¹⁸

<p>Commencements: 1725</p> <p>1137 (66%) in the community 239 (14%) released from custody 349 (20%) in custody</p>	<p>Support Needs: 151 requirements</p> <p>13 mental health requirements 55 alcohol requirements 83 Drug Rehabilitation Requirements (DRR)</p>
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For the following support needs the sample group comprised of 738 respondents;

Accommodation Status Prior to Custody			
Hostel = 18 (2%)	Permanent = 433 (59%)	Temporary = 169 (23%)	NFA = 84 (11%)
Traveller = 2 (0.3%)	Rough Sleeper = 6 (0.8%)	Unknown = 26 (4%)	

“Did you have a job before prison?”	
Yes	269 (36%)
No	370 (50%)
Unknown	99 (13%)

“Do you use drugs?”	
Yes	169 (23%)
No	467 (63%)
Refused	51 (7%)
Unknown	51 (7%)

“Do you have any debts / fines outstanding?”			
Yes = 104 (14%)	No = 530 (72%)	Refused = 53 (7%)	Unknown = 51 (7%)

“What was your main source of income prior to custody?”			
Benefits = 218 (29%)	Crime = 36 (5%)	Employment = 225 (30%)	Family = 67 (9%)
Pension = 1 (0%)	Savings = 17 (2%)	Refused/Unknown = 113 (15%)	Other = 61 (8%)

2.3.5. Haringey Strategic Assessment 2010

This report provides a detailed assessment of crime and disorder within the borough. It finds that recorded crime has fallen year-on-year by six percent and by thirty-four percent over the last seven years.

<p>Key areas of concern:</p> <ul style="list-style-type: none"> • Young male adults • Repeat offenders • Male on female violence and sexual crimes • The N15 High Road corridor from Seven Sisters to Northumberland Park is a long term hotspot for robbery and violence

¹⁸ <http://lcjb.cjsonline.gov.uk/London/1233.html>

Key findings of the Strategic Assessment include:

- A clear trend for offending by younger people with 37% of accused aged 18-24
- In 2009/10 there were 25,735 recorded offences in Haringey
- The most common types of crimes by volume are; violence against the person, motor vehicle crime, burglary and criminal damage. However these large volume crimes showed significant reductions year-on-year
- The crime types that showed increases were; theft offences (particularly shoplifting and pedal cycle thefts), sexual offences and serious violence.

Key reoffending assumptions:

- Women are less likely than men to reoffend; 15% of women were charged for a 3rd or more time, compared with 25% of men
- Unemployed offenders more likely to reoffend; 29% charged for the 3rd time or more
- Particular crime types featured a lot of reoffending; robbery (33% charged for the 3rd or more time) and burglary (32% charged for the 3rd or more time)
- Gang, gun and knife crime all had higher than average proportions of reoffending; gang crime (56%), gun crime (40%), knife crime (38%) and MSV [Most Serious Violence] (26%)
- Reoffending appears to increase with age, where as criminality reduces with age; this suggests that older offenders are more likely to be serial offenders
- Looking at reoffending by location, there are two trends. Wards which have the highest volume of reoffending tended to be in the east (Noel Park 18%, Northumberland Park 12% and Tottenham Green 9%). But a higher proportion of the crime that was committed in the west tended to be by repeat offending (Crouch End 30%, Highgate 27% and Muswell Hill 22%). The reasons for this are unclear.

2.3.6. Youth Offending Service: snapshot on 31st December 2010

<p>Statutory Caseload 244 A decrease for the 3rd year running</p>	<p>12 young people in custody At its lowest level</p>
<p>36% first sentence 3% sentenced 10 times +</p>	<p>Ethnicity</p> <p>An increase in young black people from 49% to 54%</p> <p>The greatest increase has been amongst Turkish/Kurdish young people – an increase from 42% to 57%</p> <p>Asian clients more than halved since the last snapshot</p>
<p>16 known languages spoken by YOS clients Although in reality this is likely to be much higher</p>	

Offence Types

Robbery 26% (highest)

Violence 21%

Theft & Handling 15%

Drugs 8%

Location (of offenders not offences)

39% live in N17 postcode and the highest concentration of offenders (over 36%) reside in Northumberland Park (55), White Hart Lane (47) and Bruce Grove (38) wards

Support Needs

- 22% not in school or any form of ETE
- 35% reside with both parents
- 38% live with a single parent
- 9% are 'looked after' children
- 7% were assessed as presenting a high level of risk

Demographics

71% male
37% aged 16/17
9% aged 10 or under

2.3.7. Summary of the Headline Data

People who reoffend are more likely to be male, unemployed and unless they 'grow out of crime' more likely to sustain repeat offending as they grown older. People who reoffend are likely to commit robbery, burglary, gang crime, gun crime, knife crime or MSV (Most Serious Violence). Mental health noticeably features as a co-related criminogenic support need insofar as over sixty percent of those who identified an ETE need also identified a mental health need, and nearly two thirds of those who had an accommodation need also identified a mental health need - this suggests that mental ill health is likely to increase the risk of reoffending. Nearly sixty percent of offenders were housed in permanent accommodation prior to being taken into custody and over a third were employed which may suggest that greater use of out-of-court disposals and community penalties, could help to reduce the risk of homelessness, unemployment and subsequent reoffending. What does seem to be emerging from this initial data is that repeat offenders are more likely to have experienced social exclusion and have multiple support needs suggesting the need for an integrated holistic 'whole system approach' to using the Reducing Reoffending Pathways framework.

3. Integrated Offender Management (IOM)**3.1. What is IOM?**

IOM provides areas with the opportunity to focus resources in a structured and coordinated way to address the reoffending of local priority groups. IOM provides the framework to deliver mainstream services differently to achieve improved outcomes in a more efficient way.

3.2. What are the benefits of the IOM model?

IOM is not a new model as it builds upon proven and effective models such as; PPO, DIP, YOS and MAPPA. The evidence suggests that when these multi-agency models work well they can achieve improved outcomes and greater efficiencies.

Home Office/MOJ guidance suggests that an IOM approach should focus on:

- Reducing crime
- Addressing potential overlaps
- Aligning services and improving partnerships
- Simplifying and strengthening governance.

3.3. Developing an IOM approach for Haringey

The principles of IOM are:

- All partners tackle offenders together
- Delivering a local response to local problems
- Offenders facing their responsibility or facing the consequences
- Making better use of existing programmes and governance
- All offenders at high risk of causing harm and/or reoffending are 'in scope'.

Guidance for developing an IOM suggests that ideally it will include:

- Focusing mainstream delivery on locally agreed priority 'groups'
- Clear roles and responsibilities for all partners
- Effective case management.

Exploring the options for developing an IOM approach in Haringey is one of the key strategic objectives of the HARRS and will be informed by national guidance and good practice.

The next steps for developing an IOM in Haringey are to:

- Complete a profile of offender needs and activity for Haringey
- Map services and pathways
- Identify gaps and overlaps
- Agree priority group(s)
- Develop a range of locally shaped IOM options informed by the above and agree a way forward. Options may be as simple as developing a framework to increase the effectiveness of partnership working or as ambitious as the development of a specific autonomous IOM team for the borough.

4. What are we going to do to reduce reoffending in Haringey?

4.1. Our approach

- 4.1.1.** Whilst the delivery of services and interventions to reduce reoffending is not new this is the first time that local partners have been brought together to specifically focus on this area of work. Successful delivery of reducing reoffending will only be achieved through effective partnership working.

- 4.1.2. A gap analysis will assist in establishing where current services could be improved, recommissioned, or remodelled in order to make the most effective contribution to reducing reoffending.
- 4.1.3. The National Support Framework document; *Reducing Reoffending, Cutting Crime, Changing Lives (2010)*, suggests that in relation to reducing reoffending that local CSPs should focus their activity at three levels:

Strategic planning to identify the profile of offender activity and needs in the area

Operational activity informed by information shared among partners, and based on a problem-solving approach to target and reduce reoffending and protect the public

Case management to assess individual offender need, to plan interventions based on this need and to coordinate access to these interventions

Stage 1: Strategic Planning

- 4.1.4. One of the strategic priorities in 2011/12 will be to develop a local offender profile and a shared understanding of offender needs and activity in Haringey.
- 4.1.5. The aim is then to develop a shared understanding of the extent to which reducing reoffending can be achieved through existing services by;
- Identifying the gaps and exploring ways in which these can be met
 - Identifying duplication and exploring ways in which services can work together in a more streamlined way
 - Achieving a shared agreement of local priorities in reducing reoffending.
- 4.1.6. To ensure that the HARRS is responsive to local needs we will explore ways to improve involvement of the VCS, the private sector, service users and the wider community in both strategic development and operational delivery wherever possible.

Stage 2: Operation Activities

- 4.1.7. This stage will be informed by *Stage 1*, insofar as the offender profile and services map will help to focus the strategic priorities for the HARRS Delivery Plan and shape the proposals for an IOM model in Haringey.
- 4.1.8. We acknowledge that the development of the HARRS provides an ideal opportunity to review all existing arrangements to ensure that key partners are taking the most appropriate role and are able to contribute their skills and expertise effectively.

Stage 3: Case Management

- 4.1.9. We believe that by mapping offender services and pathways we will be able to identify duplication and / or poor connectivity between services; providing opportunities to improve current provision, remodel, recommission and achieve efficiencies for reinvestment.

4.1.10. Where appropriate we will work with our neighbouring boroughs to consider cross-borough commissioning where the economy of scale is poor or where a cross-borough service could add value for another reason.

4.1.11. Good practice requires that the case management approach for all offenders (statutory and non-statutory) should ideally be based on the model of the 'single lead professional' or case manager to ensure that the offender's needs are met and risk is managed effectively. We will explore ways to improve the consistency of case management and support delivery for all offenders based on the single lead professional approach.

4.1.12. The mapping of offender needs and services will also help to identify how the MAPPA (Multi Agency Public Protection Arrangements) and MARAC (Multi Agency Risk Assessment Conference) link-in with the HARRS and the role they might play in an IOM approach.

4.2. Our Vision

Working together to deliver jointly agreed services and interventions to effectively reduce reoffending and support people to live healthy, fulfilling crime-free lives. To contribute and build upon the ongoing crime reduction and prevention work to make Haringey one of the safest London Boroughs in which to live, work and visit.

This is the guiding vision that drives the HARRS. To achieve this vision we need to understand the profile of offending in Haringey, the current map of offender services and interventions and how they meet the needs of the borough. Then from this informed position we can jointly agree the key priorities for reducing reoffending in Haringey.

4.3. Our Strategic Objectives

There are three overarching strategic objectives:

Objective 1	To work together in an innovative solution focused and holistic way to reduce reoffending
Objective 2	To develop and implement an Integrated Offender Management (IOM) model to focus mainstream delivery on locally agreed priority 'groups'
Objective 3	To build on success and implement change to ensure improved delivery of services and interventions to reduce reoffending

5. **DRAFT** Haringey Adult Reducing Reoffending Delivery Plan 2011/12

No	Strategic Objectives and Strategic Priorities	Requirement	Lead	Timescale	Comments
1	To work together in an innovative solution focused and holistic way to reduce reoffending				
1a	Using available data identify the current offender activity and needs in the borough	Report produced providing a summary and analysis of findings	AT*	By June	Data to be provided by OMG and other stakeholders
1b	Map current offender services and interventions; identifying gaps and duplication	Report produced presenting findings	AT*	By June	Data to be provided by OMG and other stakeholders
1c	OMG to identify and jointly agree the priorities for reducing reoffending	Informed by the offender profile, service mapping, stakeholder intelligence	OMG Chair	By Sept	
1d	Explore ways to achieve optimum involvement and engagement with all partners in reducing reoffending including the VCS, service users, health, courts, CPS, prisons and the private sector	1. Responsible Lead Officer to be identified 2. OMG agenda in June for discussion and action planning		June OMG	Ongoing task
1e	Review the membership of the OMG to ensure that there is effective representation from all partners	OMG agenda item to be scheduled	OMG Chair	By Sept	
1f	Ensure that the diverse needs of the borough (including women and young offenders) are appropriately reflected in the needs profile, service mapping and service development	1. To be included in the mapping exercise and report 2. Lead Officer to be identified as Diversity Champion	1. AT* 2. OMG	1. By June 2. By Sept	Data to be provided by OMG and other stakeholders
1g	Explore and develop robust and systematic processes for collecting, sharing and using data / information to support the delivery of this strategy	Identify Lead Officer or small working group		March 2012	
1h	Identify ways to improve corporate, stakeholder and senior management buy-in to reducing reoffending to ensure that it is prioritised in partners business plans and dovetails with key strategies	All OMG members to ensure that reducing reoffending is embedded in the strategies and activities of their agencies	All OMG members	Ongoing	

No	Strategic Objectives and Strategic Priorities	Requirement	Lead	Timescale	Comments
2	To develop and implement an Integrated Offender Management (IOM) model to focus mainstream delivery on locally agreed priority 'groups'				
2a	Using the offender profile and service mapping explore IOM options for Haringey in consultation with stakeholders	IOM scoping report	AT*	June	
2b	Agree a locally shaped IOM model and develop an implementation plan	Focused discussed informed by scoping report. Lead Officer to be identified to oversee implementation			
2c	Explore opportunities to optimise resources through pooling and joint-working, without the limitations of perceived roles, responsibilities or cohorts	Identify Lead Officer and or small working group			
2d	Develop an effective IOM information sharing protocol based on good practice	Review current arrangements and develop a draft protocol for consultation			
2e	Set and agree performance targets for the IOM and a mechanism for measurement	Agenda OMG discussion			
2f	Consider ways to optimise the use of IT, and based on good practice consider how this may be achieved through the development of shared systems (for case management, assessments etc)	Identify Lead Officer or small working group			
2g	Ensure engagement and involvement from all partners to reflect the full spectrum of the 'Reducing Reoffending Pathways' in the IOM	Lead Officer to be identified			

No	Strategic Objectives and Strategic Priorities	Action Required	Lead	Timescale	Comments
3	To build on success and implement change to ensure improved delivery of services and interventions to reduce reoffending				
3a	Based on the offender profile and mapping exercise consider how – apart from the IOM – offender services and interventions can be improved to achieve more effective outcomes and greater efficiencies	Focused discussion to be diarised on the OMG forward plan and informed by scoping report. Action Plan to be agreed (separate to IOM)			All plans must be mindful of procurement and contract frameworks and where possible a joint commissioning approach should be considered.
3b	Where required; remodel, reshape and recommitment offender services and interventions to create a more streamlined and responsive approach to reducing reoffending	Based on the IOM implementation plan and Action Plan for strategic priority 3a, agree an overall improvement plan			
3c	Develop a joint commissioning approach and / or joint commissioning strategy for both IOM and other offender services and interventions	Focused discussion to be diarised on the OMG forward plan			
3d	Conduct a strategic review of offender services and interventions to identify 'what works' in Haringey and explore ways in which this may be replicated or built upon	Focused discussion to be diarised on the OMG forward plan			
4	Other Actions				
4a	Review progress of HARRS Delivery Plan 2011/12 and agree strategic priorities for HARRS Delivery Plan 2012/13	OMG agenda 4 th quarter 2011/12	OMG	By March 2012	
4b	Take the necessary action to ensure that Haringey is well positioned and prepared to respond quickly to new funding and development opportunities that may arise	Identify a Lead Officer	All OMG members	Ongoing	

* External consultant Amanda Tooth
To be agreed or confirmed

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HARINGEY ANNUAL YOUTH JUSTICE PLAN

2011 - 2012

Introduction

Youth Offending Services were set up in 2000 as a result of the Crime and Disorder Act 1998. This Act commits local authorities to address youth crime by the establishment of youth justice services. The act also defines statutory partners with the local authority as being the police, probation and health services. The work of the Youth Offending Services is overseen by the Youth Justice Board (YJB) whose primary purpose is 'to work to prevent offending and re-offending by children and young people under the age of 18, and to ensure that custody for them is safe, secure and addresses the causes of their offending behaviour'. It is expected that the Youth Justice Board will cease to function as a non-departmental public body and its functions will be transferred to the Ministry of Justice (MoJ), in 2012. The YJB will continue to carry out its functions while transitional arrangements are being worked through. It is expected that there will be a distinct focus on young people within the MoJ.

In April 2011, the Haringey Youth Offending Service (YOS) moved into the Children and Young People's Directorate, within the Prevention and Early Intervention service. The YOS had previously been within the Safer, Stronger Communities division for a number of years

The Youth Justice Annual Plan is aligned with the 'Children and Young People's Plan 2009-2020' and the Community Safety Partnership Strategy. The YOS also contributes to other strategies and plans and is represented on a wide range of local, regional and national bodies.

Due to reductions in various budgets and the ending of some grants in March 2011, with no alternative funding available, the Haringey Youth Offending Service has undergone a restructure in order to ensure it remains within budget. Effectively, the service has reduced by about a third and the new structure has been designed to have the least negative effect possible on services to young offenders and their families.

The YOS will now consist of four teams – Haringey Youth on Track (Youth Crime Prevention Team), two casework teams and a court and pre-sentence team. The prevention team works with those at risk of offending and runs the Triage scheme. Triage involves workers going in to police stations to interview and assess those arrested on low level offences and divert them from the criminal justice system. This work is essential to achieve the YJB indicator of reducing the number of first time entrants into the youth justice system. The YOS police officers continue to issue final warnings and reprimands, although the number of reprimands has decreased since the introduction of Triage.

The two casework teams supervise young people between the age of 10-18 years who are subject to court orders – either community orders or custodial sentences. The introduction of the Youth Rehabilitation Order (YRO) in November 2009 changed the sentencing framework for young people who can now be sentenced to a YRO with up to 18 requirements depending on individual risks and needs – in particular the risks of re-offending and serious harm to others.

The court and pre-sentence team carries out all work in court, including the preparation of pre-sentence reports to assist magistrates in sentencing young people. The team also carries out bail and remand work and work with victims, with a particular focus on encouraging the use of restorative justice.

Local volunteers are also recruited to sit on Referral Order Panels or to supervise young people on reparation projects. Volunteers are all trained and have been checked by the Criminal Records Bureau (CRB).

Performance

The Youth Justice Board expects to YOS to perform against three indicators:

- Reduction in the number of first time entrants to the Youth Justice System.
- Reduction in re-offending (exact re-offending measure currently being finalised).
- Reduction in the use of custody.

Performance for the first three quarters of 2010-11, as confirmed by the YJB is as follows:

NI 19 – **Rate of Proven Re-Offending** is 0.70. This rate relates to 132 young people who committed 92 re-offences. This data is only two quarters as data is reported one quarter retrospectively. This is likely to be the YOS's highest re-offending rate which is a matter for concern. One reason for this is the implementation of the Triage Programme which has almost entirely replaced the Reprimands in Haringey. Reprimands are tracked as part of the re-offending cohort whereas Triage clients are not. Subsequently, the cohort no longer has approximately sixty young people with an historically very low re-offending rate (approx 10%) from our cohort. Analysis also proved that this cohort had a high offending profile in comparison to previous years' cohorts.

NI 43 – **Custodial Sentences** is 8.0%. The indicator is to reduce the percent of custodial sentences out of all sentences issued to young people in court from last year. Our figure is slightly higher than the London average (7.2%) but lower than the family average (7.1% family which are YOTs similar in composition to Haringey). Last years output at this point was 6.9%. The increase is due to a rise in serious offences where custody appeared to be the only option.

NI 44 – **Ethnicity**. This is an annual indicator. The direction of travel monitored is for the offending profile to be the same as the general population of the Borough. Indications are that Haringey should meet this target in 2010/11.

NI 45 – **Education, Training & Employment** is 73.8%. The indicator is to increase the percent of young people in full-time education, training or employment by the conclusion of their intervention. Last years output was 73.1% so Haringey YOS is on course to meet this target. Factors which affect this are the high numbers of Roma young people in Haringey for whom it is difficult to find placements, the current recession which reduces the number of placements, gangs issues – young people cannot attend certain areas- the high percentage of young people who are transient/moving home frequently.

NI 111 – **First Time Entrants** is -36.3%. The indicator is to reduce the number of young people entering the youth justice system year upon year. Haringey has reduced the numbers by 36.3% since last year and is therefore well on course to achieve a reduction. Haringey previously had the 31st highest numbers of first time entrants in London (from 32) but now has the 19th highest which clearly demonstrates the degree of improvement.

Although previous indicators have now been removed, the YOS will continue to analyse ethnicity – young black men continue to be over-represented nationally in the Criminal

Justice System and this is also the case in Haringey. The Haringey YOS continues to address this through quality assurance and monitoring procedures as well as the work of the Diversity Forum. A caseload snapshot is drawn up twice yearly to monitor trends and to allow the YOS to adjust services accordingly and ethnicity is a crucial factor. The local Youth Court receives regular reports in relation to performance.

A major offending risk factor for young people is not being in education, training and employment (ETE). Current data indicates that the percentage of those in ETE at the end of their orders for 2010/11 will be marginally below that of 2009/10. A possible causal factor for this could be that 2 Connexion workers who had previously been based in the YOS are now based elsewhere and the YOS has reduced from 2 to 1 ETE mentors. The YOS will continue to monitor ETE levels quarterly, but on active cases rather than at order end, as previously, to try to gain a more accurate picture.

The third area of work which will be monitored six monthly relates to children in care/leaving care, as some of the most vulnerable and/or challenging young people known to the YOS are also in the care system. YOS data will be analysed so that information can be shared between the two services and resources used to maximise effectiveness. Formal meetings between the YOS and CIC management teams will be set up and joint data meetings held to address and identify common issues.

Safeguarding will continue to be a priority for the YOS, with staff accessing relevant training, ensuring that referrals are made in a timely fashion and are followed up appropriately. This will include young people at risk of, or actual, involvement in serious youth violence and gangs who can be both victims and perpetrators.

Local Demographics

There are 53,700 children and young people aged 0-19 years who live in Haringey, representing 23.8% of the total population. The population is diverse and 40.7% of children and young people are from minority ethnic groups compared with 24% in the capital as a whole. The proportion of children and young people whose first language is not English is 53.2% in primary schools and 46% in secondary schools. Both the minority ethnic and the English as an additional language groups are growing in proportion. Some 30 nationalities are represented in schools in the borough and over 123 languages are spoken by children and young people. Haringey is the fifth most deprived borough in London, with 39.2% of children classified as living in poverty. The proportion of children and young people entitled to free school meals is 28.9% in primary schools, 31.5% in secondary schools and 41.1% in special school schools. Infant mortality and teenage pregnancy rates have been high, but are now reducing.

In December 2010, there were 303 children and young people subject to a child protection plan and 600 looked after children and young people in Haringey. This includes 40 unaccompanied asylum-seeking minors and 12 young people aged 16-17 who were presenting as homeless. The council and its partners support 402 care leavers. There are dedicated teams working with care leavers and children with disabilities. In December 2010, there were 1,296 children and young people with a Statement of Special Education Need.

Some key factors about the youth offending population in Haringey from the YOS caseload snapshot January 2011 are:

- 24% of the entire YOS caseload of 459 active programmes is supervised by the prevention team.
- The ethnicity of clients (by census category) is 54% black (an increase from 49% in June 2010). 35% white, 7% mixed, 2% Asian and 2% other.
- Robbery constitutes 25.7% of the main offences committed, 20.8% violence, 14.8% theft and handling and drugs 8.3%.
- The majority of the young offenders live in the East of the Borough, with 39% living in N17.
- 71% of the caseload is male and the figure of 29% female is at the highest level ever.
- 37% of the caseload is 16/17 years old.
- 9% of the caseload is children in care (48 young people).
- 78% are in full time education, training or employment.
- 35% reside with both parents; 33% with mother in a single parent household.

Resources

Some of the previous grants available to the YOS ended in March 2011 and there was no alternative funding available. The grants from the Home Office, Ministry Of Justice and Department for Education have all been reduced and are now allocated by the Youth Justice Board as a single Youth Justice Grant. This grant is no longer ring fenced, but the clear expectation is that it should be spent on Youth Justice Services. Haringey YOS receives core council funding and previously named area based grant funding from Haringey Local Authority. The Youth Justice Grant has been reduced by 22.78% for 2011/12. The YOS also receives funding from other services as well as 'in kind' funding via the provision or secondment/attachment of staff and provision of services. The breakdown of the budget/resources for 2011/12 is expected to be as follows:

Agency

Local Authority	£1710k
CYPS	£87k plus seconded education officer
Youth Justice Grant (indicative amount)	£825k
Probation	Seconded probation officer
Safer Communities Grant	£47.5k
Health	Seconded mental health worker and part-time school nurse
Police	1 acting police sergeant: 2 police constables

Commissioned services are kept to a minimum and awarded on a value for money basis. Haringey YOS previously operated as a consortium with Barnet and Enfield to commission Intensive Supervision and Surveillance (an intensive programme for young offenders at risk of going into custody). However, the loss of £22k to operate as a consortium has resulted in the service being brought in-house from April 2011. A contract has just been awarded for the Appropriate Adult Service – a statutory service providing trained adults to accompany young people arrested if parents are unable or unwilling to attend the police station.

A video-link is available with a number of custodial institutions and parents/carers are encouraged to use it to maintain links with young people in custody who may be placed

some distance from Haringey. An SMS texting service has proved successful in reminding young people of appointments and thus increasing compliance. 'Viewpoint' is used with young people to gain feedback on the service they have received. Unfortunately, IT issues have limited the use of this application.

The YOS successfully recruits local volunteers for Referral Order Panels and to assist with reparation. Ways of extending the use of trained volunteers will be investigated in 2011.

The YOS is registered as a tier 3 substance misuse provision and the two substance misuse workers complete SASSI assessments – substance abuse subtle screening inventory - on relevant young people, as well as facilitating cannabis and alcohol awareness sessions. The Blenheim Project has recently been awarded the contract for young people's substance misuse provision and will work closely with the YOS – they are likely to be based with the YOS later this year.

Structure and Governance

The delivery of services by the YOS is overseen by the YOS Partnership Board which meets quarterly. Performance data and analysis and relevant issues affecting the YOS and partners are presented at each Board meeting. The membership of the Board is as follows:

- Deputy Borough Commander – chair
- Head of Strategic Commissioning, CYP NHS Haringey – vice chair
- Policy Officer – Safer Communities
- YOS Strategic Manager
- Assistant Director – CYPS
- Assistant Director – CAMHS
- Chair of Haringey Youth Bench
- Youth Court Legal Advisor
- Senior Probation Officer – London Probation Service
- Borough Prosecutor – Crown Prosecution Service

The YOS Partnership Board consists of members of such seniority that decisions can be made in relation to the effective delivery of Youth Justice Service and the resourcing of such services.

Members of the YOS Partnership Board sit on various other Boards including the Children's Trust, Local Safeguarding Children Board, Borough Criminal Justice Group and Safer Communities Executive Board. The YOS Management Team is also members of various boards and committees. However, the move to the Children and Young People's Service and reduction in management capacity, means that links with other Boards, particularly the Children's Trust, and membership of committees will be reviewed and rationalised in 2011/2012.

Partnership Arrangements

Nationally, it has been acknowledged that the success of Youth Offending Services has been largely attributed to their multi-agency make up. Having a range of professionals and resources within the YOS affords young people easier access to services, allows better sharing of information and avoids duplication of work. The Probation Service, Police, CYPS and Primary Care Trust provide staff and/or funding in order to fulfil their statutory responsibilities under the Crime and Disorder Act 1998.

The police staff within the YOS undertake Final Warnings, deal with Reprimands, oversee the Triage Project and play a crucial role in the work with victims, encouraging them to become involved in restorative justice approaches. The inspector responsible for the YOS is also responsible for community engagement and mental health thereby providing additional links between agencies.

The YOS has an information exchange agreement with all secondary schools; there is a designated teacher in all secondary schools and Sixth Form College and the Education Officer represents the YOS at various meetings, such as the In Fair Access Panel. The YOS manager sits on the Pupil Support Centre's Steering Group.

The Primary Care Trust provides a part-time school nurse who undertakes health assessments, carries out work in relation to specific area of health, such as sexual health and attends the monthly health forum. The Child and Adolescent Mental Health Service (CAMHS) will be providing a mental health worker to assess emotional and mental health and refer on as necessary. Close links have been established with the Adolescent Outreach Team (AOT) and work is taking place to access speech, language and communication services. Training in this area of work with selected staff is taking place in 2011 with the Communication Trust.

The YOS continues to work closely with different sections of the Children and Young People's Service to ensure both youth justice and social care needs are met. Integration into CYPS will take place in 2011/12 and should allow more smooth and streamlined processes to be developed. The protocol between the YOS and CYPS sections is reviewed annually and clearly defines respective services responsibilities.

The local Youth Court is another key partner in the Youth Justice System. The Chair of the Youth Bench and the Youth Court Legal Advisor both sit on the YOS Partnership Board. Major changes will be taking place both locally and London wide in the Youth Courts in 2011/12 which will affect liaison with local magistrates. It is anticipated that Haringey Youth Court will move to Highbury Corner by the summer of 2012. Enfield, Camden and Islington Youth Courts will also sit there and the magistrates will work collectively rather than being attached to specific Boroughs. The local Youth Court Panel meetings attended by magistrates and YOS staff are now ending. It will be necessary to look at how the positive relationships can be maintained and information and data shared as these changes progress.

The YOS also has effective partnerships with voluntary organisations such as Catch 22 (appropriate adult providers) and Bernie Grants Art Centre (BGAC) where both project and reparation work is undertaken. It is hoped that, the YOS, in conjunction with BGAC can develop links with Dance United, a very successful voluntary organisation, which works with young offenders in neighbouring boroughs.

Risks to Future Delivery

For many years, the YOS has been over-relevant on short term grants, many of which ended in March 2011. This, coupled with severe cuts in both the Local Authority and Youth Justice Board Grants, have led to a complete restructure of the YOS with the loss of a number of posts. The statutory work of the YOS has been prioritised, but a smaller core prevention team has also been retained to continue to reduce the number of first time entrants coming into the criminal justice system.

As a result of this reduction in resources, it will be necessary for the YOS to prioritise its work, so that the focus is clearly on reducing offending and re-offending. Services provided will be continually reviewed to ascertain whether different ways of working would be more productive and efficient for young people and their families.

In 2011/12 the Youth Justice Board will be revising the formula used for funding YOS's as the current formula is considered to be out of date. This could result in further reductions in the Youth Justice Grant for Haringey in 2012/13. The concept of payment by results is also being investigated and, again, is likely to have financial implications for the YOS.

As stated earlier, the previous performance framework has been reduced to three indicators – reduction in the number of first time entrants, re-offending and the use of custody. From April 2011 it is envisaged that the first two indicators will be calculated using data from the Police National Computer (PNC). However, the YOS will continue to track these indicators as YOS information tends to be more up to date. We will also monitor data locally relating to ethnicity, ETE and children in care.

It is not yet known how the re-offending indicator will be calculated from April 2011. In recent years a cohort of young people who committed offences between January to March has been tracked by measuring the number of offences they go on to commit over the following year.

Haringey YOS will undergo a core case inspection (CCI) by HMI Probation in October 2011. There are concerns that the reduction in staff and resources and uncertainty/late notification with regard to funding have had a significant effect upon staff morale which, in turn, may affect performance. The CCI will be concentrating on safeguarding, likelihood of re-offending and risk of harm under three section headings – assessment and sentence planning, delivery and review of interventions and outcomes.

Developments for 2011/2012

Change of Directorate and Office move

Due to the dis-establishment of the local authority Safer, Stronger Communities service, the YOS moved into the Children and Young People's Directorate in the Prevention and Early Intervention section in April 2011. However, given the overlap with young people in care, closer links will be formally established with the children and families service as well.

In order to reduce office rental costs, the YOS will be moving from its current offices during the summer of 2011. It is expected that the staff will be based in the Civic Centre with young people being seen at the adjacent office, which will be converted for the YOS's needs.

Youth Justice Pathfinders Initiative

Haringey YOS had investigated the possibility of working in conjunction with Barnet, Enfield and Waltham Forest to submit an expression of interest for this pathfinder. However, this consortium was unable to meet the minimum requirement in relation to the numbers in custody. The purpose of the pathfinder is to reduce the number of young people in custody and is a pilot under the Government's payment by results initiative. Hackney has submitted a bid and Haringey is one of the Boroughs included in this consortium. This bid has been successful with an anticipated start date of 1st October 2011.

Pathfinder for Children and Young People point of arrest diversion – development phase. Haringey, in conjunction with partners from the Health Authority has submitted a joint expression of interest to receive funding to further develop the Triage scheme. Pathfinders would be expected to provide 'easy identification of mental health, learning, communication difficulties or other vulnerabilities affecting the physical and emotional well-being of under 18 year olds, and to support these young people into appropriate evidence based interventions at the earliest stage possible'. This bid has been successful and it is expected the service will be operational from mid-July.

Prospectus: Delivering intensive interventions for looked after children and those on the edge of care or custody and their families.

The Local Authority, including the YOS, will be submitting an expression of interest for funding for the above development in conjunction with other partners.

Staff Training

Haringey YOS has invested in the Jigsaw programme which involves case managers being trained using manuals provided by Jigsaw. The programme is a cognitive behavioural one, using motivational techniques, which encourages young people to take responsibility for decisions about their lives. Jigsaw is endorsed by the Youth Justice Board and can be adapted to individual needs, learning styles and circumstances.

Re-Structure

The new YOS structure should be in place by May 2011 and it is to be hoped that future funding will allow the YOS to continue in its reduced form in the following years. 2011-2012 will, therefore, be a period when the YOS settles into its new structure and office and assess its priorities, reviewing, adapting and developing its services accordingly. The core case inspection should give the YOS the opportunity to learn from the inspectors findings and develop practice further.

**Appendix 1
Proposed Structure chart**

**YOS Proposed Structure Chart
2011**

	1 Strategic Manager
	1 Support Officer
	2 Operational Managers
	1 Education Officer
	1 ETE Mentor
	1 P/T Nurse
	2 ISS Workers
	4 ISS Sessional workers
Finance and Performance Team	1 Finance and Performance Manager – under review 1 Finance Officer – YOS/SSC – under review 1 Office Manager 1 Data Analyst 1 P/T Data Officer 1 P/T Receptionist 3 Administrators
Casework 1 Team	1 Team Manager 2 Social Workers 1 P/T Social Worker 1 P/T Parenting Worker 2 Probation Officers 3 Support Workers
Casework 2 Team	1 Team Manager 5 Social Workers 1 P/T Social Worker 1 Support Worker 1 P/T Support Worker 1 Mental Health Social Worker
Pre-Sentence/Court Team	1 Team Manager 3 Social Workers 2 Substance Misuse Workers 2 Support Workers 1 Volunteer and Reparation Coordinator 3 Police Staff 1 Administrator
Prevention Team	1 Team Manager 1 Senior Outreach Worker 2 Triage Workers 6 Outreach Workers

TOTAL:

1 Strategic Manager 2 Operational Managers	4 Team Managers 11 Social Workers
-----------------------------------------------	--------------------------------------

<p>1 Support Officer 1 Education Officer 1 ETE Mentor 1 P/T Nurse 2 ISS Workers 4 ISS sessional workers 1 Finance and Performance Manager 1 Finance Officer 1 Officer Manager 1 Data Analyst 1 P/T Data Officer 1 P/T Receptionist 4 Administrators</p>	<p>1 P/T Social Workers 1 P/T Parenting Worker 2 Probation Officers 6 Support Workers 1 part time Support Worker 1 Mental Health Social Worker 1 Volunteer and Reparation Coordinator 3 Police Staff 1 Senior Outreach Worker 2 Triage Workers 6 Outreach Workers</p>
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Appendix 2

Glossary

AOT	Adolescent Outreach Team
BGAC	Bernie Grants Art Centre
CAMHS	Child and Adolescent Mental Health Service
CCI	Core Case Inspection
CRB	Criminal Records Bureau
CYPS	Children and Young People's Service
ETE	Education, Training and Employment
ISS	Intensive Supervision and Surveillance
MoJ	Ministry of Justice
PNC	Police National Computer
SASSI	Substance Abuse Subtle Screening Inventory
SSC	Safer, Stronger Communities
YJB	Youth Justice Board
YOS	Youth Offending Service
YRO	Youth Rehabilitation Order



Haringey Council

Agenda item:

Council**on 18 July 2011**

Report Title: **Changes to Political Groups, Appointments to Committees & Sub Bodies.**

Forward Plan reference number (if applicable): n/a

Report of: **Chief Executive**

Wards(s) affected:

Report for: Non key decision.

1. Purpose

- 1.1 To note the changes to Political Groups as notified to the Chief Executive.
- 1.2 To agree changes to Committee memberships.

2. Recommendations

- 2.1 That the changes to Political Group composition as detailed in paragraphs 8.1 & 8.2 be noted.
- 2.2 That the resultant changes to Council body memberships as detailed in paragraphs 8.7, 8.8 and 8.9 be agreed.

Report Authorised by: **Chief Executive**

Contact Officer: **Ken Pryor, Deputy Head of Local Democracy and Member Services**
Tel: 0208 489 2915

3. Chief Financial Officer Comments

- 3.1 The Chief Financial Officer has been consulted on this report and confirms that there will be a saving in Special Responsibility Allowances of £7875. There are no other financial implications.

4. Head of Legal Services Comments

- 4.1 The report sets out those Council bodies to which the political balance rules apply.

The 1989 Act requires political balance in the distribution of seats on committees to be undertaken “so far as is reasonably practicable” thus recognising that a mathematically precise split between political parties cannot always be achieved.

4.2 The rules in section 15 of the Local Government and Housing Act 1989 require that a party with a majority on full Council shall have a majority of seats on each non-executive body and this rule takes precedence over the rules requiring an exact political balance on those bodies individually and taken as a whole.

5. Local Government (Access to Information) Act 1985

Background papers

5.1 Local Government and Housing Act 1989.

5.2 Local Government Act 2000.

5.3 Report to Annual Council on Committee Appointments

The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.

To inspect them or to discuss this report further, please contact Ken Pryor on 0208 489 2915.

6. Financial Implications

6.1 The proposed reduction in membership of the Overview & Scrutiny Committee will result in a saving of one band 1 Special Responsibility Allowance of £7875.

7. Legal Implications

7.1 The Local Government and Housing Act 1989 requires the Council to ensure there is political balance on its non-executive Committees so far as reasonably practicable.

8. Background

8.1 The Chief Executive was notified on 13 July 2011 of a change to Political Groups within Haringey. With effect from that date Councillor Weber indicated that she would serve as an “Independent Liberal Democrat Councillor” for the Crouch End Ward.

8.2 The Annual Meeting appoints Committees of the Council. Wherever possible bodies are constituted in accordance with the provisions of the Local Government and Housing Act 1989 in terms of political balance. Resulting from Councillor Weber becoming an Independent Liberal Democrat Councillor the proportionality split is as follows: Labour Councillors now constitute 59.65% of the available seats on the Council; Liberal Democrat Councillors occupy 36.84%, and the Independent Members occupy the remaining 3.51% of seats. Where practicable the allocation of seats on Committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes

precedence over the rule about proportionate allocation on any individual body.

- 8.3 There is no requirement to offer a seat to a single member as they do not constitute a "political group" under the definition in the Local Government (Committees and Political Groups) Regulations 1990 (S.I. 1553) Regulation 8.
- 8.4 In calculating the allocation of seats on Committees, the following bodies were excluded because they are excluded from the statutory rules on political balance:
- the Cabinet and its subordinate bodies
 - the disciplinary pool
 - the Standards Committee and
 - other Committees where membership is determined on the basis of electoral ward represented (eg. Area Committees)
- 8.5 With the advent of Independent members, the ability to achieve a precise balance is more difficult.
- 8.6 The number of seats available on Committees and Sub-Committees is 52. Of this number 30 or 57.69% are allocated to the Labour Group and 22 or 42.31% to the Liberal Democrat Group.
- 8.7 The Liberal Democrat Group have requested that Councillor Winskill be appointed as Chair of the Crouch End, Hornsey and Stroud Green Area Committee. Assuming that the Council confirm this appointment, it will result in Councillor Winskill also sitting on the Overview & Scrutiny Committee as an Area Committee Chair. He currently sits on Overview & Scrutiny Committee as an additional member.
- 8.8 It is proposed that the number of Liberal Democrat places on the Overview & Scrutiny Committee be reduced therefore by one, giving a 5/3 split. This will result in a reduction of one band 1 Special Responsibility Allowance. The adjusted proportionality split in the number of Committee and Sub-Committee seats will result in the Labour Group will occupying 30 or 58.82% and the Liberal Democrat Group occupying 21 or 41.18%.
- 8.9 Councillor Weber will now be shown as an Independent Liberal Democrat Councillor on the Crouch End, Hornsey and Stroud Green Area Committee membership.
- 8.10 Changes to appointments can be made at any stage during the Municipal Year with the changes being reported to the Council as appropriate.

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**REPORT OF THE CONSTITUTION REVIEW WORKING GROUP No. 01/2011-12
COUNCIL 18 JULY 2011**

Chair:
Councillor Clare Kober

INTRODUCTION

- 1.1 This report to full Council arises from the report entitled "Review of Contract Standing Orders". With the approval of the Monitoring Officer, on the basis that the Constitution Review Working Group (CRWG) is not a formal Committee set up under Local Government legislation, we did not meet in person but circulated the report for comment and approval.

ITEM FOR DECISION

- 2.1 Amending the Contract Procedure Rules (Appendix A)
- 2.1.1 The attached report at Appendix A was considered by Members of CRWG having first been approved by the Cabinet Procurement Committee on 16 June 2011.
- 2.1.2 The report incorporates the changes requested by Members of CRWG at paragraph 10.01.1 of the actual Contract Standing Orders regarding the power of a Director to waive CSO's. They have agreed an increase from £50k to £100k (not to £250k as originally proposed).
- 2.1.3 The attached Statement of Principles and Contract Standing Orders incorporates the text changes, with deletions shown in strikethrough and additions in italics.

WE RECOMMEND:

That the proposed amendments to the Council's Contract Standing Orders as detailed in the attached Appendix A be agreed and that these changes come into effect from 1 August 2011.

That these amendments be incorporated into the Council's Constitution at Part 4 J Contract Procedure Rules.

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Agenda item:

[No.]**Council****On 18th July 2011**

Report Title. Review of Contract Standing Orders (CSOs)	
Report of Julie Parker – Director of Corporate Resources	
Signed :	
Contact Officer: Michael Wood – Head of Procurement	
Wards(s) affected: All	Report for: Key Decision
<p>1. Purpose of the report - This report sets out proposed amendments to the Council's Contract Standing Orders (CSOs) so as to:</p> <p>1.1.1 Ensure a regulatory framework that continues to reflect good procurement practice and governance.</p> <p>1.1.2 Provide clarity where necessary to avoid any mis-interpretation.</p>	
<p>2. Introduction by Cabinet Member</p> <p>I have been consulted on the proposed amendments to these Contract Standing Orders which are intended to enable greater efficiencies within the procurement process; ensuring compliance with Public Contract Regulations and that adequate controls continue to exist to protect the Council's interests and reputation.</p>	
<p>3. State link(s) with Council Plan Priorities and actions and /or other Strategies:</p> <p>3.1 Contract Standing Orders form part of the Council's Constitution.</p>	

4. Recommendations

4.1 For Council to consider and agree proposed amendments of the Council's Contract Standing Orders and come into effect from 1st August 2011.

5. Reason for recommendation(s)

5.1 Contract Standing Orders set out the rules that must be observed to ensure continued compliance with EU and English law and therefore need to be reviewed from time to time to ensure they remain "fit for purpose".

5.2 The Council also needs to achieve significant cost saving efficiencies and in this regard, it is proposed to increase the delegated powers of Directors and adjust the balance between "requests for quotation" and tendering procedures; whilst ensuring sufficient competition to achieve overall best value for the Council.

6. Other options considered

6.1 n/a

7. Summary

7.1 To review and make recommendations for change to Part Four (Rules of Procedure Section J– Contract Procedure Rules) of the London Borough of Haringey Constitution

8. Chief Financial Officer (s151) Comments

8.1 Regular review of the Council's Contract Standing Orders is considered best practice to as a minimum ensure that the Council complies with prevailing procurement law and to clarify the procedures under which officers must work.

8.2 The proposals recommended make some adjustments to improve the consistency and clarity of the procedures but also make recommendations particularly around the thresholds that tendering should apply and also to levels of delegation. These later changes are in part being proposed to support the delivery of staffing efficiencies as part of the 2011/12 revenue savings but also as part of an assessment of balance between risk and value for money.

8.3 As outlined in paragraphs 10 and 13, officers are of the view that sufficient mitigation against risk from these increased thresholds has been built in to the revised procedures.

8.4 Compliance with the revised CSO's across the Council will be tested as part of the annual internal audit programme of work. During 2011/12, this will include a specific audit review to provide assurance that departments have adequate systems in place to ensure compliance with the new CSO limits. In addition, internal audit will work with Corporate Procurement to undertake ongoing reviews using expenditure information in SAP to ensure that departments' expenditure complies with the Council's CSO's.

9. Head of Legal Services Comments

- 9.1 Local authorities have a duty under Section 135 of the Local Government Act 1972 to establish and maintain standing orders with respect to the making of contracts for the supply of goods, works and services.
- 9.2 The Council has accordingly established Contracts Standing Orders which are contained within the Council's Constitution (Part 4, Section J).
- 9.3 In order to ensure their continued suitability, the current Contract Standing Orders have been reviewed, and a number of amendments to the provisions have been identified.
- 9.4 It is proposed to raise the level at which a competitive tender needs to take place from £25k to £100k. It will be necessary to ensure that this complies with general EU procurement law principles, particularly the obligation for transparency. The Head of Procurement has confirmed that there will be a sufficient degree of advertising based on the circumstances of each case to allow the procurement to be opened up to competition and the impartiality of procedures to be reviewed.
- 9.5 The Head of Legal Services has been involved in the review of the Council's Contract Standing Orders and supports the recommendation to amend them.
- 9.6 Under Part 2, Art 4.2(a) of the Council's Constitution, full Council has the power to approve amendments to the Constitution (including Contract Standing Orders). Part 2, Article 15.3(a) of the Constitution however provides that full Council should approve amendments to the Constitution following recommendation of the proposals by the Constitution Review Working Group.
- 9.7 The Head of Legal Services sees no legal reasons preventing members from approving the recommendations

10. Head of Procurement Comments (provided by Head of Supplies & Services)

- 10.1 Contract Standing Orders are the rules by which the Council procures works, goods and services. These rules are designed to ensure compliance with prevailing procurement law and best practice and to set out a framework within which all Council officers must work.
- 10.2 It is necessary from time to time to review CSO's to ensure their continued relevance and to address any queries or uncertainty raised by officers in application and/or interpretation.
- 10.3 The proposed changes contained within this report will provide alignment of delegated powers of authority across the CSOs and also raise the threshold at which tendering procedures are to be applied. These changes will enable staff cost

efficiencies to be achieved.

10.4 The Head of Suppliers and Services is therefore satisfied that the recommendations in this report will ensure continued good governance and compliance.

11. Equalities & Community Cohesion Comments

11.1 The Council is committed to using procurement as a strategic tool for promoting equality of opportunity in terms of both the range of suppliers we do business with and in terms of ensuring that services provided by contractors reach all sections of the community that are entitled to them. In addition to this policy stance, the Council has a Guide to Equality in Procurement, which sets out detailed guidance on how to ensure that equalities principles and relevant issues are identified and included in all key stages of the procurement.

11.2 Together, the Equal Opportunities Policy and the Guide to ensuring equality in procurement are reflected in the Council's current Procurement Strategy which guides all procurement activities in Haringey.

11.3 Contract Standing Orders deal with procedural matters and roles and responsibilities. From equalities standpoint, the important thing is that all procurement activities will take account of the Council's equal opportunities policy and the Guide referred to above and will therefore have due regards to our Equality Act 2010 public sector equality duty.

11.4 It is therefore not anticipated that these amendments to the CSOs will have any adverse impacts as equalities measures are built into the over-arching procurement strategy which direct procurement activities.

11.5 An equalities screening tool has been applied to the review of Contract Standing Orders and concludes that in view of the comments above, does not require a full equalities impact assessment.

11.6 To ensure transparency under EU procurement law principles (as stated in 9.4) there should be a monitoring and review process for awarding of contracts/funding established, to make sure that groups with protected characteristics are treated equally and consistently.

12. Consultation

12.1 Chief Officers and their management teams have been afforded the opportunity to comment on these proposed changes.

12.2 The proposals were discussed and endorsed at Cabinet Procurement Committee on 16th June 2011.

12.3 The Constitution Review Working Group subsequently considered the proposed

changes and supports all of these with the exception of 10.01.1 and in regards a Directors delegated powers to waive CSO's. On reflection the CRWG recommends that the power to waive CSO's should only be increased £100k and not £250k as proposed.

13. Service Financial Comments

13.1 The only financial risk identified as a result of the proposed changes would apply to procurement below the amount at which Central Procurement would become involved (£50k) if the business units should not follow procedures that would provide best value for the Council. This has been mitigated by the Head of Procurement reserving the right to determine another process for selecting a contractor that will meet the best value criteria. The decision and process in such cases must be properly documented

14. Use of appendices /Tables and photographs

14.1 Appendix 1 is a clean version of the proposed changes, and thus not showing any track changes.

Background Information

15.1 s 135 of the Local Government Act 1972 requires local authorities to establish and maintain standing orders with respect to the making of contracts for the supply of works, goods and services. It further sets out the expectation for securing contracts by way of competition.

15.2 Contract Procedure Rules commonly referred to as Contract Standing Orders are contained within Haringey's Constitution and is the legal instrument by which the Council adheres to its legal duty.

15.2.1 The Constitution allows the Constitution Review Working Group to consider amendments to Contract Standing Orders and to make recommendations to full Council accordingly.

16. Proposed Amendments

CSOs have been renumbered and grouped more logically to redress cumulative changes over the years. Since re-numbering has no material effect to CSOs, they have not been highlighted and all of the following proposed changes therefore use the new numbering scheme.

Material changes to text have been explained (by means of underlining) and any deleted text shown in the right-hand margin.

An index to CSOs is included for the first time because one has not existed previously.

Statement of Principles

Principle 0.3: “Officers” are included in the list of recipients to whom the Head of Procurement must make available, the latest version Contract Standing Orders.

Principle 0.4: emphasises the need for “optimal” value

Principle 0.5 (and CSO 3.02a): replace “legislation” with “law” which is a term that includes both legislation and case law.

Principle 0.6: is deleted as meaningless, because if officers follow the Contract Standing Orders and Procurement Code of Practice, then they are meeting their individual and collective responsibilities.

Introduction

CSO 1.02 – includes reference to the need to report any attempted bribery (in support of the new UK Bribery Act 2010).

Definitions and Interpretations

2.02a (and (c) deleted) – reflects the change of title of the General Manager at the Alexandra Palace and Park Charitable Trust to that of Chief Executive.

2.02c – added:- Specific reference to Statutory Instrument No5 and making clear that these are amended from time to time.

Accordingly, previous references to “Public Contract Regulations 2006” have been simplified throughout to read “Public Contract Regulations” so as to embrace other such regulations without the need to list them individually.

2.04 – making it clearer to seek advice from the Head of Procurement when necessary

Roles & Responsibilities

CSO 3.01 the value of contract extensions and variations that must be approved by Cabinet Procurement Committee is increased to align with

the value of contract awards; thereby increasing the delegated powers of Directors from £150k to £250k.

Also, a need to include any additional extensions and variations, valued over £500,000 in the Council's Forward Plan is introduced.

CSO 3.03 delete "tendered and" because Directors should be responsible for all contracts whether awarded through tendering or requests for quotation.

CSO 3.03i: makes it clear that Legal Service only keep "sealed" contracts, otherwise contracts are filed and managed by contract managers.

CSO 3.03o: sufficient budget must be confirmed "beforehand" to any contract award.

CSO 3.04: the powers of the Pensions Committee are explicitly extended to include contract extensions and variations and thus ensure clearer alignment with the powers of the Cabinet Procurement Committee.

EU Public Procurement Directives

CSO 5.02b clarifying the that 10 day notice period only applies when notice is served electronically, otherwise alternative timescales will apply by reference to Public Contract Regulations.

Contract Value and Aggregation

CSO 6.01 the proposed amendment replaces "anticipated costs" with "contract value" to simplify the requirement and avoid any misunderstanding because "costs" imply the cost of managing the procurement (and which are outside of procurement regulations).

Procedure for Contracts below £100,000

General Comment

It is evident that existing CSO's inadequately safeguard competitive bids that are received through the quotation process. Currently prices can be viewed as they are received from each bidder. To address the matter, CSO 8.01 to CSO 9.07 have been amended to replace the word "tenders" with "bids" (to thus include both tenders and quotations) AND a specific link is made at 8.03 to the need at 9.02 - 9.04 for quotation prices to be held secure until a stated date and time for opening.

CSO 8.02 the threshold under which a quotation process can be followed is raised from £25k to £100k (with split values in a new CSO 8.03) along with a new requirement to obtain “at least three competitive quotations from selected contractors without the need to advertise”. This change is necessary to relieve the administrative burden and related costs of running tendering exercises as recommended in the Council’s Support Functions Review.

CSO 8.03 the effect of the new rule is for quotations valued below £50k to be managed in departments, but any valued between £50k - £100k are to be managed centrally by the Head of Procurement. This reflects the centralisation of procurement staff under the Council’s Support Function Review.

CSO 8.04 mirrors CSO 9.01e but for use in relation to the contracts valued below £100k.

CSO 8.05 - the decision as to which procurement methods and processes to apply is explicitly delegated to the Head of Procurement.

Procedure for Contracts above £100,000

CSO 9 the threshold above which a tendering process must be followed is raised to £100k.

CSO 9.01 g) and h) – deleted because these form part of the standard legal boilerplates from which contracts are compiled and are only two examples of the many clauses contained therein. There is no reason to specify these two examples over the many others e.g. data protection, child protection etc

CSO 9.02.3 and 9.03.3 – the need for two independent officers to open bids is reduced to one independent officer plus the procurement officer, to reflect the significant reduction in Council staffing levels.

CSO 9.02 - 9.04 – the phrase “tenders” has been generally replaced with “bids” to embrace both tenders and quotations and thus ensure the necessary controls apply to both processes.

CSO 9.03.3 to open an electronic file “simultaneously” using different passwords is not practical therefore the CSO is amended to reflect the need for two officers to “be present” at the time of opening the file.

CSO 9.04.1 in practical terms, it is impossible to adequately record any non-compliant bids without opening the envelopes to identify the bidder

involved since there must be no visible identification marks on the envelope. Therefore replace “unopened” with “late”.

CSO 9.04.2 deletion of “without any contact with the contractor” removes the absolute criteria and allows some flexibility to reflect practicalities.

CSO 9.06.1c – explicit delegation of power to the Head of Procurement.

CSO 9.07.1f – “care packages” has been added for clarity and as relating to “spot contracts”.

CSO 9.07.1g delete the cross reference because it is unnecessary.

CSO 9.08 simplified title.

CSO 9.08.1 this new requirement is considered necessary as a consequence of the Public Procurement (Remedies) Directive 2009 and is intended to offer the Council some degree of safeguard in the unlikely event that a Court declares an award of contract to be “ineffective”.

CSO 9.08.2 The figure of £50 (fifty) is replaced with £5,000 since the lower figure was totally inappropriate. The cost of producing contract documentation must be taken into account, hence the increased threshold.

CSO 9.08.4 – mention of Purchasing Cards is included.

CSO 9.08.5g – explicit requirement to protect personal data re: Data Protection Act.

CSO 9.08.8 the value of contracts into which specific clauses must be inserted is raised. This will have the effect of further efficiencies through reduced legal costs.

CSO 9.08.9 – whilst lower value contracts do not normally require sealing (sealed = valid for 12 years as opposed to being unsealed = 6 years), we must have due consideration to latent defects and thus an allowance is made for some flexibility in regard to risk.

CSO 9.08.10 – contracts valued over £250k must be sealed.

CSO 9.08.12 establishes a value above which bonds or parent company guarantees may apply.

Waivers, Variations, Extensions and Novations

CSO 10.01.1 the whole sentence has been simplified for ease of reading.

CSO 10.01.1c the delegated powers of Directors to waive CSOs is increased from £50k to £100k.

CSO 10.01.2 delete “by the appropriate officer” since this is repetition within the sentence, and include “demonstrates” as a lead-in to the subsequent sub-paragraphs.

CSO10.01.2 delete “demonstrated to be” in favour of the line above which now embraces all the requirements of CSO10.

CSO 10.01.03 new CSO to emphasis the need for waiver requests to be approved before contracts are awarded, or variations or extensions agreed.

CSO 10.01.5 – to avoid low value waiver requests being considered by Cabinet Procurement Committee, the “regardless of value” criteria is replaced with a delegated power for a Member of that Committee to agree second waiver requests up a value of £50k.

CSO 10.02 cross reference added to CSO 3.01.03 to clarify that Cabinet Procurement Committee and not the Director must approve any extensions over £250,000

CSO 10.02.1a – delete the need to report “to the relevant Cabinet Procurement Committee Member” on contract performance in respect of those cases of Director approved contract variations and extensions.

A Director may agree a contract extension valued over £250k if such extension(s) had been included in a previous contract award decision taken by Cabinet Procurement Committee.

CSO 10.02.3 increase the delegated powers of Directors from £150k to £250k for the award of contract variations.

CSO 10.03 delete the cross reference because it is unnecessary.

CSO 12 - a collective schools body cannot have the same powers as an individual Director, therefore the schools body is aligned to an equivalent collective body in the Council, which in this case is the Cabinet Procurement Committee.

CSO 13 The departmental titles of Adults services and Childrens services have been changes to reflect the new Council organisation.

Also, delete “maximise the use of block contracts” in favour of seeking “optimum overall best value” thus allowing more freedom to manage overall strategies.

CSO 13b - delete “and formation of contracts” due to being superfluous.

CSO 13d - as an efficiency, the need to produce monthly reports to the relevant Cabinet Member is relaxed in favour of reporting bi-annually.

CSO 16 (OLD) – this related to proprietary products, but is a repetition of CSO 9.01f and is therefore deleted.

CSO15.05 - the need to seek the prior approval of Cabinet Procurement Committee for the disposal of assets is replaced with a requirement to report on the results of disposal.

Also the threshold values for reporting are increased from £150k to £250k to align with the general delegated powers of Directors contained within CSOs.

17. Implications

The Councils’ CSOs are maintained to ensure the most cost efficient processes are applied and in accord with known best practice.

PART FOUR – RULES OF PROCEDURE Section J– Contract Procedure Rules

**Part Four, Section J
Contract Procedure Rules**

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0. Statement of Principles

- 0.1 The Contract Standing Orders provide the framework rules for the Council's procurement of works, goods and services. Following them will ensure value for money, propriety and the proper spending of public money.
- 0.2 The Procurement Code of Practice provides more detail and shall govern Council tendering and contract procedures. The Director of Corporate Resources and Head of Procurement shall maintain and issue the Procurement Code of Practice. Any procurement activity shall proceed in accordance with the Contract Standing Orders and the Procurement Code of Practice and all such other guidance issued by the Head of Procurement.
- 0.3 The Head of Procurement shall make the latest version of the Contract Standing Orders and the Procurement Code of Practice available to every Director, Member *and officer* of the Council. Directors, or officers acting on their behalf, shall apply the requirements of the Contract Standing Orders and the Procurement Code of Practice when engaging in any procurement activity.
- 0.4 The purpose of procurement activity shall be to achieve best value in accordance with the Council's statutory or approved objectives. This should include an innovative approach to building partnerships with the private and not-for-profit sectors and collaborating with other public sector bodies within a robust contractual framework. Officers with responsibility for procurement shall ensure that they are able to demonstrate achievement of best value with regards the optimal combination of economy, efficiency and effectiveness.
- 0.5 Every contract or official order for works, goods or services made by the Council shall be for the purpose of achieving the Council's statutory or approved objectives and shall conform to all relevant English and European Union legislation *law*.
- ~~6. Nothing in the Contract Standing Orders or the Procurement Code of Practice shall be construed as removing or diminishing the responsibility of all involved to meet individual and collective accountabilities.~~
- 0.6. Directors shall ensure that the Cabinet, Cabinet Procurement Committee or appropriate Member of the Cabinet or Cabinet Procurement Committee is consulted on any procurement activity prior to its publication in the Council's Forward Plan.
- 0.7. Directors must ensure that audit trails are in place for all procurement activity in accordance with the Procurement Code of Practice.
- 0.8. No Member shall enter into any contract on the Council's behalf.
- 0.9. No Member shall be permitted to become security under any agreement between the Council and a contractor employed by it.

CONTRACT STANDING ORDERS

1. Introduction

- 1.01. Procurement decisions are among the most important decisions a manager will make because the money involved is public money and the Council is required to ensure that best value works, goods and services are provided. Efficient use of resources in order to achieve best value is therefore an imperative. The Council's reputation is equally important and should be safeguarded from any imputation of dishonesty or corruption.
- 1.02. For these reasons it is a disciplinary offence to fail to comply with Contract Standing Orders and the Procurement Code of Practice when letting contracts. Employees have a duty to report breaches of Contract Standing Orders to an appropriate senior manager and the Head of Audit & Risk.
- 1.03. Reference should be made to the Procurement Code of Practice for more detailed procurement procedures.

2. Definitions and Interpretation

- 2.01. These Contract Standing Orders are made pursuant to section 135 of the Local Government Act 1972 and shall come into force with this Constitution.
- 2.02. Unless the context otherwise requires, in these Contract Standing Orders the terms below shall have the meanings ascribed to them.
 - a) **"Director"** means an employee of the Council (*inc Alexandra Palace and Park Charitable Trust*) holding a post designated as Director, Chief Executive or Assistant Chief Executive.
 - b) **"EU"** means European Union.
 - c) ~~**"General Manager"** means the person holding the position of General Manager of Alexandra Palace and Park Charitable Trust.~~
 - c) *"Public Contract Regulations" means the Public Contract Regulations 2006 SI 2006 No. 5 as amended from time to time.*
- 2.03. In the event of any conflict between EU law, English law and Council policy, the requirements of EU law shall prevail over English law and the requirements of English law shall prevail over Council policy.
- 2.04. In the event of any doubt as to the interpretation of these Contract Standing Orders *or the Procurement Code of Practice*, or as to the proper procedure to be followed, *clarification* should be *sought from* the Head of Procurement.

3. Roles & Responsibilities

3.01 Cabinet Procurement Committee will:

- a) hold Directors accountable for any decisions they make under their delegated authority or under these Contract Standing Orders.

- b) approve *award of contract including any options to extend* that are set out *within the original contract and to contracts valued over £150,000 (one hundred and fifty thousand) and award contracts valued over £250,000 (two hundred and fifty thousand)*.

- c) *approve any variations or extensions valued over £250,000 (two hundred and fifty thousand) that are not covered in the original decision taken in b) above.*

- d) ensure that the award of any contract *and any extension (not included in the original decision) or variation* valued over £500,000 (five hundred thousand) is a 'key decision' and as such must be in the Council's Forward Plan and comply with the other procedures in that regard set out in the Constitution.

3.02 Constitution Review Working Group

The Constitution Review Working Group will keep under review these Contract Standing Orders and recommend amendments to full Council for adoption.

3.03 Directors

The Director has responsibility for all contracts ~~tendered and~~ let under his/her control. He/she is accountable to the Cabinet for the performance of their duties in relation to contract letting and management, which are:

- a) to ensure compliance with English and EU ~~law legislation~~ and Council Policy;
- b) to ensure value for money in all procurement matters;
- c) to ensure compliance with Contract Standing Orders and the Procurement Code of Practice;
- d) to maintain a departmental scheme of delegation;
- e) to ensure that all relevant officers are familiar with the provisions of Contract Standing Orders and the Procurement Code of Practice and that they receive adequate training on their operation;
- f) to ensure compliance with any guidelines issued in respect of these Contract Standing Orders;
- g) to take immediate action in the event of a breach of Contract Standing Orders or the Procurement Code of Practice within his or her area;
- h) to keep proper records of all bids and contracts etc. including minutes of tender evaluation panels and other meetings;
- i) to keep records of waivers of any provision of these Contract Standing Orders;

- j) to make appropriate arrangements for the opening of bids and their secure retention so as to protect the integrity of the ~~tendering~~ *procurement* process;
- k) to ensure that the Council's seal is affixed to any document required to be executed as a deed and that where a document is not expressed to be under seal, it is signed by two people as provided for in these Contract Standing Orders;
- l) to ensure original *sealed* contract documents are *held by* ~~forwarded to~~ the Head of Legal Services for safekeeping;
- m) to record all contracts in the Contracts Register;
- n) to ensure effective management of all contracts under his/her control and to a level deemed appropriate in regard to risk or value of each contract.
- o) no contract shall be let unless the expenditure involved has been fully considered and approved *beforehand* and sufficient money has been allocated in the relevant budget.

3.04 Pensions Committee

The Pensions Committee shall have the same powers and duties of the Cabinet Procurement Committee specified in these Contract Standing Orders but limited to procurement decisions and award of contract ~~and any extension or variation~~ relating to the Pension Fund.

4. Scope of Contract Standing Orders

- 4.01. These Contract Standing Orders shall apply to all contracts for the procurement by the Council of works, goods and services unless otherwise expressly stated or these requirements are waived in accordance with CSO10.
- 4.02. Where the Council secures funding from an external funding body, and the funding is conditional upon the grant monies being used to facilitate service delivery, Contract Standing Orders shall apply to procurement by the Council of the works, goods, and services to facilitate the service delivery.
- 4.03. These Contract Standing Orders shall **not apply** to contracts of employment, or to contracts relating to any interest in land. For the avoidance of doubt, there are excluded from these Contract Standing Orders any agreement relating to the provision of nomination rights to housing, collateral management arrangements in respect of social housing and the acquisition of rights or benefits pursuant to the Council's Private Sector Temporary Accommodation Leasing Scheme.

5. EU Public Procurement Directives

- 5.01 Where the value of a works, goods or services contract is equal to, or exceeds, the applicable threshold in relation to the Public Contracts Regulations, the provisions of those Regulations shall govern the tendering

process and shall take precedence over the provisions of these Contract Standing Orders in the event of any conflict.

- 5.02. In respect of contracts to which Public Contract Regulations apply:
- a) where the tender is for appointment to a Framework Agreement, the total period of the Framework Agreement including any possible extension, shall not exceed four years except in exceptional circumstances relating to the subject of the Framework Agreement;
 - b) all bidders must be notified in writing of a tender selection decision by the Council at least 10 (ten) calendar days prior to the proposed contract award date, *provided notification is by facsimile or electronic means*. Where the last day of this ten-day notice period falls on a non-working day, the period must be extended to *include* the next working day. *Where notification is not by facsimile or electronic means, the notice period shall be in accordance with the timeframes required by the Public Contract Regulations.*
- 5.03. Where the subject matter of a contract is not exempt under the Public Contract Regulations and when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, it may be awarded only to a particular contractor, a negotiated procedure without prior publication of a contract notice may be used for such award

6. Contract Value and Aggregation

- 6.01. Directors must ensure that a pre-tender estimate of *the contract value anticipated costs* is prepared and recorded in writing *and in order to determine whether the thresholds under the Public Contract Regulations apply*. ~~Directors must also ascertain the value of a contract in accordance with these rules.~~
- 6.02. Unless otherwise specifically provided, reference to contract value or an estimated contract value in these Contract Standing Orders means the aggregate value payable in pounds sterling exclusive of Value Added Tax over the entire contract period, including any extension periods as anticipated in the proposed contract.
- 6.03. Contracts must not be artificially under or over estimated or divided into two or more separate contracts where the effect is to avoid the application of Contract Standing Orders or the Public Contract Regulations.

7. Framework and Consortia Arrangements

- 7.01. Subject to the provision of CSO 7.02, these Contract Standing Orders shall **not apply** where the Council procures particular works, goods and services:
- a) as part of a group of public sector bodies contracting with one or

more contractors (consortium arrangement), provided the contract standing orders of one of the public sector bodies constituting the group and/ or where applicable the Public Contract Regulations have been followed, or

b) by selecting one or more contractors from a Framework or similar arrangement (including approved lists), established by a public sector body in accordance with the contract standing orders of that public sector body and/ or where applicable the Public Contract Regulations.

7.02. The Council's decision to enter into a contract with the recommended contractor must be made in accordance with CSO 9.07.

7.03. The Council shall observe these Contract Standing Orders where it procures works, goods and services for the benefit, or on behalf of, other public bodies.

8. Procedure for Contracts valued below £100,000

8.01. Where a contract has an estimated value of less than £5,000 (five thousand), the relevant Director should act in the manner most expedient to the efficient management of the service, having kept a record for so doing.

8.02. Where a contract has an estimated value of more than £5,000 (five thousand), but less than ~~£100,000~~ ~~£25,000~~ *(twenty five one hundred thousand)*, *at least three competitive* quotations should be obtained *from chosen contractors without the need for an advertisement* or the tender procedure followed.

8.03. *The quotation procedure shall replicate CSO 9.02-9.04 and be managed by the:*

a) relevant Director where the estimated value of the contract is more than £5,000 (five thousand) but less than £50,000 (fifty thousand).

b) Head of Procurement where the estimated value of the contract is more than £50,000 (fifty thousand) but less than £100,000 (one hundred thousand).

8.04. *Where a pre-qualified Framework arrangement (including approved lists) exists in respect of the subject matter and prices have yet to be determined then CSO 9.01e applies.*

8.05. ~~However the Director~~ *The Head of Procurement* may decide that processes in CSO 8 are not appropriate in order to secure value for money for the Council and to ensure general EU procurement law principles are complied with. If that is the case, ~~he/she the Director~~ may determine another process of

selecting a contractor which will meet best value criteria. The decision and process must be properly documented.

9. Procedure for Contracts valued above £100,000

- 9.01. Except as otherwise provided, contracts with an estimated value of ~~£25100,000 (twenty five one hundred thousand)~~ or more must be let following *publication of an appropriate (tender) advertisement*. ~~a competitive tendering process in accordance with the procedures set out in these Contract Standing Orders and any guidelines or Codes of Practice issued from time to time under these Contract Standing Orders.~~

Where tenders are to be invited the procedure to be followed shall be determined prior to advertising and shall be one of the following:

- a) open tender (all interested contractors submit a tender in response to an advertisement);
- b) restricted procedure (expressions of interest from interested contractors in response to an advertisement, with a selection of those contractors being invited to submit a tender);
- c) negotiated procedure (expressions of interest from interested contractors in response to an advertisement, with a selection of those contractors being invited to negotiate);
- d) competitive dialogue (expressions of interest from interested contractors in response to an advertisement, followed by dialogue with a selection of those contractors to identify a solution (or solutions) which meets the Council's requirements, and an invitation to the selected contractors to submit tenders based on the solution/s resulting from the dialogue);
- e) Where it is proposed to award a specific contract based on a framework agreement in which all the terms of the proposed contract are not laid down, a mini- competition shall be held in which tenders shall be invited from all members of the framework agreement which are capable of carrying out the requirements of the specific contract.
- f) single tender where the relevant goods are a proprietary product and/or the relevant services relate to such a product and for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the contract may be awarded only to a particular contractor. The Director of Corporate Resources *must first be consulted before this procedure is used*. Where applicable, *use of this procedure* must be compliant with the Public Contract Regulations. Where this procedure is used, an advertisement is not required.
- ~~g) that the contractor shall be required to make available to the Council or its auditors such documents or access to information or access to the staff/officers of the contractor as is necessary to conduct any audit investigation into the contract;~~
- ~~h) that the contractor shall be required to make available to the Council upon request such information the Council considers necessary whether in~~

~~relation to staff or otherwise, to enable the Council to meet its duties in relation to re-tendering the contract.~~

9.02 Receipt and Opening of Bids

- 9.02.1. *Other than when electronic procedures are followed (CSO9.03)* contractors must be informed that their bids will only be considered if they are:
 - a) sent in a plain envelope or parcel with a label on which is printed *either* with the word "Tender" or "*Quotation*" followed by the subject of the contract; and
 - b) contained in a sealed envelope or parcel which does not show the identity of the *contractor* in any way; and
 - c) delivered to the place and by the date and time stated in the invitation.
- 9.02.2. Bids must be kept safe until the date and time for their opening by the officers given this duty by the Director responsible for the process.
- 9.02.3. Bids for a particular contract must be opened at the same time in the presence of two officers, *one of* whom has had no involvement in the process. These officers shall be responsible for properly recording the price, duration of any works and all other relevant details of each opened bid.
- 9.02.4. The Head of Procurement must approve the training and seniority of all officers employed to open bids and also the arrangements in each Directorate for ensuring the independence of such officers from the teams involved in the ~~tendering~~ *competitive* process.

9.03 E- Bids

- 9.03.1. Invitations to bid may be dispatched, and responses received, by electronic means with the prior approval of, and in accordance with a procedure specified by the Head of Procurement.
- 9.03.2. Bids received electronically must be stored securely, and must not be accessible until after the closing date and time in respect of submission of the bids.
- 9.03.3. At an appointed time for opening the electronically submitted bids, two authorised officers, *one of* whom has had no involvement in the process, shall *both be present to* access the submitted bids, and record the price, duration of any works and all other relevant details of each opened bid.

9.04 Late or Non Compliant Bids

- 9.04.1. Records of *any* non-compliant bids and of the date and time of receipt of *any* ~~all late unopened tenders~~ must be kept by ~~these~~ officers.

- 9.04.2. Bids *received late* ~~which do not meet the requirements of CSO 9.02.1e~~ may only be considered if the other bids have not yet been opened and:
- a) failure to comply is the Council's fault; or
 - b) ~~a tender is late, and it is clear without any contact with the contractor that~~ the bid was sent in such a way that in the normal course of events it would have arrived on time.

9.05 E-Auctions

In appropriate cases, the submission of prices for a bid may be conducted by e-auction using an on-line facility, with the prior approval of, and in accordance with a procedure specified by the Head of Procurement.

9.06 Post Tender Negotiations

- 9.06.1. Except where the negotiated procedure referred to in CSO 9.01c and 9.01f applies, negotiation after receipt of formal bids and before the award of contract is only permitted:
- a) with those contractors submitting the most economically advantageous bid, and
 - b) with a view to obtaining an improvement in content in circumstances which do not put other contractors at a disadvantage, distort competition or adversely affect trust in the competitive process, and
 - c) if the prior authority of the *Head of Procurement* ~~Director~~ has been obtained.
- 9.06.2. There may be circumstances where an officer authorised by the Director may contact a contractor in order to clarify an ambiguous bid. This does not constitute post tender negotiations.
- 9.06.3. All communication with contractors under this Contract Standing Order must be in writing or recorded in writing.

9.07 Bid Acceptance and Contract Award

- 9.07.1. Bids are to be accepted on the basis of either:
- a) The lowest price;
- or
- b) The most economically advantageous tender (i.e. the tender providing the most benefit to the Council) as determined by such criteria, to include whole life costing methodologies, as are relevant to the type of works, goods or services.
 - c) A Director may award, assign, or novate contracts valued at £250,000 (two hundred and fifty thousand) or less.
 - d) Subject to the provisions of CSO 9.07.1g, all contracts valued over £250,000 (two hundred and fifty thousand) at the time of award may only be awarded, assigned, or novated by the Cabinet Procurement Committee.

e) The award of any contract valued at over £500,000 (five hundred thousand pounds) is a 'key decision' and as such must be in the Council's Forward Plan and comply with the other procedures in that regard set out in the Constitution.

f) In accordance with Part 5 Section C of the Constitution, the award of spot contracts *for care packages* and contracts for the supply of energy to the Council are not "key decisions".

g) Contracts for the supply of energy to the Council valued over £250,000 may be awarded by a Director ~~or in accordance with CSO 6.09.~~

9.08. Conditions applying to all contracts: ~~with value of £5,000 (five thousand) or more~~

9.08.1. The tender documents in respect of every contract to which the Public Contract Regulations apply shall include a requirement that the successful contractor must enter into a collateral contract in a form approved by the Head of Legal Services which provides for the allocation of risks between the parties where the contract has been declared ineffective by a court.

Valued £5,000 or more: ~~Form and execution of contracts~~

9.08.2. Except as provided in CSO 9.08.4, all contracts above £5,000 (*five thousand*) in value must be in writing by way of a document prepared, or on a basis approved, by the Head of Legal Services.

9.08.3. Where the works, goods or services to be provided under a contract are required to commence prior to the issuance and execution of a formal contract, a Director, if satisfied that it is in the Council's best interest in the particular circumstances, may approve issuance of a Letter of Intent pending the issuance and execution of a formal contract. However, the maximum cover afforded by any Letter of Intent shall not exceed 10% of the contract price in respect of works or services contracts, or £50,000 in respect of supplies contracts.

9.08.4. A contract made in extreme urgency *or a contract for goods or services resulting from a purchase using a Council purchase card* need not be in writing so long as it is confirmed in writing within four weeks.

9.08.5. Every contract shall specify:

- a) the works, goods or services to be provided or executed;
- b) the price to be paid or the precise method of its ascertainment and a statement of any discounts or other deductions; and
- d) as appropriate, the start and finish dates, or delivery dates, and any maintenance or defects liability period.

- e) compliance with the Council's insurance requirements. The requirement to comply with the Council's standard insurance requirements may only be waived with the Director of Corporate Resource's approval.
- f) compliance with the Council's equality policy.
- g) *compliance with regards the protection of personal data.*

9.08.6. All contracts for the provision of services which may potentially involve either direct contact with children and vulnerable adults or access to their personal records shall contain a provision requiring the service provider (including agents and assigns) to undertake a Criminal Records Bureau check on relevant employees prior to provision of the services under the contract and at appropriate intervals thereafter.

9.08.7. All computer software contracts shall contain a clause to the effect that use of the software by the Council's contractors shall not amount to use by a third party for which an additional software licence might otherwise be required.

Valued £25,000 or more:

9.08.8. Every contract with a value of £25,000 (twenty five thousand) or more must unless the Head of Legal Services and Director of Corporate Resources agree to the contrary contain clauses to cover the following:

- a) compliance with all applicable legislation;
- b) a prohibition on assignment and/or subletting without the written consent of the Director;
- c) a provision allowing the Council to cancel the contract and recover any resulting loss from the contractor if the contractor does anything which is contrary to the Prevention of Corruption Acts 1889 to 1916 or incites breach of Section 117 (2) of the Local Government Act 1972;
- d) a provision to ensure the Council is protected against the contractor's defective performance by default provisions which are appropriate to the contract;
- e) if the contractor is in breach of contract the Council can do any or all of the following:
 - i. determine all or part of the contract or determine the contractor's appointment;
 - ii. itself perform the contract in whole or in part;
 - iii. recover from the contractor any additional cost resulting from the completion or cancellation of the contract.
- f) If the contractor has obtained or received by whatever means any information which gives or is intended or likely to give the contractor any

unfair advantage over any other tenderer (including the Council's own workforce) in relation to the tendering for, and award of, any works/services contract, that the Council shall be entitled to terminate that contract;

g) It shall be a condition of any contract between the Council and any person (not being an Officer of the Council) who is required to manage a contract on the Council's behalf that, in relation to such contract, he/she shall comply in all respects with the requirements of these Contract Standing Orders as if he/she were an employee of the Council.

9.08.9. A contract up to and including £4250,000 (~~one~~two hundred and fifty thousand) in value does not require sealing and should be signed on behalf of the Council, by both the relevant Director and by the Head of the relevant business unit. *However, if the nature of the works, goods or services is such as to pose a high risk of significant latent defects, then the Head of Procurement may decide to have the contract executed under seal as a deed.*

Valued £250,000 or more:

9.08.10. A contract over £4250,000 (~~one~~two hundred and fifty thousand) in value must be executed on behalf of the Council under seal as a deed.

9.08.11. Every contract which exceeds £250,000 (two hundred and fifty thousand) in value must contain clauses to cover the following:

- a) if it is a contract for works, that the Council may require the contractor to provide security for completing the contract in the form of a bond;
- b) that where the contractor is a subsidiary or group company, the contractor may be required to provide a parent or group company guarantee.

9.08.12. The decision as to whether or not a bond or parent company guarantee will be required in respect of a contract *that exceeds £250,000* will ultimately be made by the Director of Corporate Resources, or an officer acting under his/her delegated authority.

10. Waivers, Variations, Extensions and Novations

10.01 Waivers

~~10.01.1. Where these Contract Standing Orders apply to a contract (see CSO 4) any individual provision in Contract Standing Orders other than CSO 5 (which relates to the Public Contract Regulations) may be waived by the appropriate person specified in CSO 11.01.1 on the basis set out in CSO 10.01.2 by:~~

- a) the Cabinet Procurement Committee *where the contract value is more than £250,000*; or

b) a Cabinet Procurement Committee Member where the contract value is between £100,000 (one hundred thousand) and £250,000 (two hundred and fifty thousand); or

c) a Director where the contract value is £100, 000 250-50 (one hundred thousand) or less (save that the Director shall not have authority to waive any of the provisions of CSO 9.08) 12 which relate to conditions applying to contracts unless expressly stated in CSO 12); or

10.01.2. A waiver may be agreed by the appropriate person if they are satisfied after considering a written report by the appropriate officer that *demonstrates*:~~the waiver is justified because:~~

a) the nature of the market for the works to be carried out or the goods or services to be provided has been investigated and is ~~demonstrated to be~~ such that a departure from the requirements of Contract Standing Orders is justifiable; or

b) the contract is for works, goods or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen; or

c) the circumstances of the proposed contract are covered by legislative exemptions (whether under EU or English law); or

d) it is in the Council's overall interest; or

e) there are other circumstances which are genuinely exceptional.

10.01.3. *Waiver requests must be approved before any related contract awards, variations or extensions.*

10.01.4. A record of the decision approving a waiver and the reasons for it must be kept and an entry made in a central register maintained and monitored by the Head of Procurement.

10.01.5. Where a waiver of Contract Standing Orders is sought for the second time in relation to the same *individual* contract, a Cabinet Procurement Committee Member must agree those valued at £50,000 (fifty thousand) or less ~~regardless of the value of the contract, that waiver may and be agreed only be agreed~~ by the Cabinet Procurement Committee *for those valued £50,000 (fifty thousand) or more.*

10.02 Variations and Extension

10.02.1. Subject to the provisions of CSO 3.01; the Public Contract Regulations restrictions and compliance with Financial Regulations, a Director may authorise the following: ~~extensions and variations to an existing contract:~~

a) any extension ~~for a particular period provided for within the terms of a contract and previously included in an award of contract decision taken by Cabinet Procurement Committee~~ (but subject to satisfactory outcomes of contract monitoring, ~~such information having been provided to the relevant Cabinet Procurement Committee Member~~);

b) or a single extension by up to six months, or half the contract term (whichever is less) of the contract *not provided for within the original contract award decision*; and

c) any ~~other~~ variation, and if relevant a consequent change in price, determined in accordance with the contract terms.

10.02.2. In any other circumstances *where the value exceeds £250,000 (two hundred and fifty thousand)* the Cabinet Procurement Committee may vary or extend a contract providing that to do so is consistent with the Public Contract Regulations and the Council's Financial Regulations.

10.02.3. In addition a Director may authorise variations to a contract where either delay would incur substantial cost penalties to the Council or the proposed variations are unavoidable and/or essential for the contract to proceed or continue, and the additional cost of such variations does not exceed 25% of the value of the contract, up to a maximum of £4250,000 (~~one~~ two hundred and fifty thousand). Variations above this level may be authorised by a Director, where the Director considers that circumstances require such authorisation, as long as such variations are reported to the Cabinet Procurement Committee at the earliest opportunity.

10.02.4. All variations and extensions must be recorded in writing.

10.03 Novations (Transfers)

In appropriate circumstances the Council may agree to the novation or assignment of a contract. This decision must be taken based on the value of the contract at the date of award. ~~and subject to CSO 9.06.1.~~

11. Contract Termination

11.01. In the event of a supplier being declared bankrupt, going into administration, receivership or liquidation then a Director may terminate any associated contract(s) and initiate alternative arrangements as may be required taking into account CSO 10.03 in cases of novation or CSO 4.01 in cases that warrant the re-letting of the contract(s).

11.02. The decision to terminate a contract early in all other circumstances must be approved by a Director.

11.03. In all cases of contract termination for whatever reason where the awarded contract value was more than £250,000, a report must be presented at the earliest opportunity to Cabinet Procurement Committee.

12. Schools

In accordance with the requirements of the Council's Scheme for Financing Schools, and the Financial Regulations for Schools, where a school acts as an agent for the Council, these Contract Standing Orders apply to all schools within the London Borough of Haringey with the exception of Academy and Trust Schools. A school's governing body shall have the powers and duties of *the Cabinet Procurement Committee* a ~~Director~~ specified in these Contract Standing Orders, except in relation to waivers (CSO 10.01).

13. Care Contracts for Individuals

Adults & Housing Services and the Children & Young People's Service care contracts may be 'block' contracts (where a number of beds, places or services are provided by the contractor at pre-agreed pricing schedules, to which the Council may refer users over the contract period) or 'spot' contracts (one-off contracts meeting an individual user's needs, or contracts where a number of beds, places or services are provided by the contractor without pre-agreed prices, such prices to be agreed upon each referral of a user over the contract period). The Directors of the Adult & Housing Services and the Children & Young People's Service will seek to *optimise* ~~maximise the use of block contracts where this represents~~ overall best value for the Council. The following provisions shall apply to the Adult & Housing Services and the Children & Young People's Service care contracts:

- a) All Contract Standing Orders apply to block contracts;
- b) CSO 8.03 (in relation to quotation procedures) ~~and formation of contracts~~ shall **not apply** to spot contracts;
- c) The Directors of the Adult & Housing Services and the Children & Young People's Service may award all spot contracts, which shall be reviewed at least annually as part of the review of whether the service provided continues to demonstrate value for money and meet the needs of the service user;
- d) The Directors of the Adult & Housing Services and the Children & Young People's Service shall provide bi-annual ~~monthly~~ reports to the relevant Cabinet Member and an *annual* ~~quarterly~~ report to the Cabinet Procurement Committee detailing the nature, extent and value of spot contracts entered into in the previous *period quarter*.

14. Alexandra Palace and Park

These Contract Standing Orders apply to the procurement of works, goods and services by or on behalf of Alexandra Palace and Park Charitable Trust on the following basis:

- a) The Chief Executive of APPCT shall have the powers and duties of a Director specified in Contract Standing Orders;
- b) The Alexandra Palace and Park Board and Panel shall have the powers and duties of the Cabinet Procurement Committee and a Cabinet Member specified in these Contract Standing Orders;
- c) In the event of any conflict, the requirements of the Charities Act 1993, any regulations made under that Act or charity law in general shall prevail over the provisions of Contract Standing Orders.

15. Disposal of assets

- 15.01. Where Council assets (other than land & buildings) are to be disposed of because they are surplus to requirements, damaged or obsolete, reasonable endeavours must be undertaken to realise the residual value of the assets.
- 15.02. Assets having little or no realisable value may be disposed of as waste with the approval of the relevant Head of Business Unit, provided the disposal shall be in favour of recycling wherever possible.
- 15.03. In respect of assets to be disposed of having an estimated value of less than £5,000 (five thousand), the Director concerned should act in the manner most expedient to the efficient management of the service, having kept a record for so doing.
- 15.04. Assets recommended for disposal with an estimated value of more than £5,000 (five thousand), shall be disposed of in such a manner as to secure best value.
- 15.05. Disposal of assets valued at more than £4250,000 (~~one two hundred and fifty thousand~~) must be *reported* ~~approved by~~ to the Cabinet Procurement Committee.
- 15.06. Under no circumstances shall disposal of Council assets be made to employees or Members of the Council without the prior approval of the Director.

~~16. Proprietary products, software and services~~

~~The Director of Corporate Resources may award a contract for a proprietary product, software license, software support, product support and/or the renewal thereof in accordance with the procedure set out in 9.01(f). The award must be compliant with the Public Contract Regulations.~~

16. Urgent Decisions

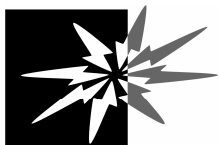
- 16.01. These provisions apply where action needs to be taken urgently on any matter between meetings of the Cabinet Procurement Committee and that action would be outside the powers given to a Director or an individual Cabinet Procurement Committee Member. They may only be used in cases of genuine urgency and not to avoid proper forward planning.
- 16.02. All urgent decisions, including waivers and awards of contract, that are not “key decisions”, may be taken by the Chair of the Cabinet Procurement Committee or in his/her absence by the Leader of the Council.
- 16.03. All urgent decisions, including waivers and awards of contract, that are “key decisions”, may be taken by the Leader of the Council in accordance with his/her powers under the Constitution and subject to the statutory “Special Urgency” rules where these apply. In the absence of the Leader, the decision may be taken by the Chair of the Cabinet Procurement Committee subject to the same procedures being followed.

PART FOUR – RULES OF PROCEDURE Section J– Contract Procedure Rules

**Part Four, Section J
Contract Procedure Rules**

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Haringey Council

0. Statement of Principles

- 0.1 The Contract Standing Orders provide the framework rules for the Council's procurement of works, goods and services. Following them will ensure value for money, propriety and the proper spending of public money.
- 0.2 The Procurement Code of Practice provides more detail and shall govern Council tendering and contract procedures. The Director of Corporate Resources and Head of Procurement shall maintain and issue the Procurement Code of Practice. Any procurement activity shall proceed in accordance with the Contract Standing Orders and the Procurement Code of Practice and all such other guidance issued by the Head of Procurement.
- 0.3 The Head of Procurement shall make the latest version of the Contract Standing Orders and the Procurement Code of Practice available to every Director, Member and officer of the Council. Directors, or officers acting on their behalf, shall apply the requirements of the Contract Standing Orders and the Procurement Code of Practice when engaging in any procurement activity.
- 0.4 The purpose of procurement activity shall be to achieve best value in accordance with the Council's statutory or approved objectives. This should include an innovative approach to building partnerships with the private and not-for-profit sectors and collaborating with other public sector bodies within a robust contractual framework. Officers with responsibility for procurement shall ensure that they are able to demonstrate achievement of best value with regards the optimal combination of economy, efficiency and effectiveness.
- 0.5 Every contract or official order for works, goods or services made by the Council shall be for the purpose of achieving the Council's statutory or approved objectives and shall conform to all relevant English and European Union law.
- 0.6. Directors shall ensure that the Cabinet, Cabinet Procurement Committee or appropriate Member of the Cabinet or Cabinet Procurement Committee is consulted on any procurement activity prior to its publication in the Council's Forward Plan.
- 0.7. Directors must ensure that audit trails are in place for all procurement activity in accordance with the Procurement Code of Practice.
- 0.8. No Member shall enter into any contract on the Council's behalf.
- 0.9. No Member shall be permitted to become security under any agreement between the Council and a contractor employed by it.

CONTRACT STANDING ORDERS

1. Introduction

- 1.01. Procurement decisions are among the most important decisions a manager will make because the money involved is public money and the Council is required to ensure that best value works, goods and services are provided. Efficient use of resources in order to achieve best value is therefore an imperative. The Council's reputation is equally important and should be safeguarded from any imputation of dishonesty or corruption.
- 1.02. For these reasons it is a disciplinary offence to fail to comply with Contract Standing Orders and the Procurement Code of Practice when letting contracts. Employees have a duty to report breaches of Contract Standing Orders to an appropriate senior manager and the Head of Audit & Risk.
- 1.03. Reference should be made to the Procurement Code of Practice for more detailed procurement procedures.

2. Definitions and Interpretation

- 2.01. These Contract Standing Orders are made pursuant to section 135 of the Local Government Act 1972 and shall come into force with this Constitution.
- 2.02. Unless the context otherwise requires, in these Contract Standing Orders the terms below shall have the meanings ascribed to them.
 - a) "**Director**" means an employee of the Council (inc Alexandra Palace and Park Charitable Trust) holding a post designated as Director, Chief Executive or Assistant Chief Executive.
 - b) "**EU**" means European Union.
 - c) "Public Contract Regulations" means the Public Contract Regulations 2006 SI 2006 No. 5 as amended from time to time.
- 2.03. In the event of any conflict between EU law, English law and Council policy, the requirements of EU law shall prevail over English law and the requirements of English law shall prevail over Council policy.
- 2.04. In the event of any doubt as to the interpretation of these Contract Standing Orders or the Procurement Code of Practice, or as to the proper procedure to be followed, clarification should be sought from the Head of Procurement.

3. Roles & Responsibilities

3.01 Cabinet Procurement Committee will:

- a) hold Directors accountable for any decisions they make under their delegated authority or under these Contract Standing Orders.

- b) approve award of contract including any options to extend that are set out within the original contract and valued over £250,000 (two hundred and fifty thousand).

- c) approve any variations or extensions valued over £250,000 (two hundred and fifty thousand) that are not covered in the original decision taken in b) above.

- d) ensure that the award of any contract and any extension (not included in the original decision) or variation valued over £500,000 (five hundred thousand) is a 'key decision' and as such must be in the Council's Forward Plan and comply with the other procedures in that regard set out in the Constitution.

3.02 Constitution Review Working Group

The Constitution Review Working Group will keep under review these Contract Standing Orders and recommend amendments to full Council for adoption.

3.03 Directors

The Director has responsibility for all contracts let under his/her control. He/she is accountable to the Cabinet for the performance of their duties in relation to contract letting and management, which are:

- a) to ensure compliance with English and EU law and Council Policy;
- b) to ensure value for money in all procurement matters;
- c) to ensure compliance with Contract Standing Orders and the Procurement Code of Practice;
- d) to maintain a departmental scheme of delegation;
- e) to ensure that all relevant officers are familiar with the provisions of Contract Standing Orders and the Procurement Code of Practice and that they receive adequate training on their operation;
- f) to ensure compliance with any guidelines issued in respect of these Contract Standing Orders;
- g) to take immediate action in the event of a breach of Contract Standing Orders or the Procurement Code of Practice within his or her area;
- h) to keep proper records of all bids and contracts etc. including minutes of tender evaluation panels and other meetings;
- i) to keep records of waivers of any provision of these Contract Standing Orders;
- j) to make appropriate arrangements for the opening of bids and their secure retention so as to protect the integrity of the procurement process;

- k) to ensure that the Council's seal is affixed to any document required to be executed as a deed and that where a document is not expressed to be under seal, it is signed by two people as provided for in these Contract Standing Orders;
- l) to ensure original sealed contract documents are held by the Head of Legal Services for safekeeping;
- m) to record all contracts in the Contracts Register;
- n) to ensure effective management of all contracts under his/her control and to a level deemed appropriate in regard to risk or value of each contract.
- o) no contract shall be let unless the expenditure involved has been fully considered and approved beforehand and sufficient money has been allocated in the relevant budget.

3.04 **Pensions Committee**

The Pensions Committee shall have the same powers and duties of the Cabinet Procurement Committee specified in these Contract Standing Orders but limited to procurement decisions and award of contract relating to the Pension Fund.

4. Scope of Contract Standing Orders

- 4.01. These Contract Standing Orders shall apply to all contracts for the procurement by the Council of works, goods and services unless otherwise expressly stated or these requirements are waived in accordance with CSO10.
- 4.02. Where the Council secures funding from an external funding body, and the funding is conditional upon the grant monies being used to facilitate service delivery, Contract Standing Orders shall apply to procurement by the Council of the works, goods, and services to facilitate the service delivery.
- 4.03. These Contract Standing Orders shall **not apply** to contracts of employment, or to contracts relating to any interest in land. For the avoidance of doubt, there are excluded from these Contract Standing Orders any agreement relating to the provision of nomination rights to housing, collateral management arrangements in respect of social housing and the acquisition of rights or benefits pursuant to the Council's Private Sector Temporary Accommodation Leasing Scheme.

5. EU Public Procurement Directives

- 5.01 Where the value of a works, goods or services contract is equal to, or exceeds, the applicable threshold in relation to the Public Contracts Regulations, the provisions of those Regulations shall govern the tendering process and shall take precedence over the provisions of these Contract Standing Orders in the event of any conflict.

- 5.02. In respect of contracts to which Public Contract Regulations apply:
- a) where the tender is for appointment to a Framework Agreement, the total period of the Framework Agreement including any possible extension, shall not exceed four years except in exceptional circumstances relating to the subject of the Framework Agreement;
 - b) all bidders must be notified in writing of a tender selection decision by the Council at least 10 (ten) calendar days prior to the proposed contract award date, provided notification is by facsimile or electronic means. Where the last day of this ten-day notice period falls on a non-working day, the period must be extended to include the next working day. Where notification is not by facsimile or electronic means, the notice period shall be in accordance with the timeframes required by the Public Contract Regulations.
- 5.03. Where the subject matter of a contract is not exempt under the Public Contract Regulations and when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, it may be awarded only to a particular contractor, a negotiated procedure without prior publication of a contract notice may be used for such award

6. Contract Value and Aggregation

- 6.01. Directors must ensure that a pre-tender estimate of the contract value is prepared and recorded in writing and in order to determine whether the thresholds under the Public Contract Regulations apply.
- 6.02. Unless otherwise specifically provided, reference to contract value or an estimated contract value in these Contract Standing Orders means the aggregate value payable in pounds sterling exclusive of Value Added Tax over the entire contract period, including any extension periods as anticipated in the proposed contract.
- 6.03. Contracts must not be artificially under or over estimated or divided into two or more separate contracts where the effect is to avoid the application of Contract Standing Orders or the Public Contract Regulations.

7. Framework and Consortia Arrangements

- 7.01. Subject to the provision of CSO 7.02, these Contract Standing Orders shall **not apply** where the Council procures particular works, goods and services:
- a) as part of a group of public sector bodies contracting with one or more contractors (consortium arrangement), provided the contract standing orders of one of the public sector bodies constituting the group and/ or where applicable the Public Contract Regulations have been followed, or
 - b) by selecting one or more contractors from a Framework or similar arrangement (including approved lists), established by a public sector body

in accordance with the contract standing orders of that public sector body and/ or where applicable the Public Contract Regulations.

- 7.02. The Council's decision to enter into a contract with the recommended contractor must be made in accordance with CSO 9.07.
- 7.03. The Council shall observe these Contract Standing Orders where it procures works, goods and services for the benefit, or on behalf of, other public bodies.

8. Procedure for Contracts valued below £100,000

- 8.01. Where a contract has an estimated value of less than £5,000 (five thousand), the relevant Director should act in the manner most expedient to the efficient management of the service, having kept a record for so doing.
- 8.02. Where a contract has an estimated value of more than £5,000 (five thousand), but less than £100,000 (one hundred thousand), at least three competitive quotations should be obtained from chosen contractors without the need for an advertisement or the tender procedure followed.
- 8.03. The quotation procedure shall replicate CSO 9.02-9.04 and be managed by the:
 - a) relevant Director where the estimated value of the contract is more than £5,000 (five thousand) but less than £50,000 (fifty thousand).
 - b) Head of Procurement where the estimated value of the contract is more than £50,000 (fifty thousand) but less than £100,000 (one hundred thousand).
- 8.04. Where a pre-qualified Framework arrangement (including approved lists) exists in respect of the subject matter and prices have yet to be determined then CSO 9.01e applies.
- 8.05. The Head of Procurement may decide that processes in CSO 8 are not appropriate in order to secure value for money for the Council and to ensure general EU procurement law principles are complied with. If that is the case, he/she may determine another process of selecting a contractor which will meet best value criteria. The decision and process must be properly documented.

9. Procedure for Contracts valued above £100,000

- 9.01. Except as otherwise provided, contracts with an estimated value of £100,000 (one hundred thousand) or more must be let following publication of an appropriate (tender) advertisement.

Where tenders are to be invited the procedure to be followed shall be determined prior to advertising and shall be one of the following:

- a) open tender (all interested contractors submit a tender in response to an advertisement);
- b) restricted procedure (expressions of interest from interested contractors in response to an advertisement, with a selection of those contractors being invited to submit a tender);
- c) negotiated procedure (expressions of interest from interested contractors in response to an advertisement, with a selection of those contractors being invited to negotiate);
- d) competitive dialogue (expressions of interest from interested contractors in response to an advertisement, followed by dialogue with a selection of those contractors to identify a solution (or solutions) which meets the Council's requirements, and an invitation to the selected contractors to submit tenders based on the solution/s resulting from the dialogue);
- e) Where it is proposed to award a specific contract based on a framework agreement in which all the terms of the proposed contract are not laid down, a mini- competition shall be held in which tenders shall be invited from all members of the framework agreement which are capable of carrying out the requirements of the specific contract.
- f) single tender where the relevant goods are a proprietary product and/or the relevant services relate to such a product and for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the contract may be awarded only to a particular contractor. The Director of Corporate Resources must first be consulted before this procedure is used. Where applicable, use of this procedure must be compliant with the Public Contract Regulations. Where this procedure is used, an advertisement is not required.

9.02 Receipt and Opening of Bids

- 9.02.1. Other than when electronic procedures are followed (CSO9.03) contractors must be informed that their bids will only be considered if they are:
- a) sent in a plain envelope or parcel with a label on which is printed either with the word "Tender" or "Quotation" followed by the subject of the contract; and
 - b) contained in a sealed envelope or parcel which does not show the identity of the contractor in any way;
- and
- c) delivered to the place and by the date and time stated in the invitation.
- 9.02.2. Bids must be kept safe until the date and time for their opening by the officers given this duty by the Director responsible for the process.

- 9.02.3. Bids for a particular contract must be opened at the same time in the presence of two officers, one of whom has had no involvement in the process. These officers shall be responsible for properly recording the price, duration of any works and all other relevant details of each opened bid.
- 9.02.4. The Head of Procurement must approve the training and seniority of all officers employed to open bids and also the arrangements in each Directorate for ensuring the independence of such officers from the teams involved in the competitive process.

9.03 E- Bids

- 9.03.1 Invitations to bid may be dispatched, and responses received, by electronic means with the prior approval of, and in accordance with a procedure specified by the Head of Procurement.
- 9.03.2. Bids received electronically must be stored securely, and must not be accessible until after the closing date and time in respect of submission of the bids.
- 9.03.3. At an appointed time for opening the electronically submitted bids, two authorised officers, one of whom has had no involvement in the process, shall both be present to access the submitted bids, and record the price, duration of any works and all other relevant details of each opened bid.

9.04 Late or Non Compliant Bids

- 9.04.1. Records of any non-compliant bids and of the date and time of receipt of any late tenders must be kept by officers.
- 9.04.2. Bids received late may only be considered if the other bids have not yet been opened and:
 - a) failure to comply is the Council's fault; or
 - b) it is clear that the bid was sent in such a way that in the normal course of events it would have arrived on time.

9.05 E-Auctions

In appropriate cases, the submission of prices for a bid may be conducted by e-auction using an on-line facility, with the prior approval of, and in accordance with a procedure specified by the Head of Procurement.

9.06 Post Tender Negotiations

- 9.06.1. Except where the negotiated procedure referred to in CSO 9.01c and 9.01f applies, negotiation after receipt of formal bids and before the award of contract is only permitted:
 - a) with those contractors submitting the most economically advantageous bid, and

- b) with a view to obtaining an improvement in content in circumstances which do not put other contractors at a disadvantage, distort competition or adversely affect trust in the competitive process, and
- c) if the prior authority of the Head of Procurement has been obtained.

9.06.2. There may be circumstances where an officer authorised by the Director may contact a contractor in order to clarify an ambiguous bid. This does not constitute post tender negotiations.

9.06.3. All communication with contractors under this Contract Standing Order must be in writing or recorded in writing.

9.07 Bid Acceptance and Contract Award

9.07.1. Bids are to be accepted on the basis of either:

a) The lowest price;

or

b) The most economically advantageous tender (i.e. the tender providing the most benefit to the Council) as determined by such criteria, to include whole life costing methodologies, as are relevant to the type of works, goods or services.

c) A Director may award, assign, or novate contracts valued at £250,000 (two hundred and fifty thousand) or less.

d) Subject to the provisions of CSO 9.07.1g, all contracts valued over £250,000 (two hundred and fifty thousand) at the time of award may only be awarded, assigned, or novated by the Cabinet Procurement Committee.

e) The award of any contract valued at over £500,000 (five hundred thousand pounds) is a 'key decision' and as such must be in the Council's Forward Plan and comply with the other procedures in that regard set out in the Constitution.

f) In accordance with Part 5 Section C of the Constitution, the award of spot contracts for care packages and contracts for the supply of energy to the Council are not "key decisions".

g) Contracts for the supply of energy to the Council valued over £250,000 may be awarded by a Director.

9.08. Conditions applying to all contracts:

9.08.1. The tender documents in respect of every contract to which the Public Contract Regulations apply shall include a requirement that the successful contractor must enter into a collateral contract in a form approved by the

Head of Legal Services which provides for the allocation of risks between the parties where the contract has been declared ineffective by a court.

Valued £5,000 or more:

- 9.08.2. Except as provided in CSO 9.08.4, all contracts above £5,000 (five thousand) in value must be in writing by way of a document prepared, or on a basis approved, by the Head of Legal Services.
- 9.08.3. Where the works, goods or services to be provided under a contract are required to commence prior to the issuance and execution of a formal contract, a Director, if satisfied that it is in the Council's best interest in the particular circumstances, may approve issuance of a Letter of Intent pending the issuance and execution of a formal contract. However, the maximum cover afforded by any Letter of Intent shall not exceed 10% of the contract price in respect of works or services contracts, or £50,000 in respect of supplies contracts.
- 9.08.4. A contract made in extreme urgency or a contract for goods or services resulting from a purchase using a Council purchase card need not be in writing so long as it is confirmed in writing within four weeks.
- 9.08.5. Every contract shall specify:
- a) the works, goods or services to be provided or executed;
 - b) the price to be paid or the precise method of its ascertainment and a statement of any discounts or other deductions; and
 - d) as appropriate, the start and finish dates, or delivery dates, and any maintenance or defects liability period.
 - e) compliance with the Council's insurance requirements. The requirement to comply with the Council's standard insurance requirements may only be waived with the Director of Corporate Resource's approval.
 - f) compliance with the Council's equality policy.
 - g) compliance with regards the protection of personal data.
- 9.08.6. All contracts for the provision of services which may potentially involve either direct contact with children and vulnerable adults or access to their personal records shall contain a provision requiring the service provider (including agents and assigns) to undertake a Criminal Records Bureau check on relevant employees prior to provision of the services under the contract and at appropriate intervals thereafter.
- 9.08.7. All computer software contracts shall contain a clause to the effect that use of the software by the Council's contractors shall not amount to use by a third party for which an additional software licence might otherwise be required.

Valued £25,000 or more:

9.08.8. Every contract with a value of £25,000 (twenty five thousand) or more must unless the Head of Legal Services and Director of Corporate Resources agree to the contrary contain clauses to cover the following:

- a) compliance with all applicable legislation;
- b) a prohibition on assignment and/or subletting without the written consent of the Director;
- c) a provision allowing the Council to cancel the contract and recover any resulting loss from the contractor if the contractor does anything which is contrary to the Prevention of Corruption Acts 1889 to 1916 or incites breach of Section 117 (2) of the Local Government Act 1972;
- d) a provision to ensure the Council is protected against the contractor's defective performance by default provisions which are appropriate to the contract;
- e) if the contractor is in breach of contract the Council can do any or all of the following:
 - i. determine all or part of the contract or determine the contractor's appointment;
 - ii. itself perform the contract in whole or in part;
 - iii. recover from the contractor any additional cost resulting from the completion or cancellation of the contract.
- f) If the contractor has obtained or received by whatever means any information which gives or is intended or likely to give the contractor any unfair advantage over any other tenderer (including the Council's own workforce) in relation to the tendering for, and award of, any works/services contract, that the Council shall be entitled to terminate that contract;
- g) It shall be a condition of any contract between the Council and any person (not being an Officer of the Council) who is required to manage a contract on the Council's behalf that, in relation to such contract, he/she shall comply in all respects with the requirements of these Contract Standing Orders as if he/she were an employee of the Council.

9.08.9. A contract up to and including £250,000 (two hundred and fifty thousand) in value does not require sealing and should be signed on behalf of the Council, by both the relevant Director and by the Head of the relevant business unit. However, if the nature of the works, goods or services is such as to pose a high risk of significant latent defects, then the Head of Procurement may decide to have the contract executed under seal as a deed.

Valued £250,000 or more:

- 9.08.10. A contract over £250,000 (two hundred and fifty thousand) in value must be executed on behalf of the Council under seal as a deed.
- 9.08.11. Every contract which exceeds £250,000 (two hundred and fifty thousand) in value must contain clauses to cover the following:
- a) if it is a contract for works, that the Council may require the contractor to provide security for completing the contract in the form of a bond;
 - b) that where the contractor is a subsidiary or group company, the contractor may be required to provide a parent or group company guarantee.
- 9.08.12. The decision as to whether or not a bond or parent company guarantee will be required in respect of a contract that exceeds £250,000 will ultimately be made by the Director of Corporate Resources, or an officer acting under his/her delegated authority.

10. Waivers, Variations, Extensions and Novations

10.01 Waivers

- 10.01.1. Contract Standing Orders other than CSO 5 (which relates to the Public Contract Regulations) may be waived on the basis set out in CSO 10.01.2 by:
- c) the Cabinet Procurement Committee where the contract value is more than £250,000; or
 - d) a Cabinet Procurement Committee Member where the contract value is between £100,000 (one hundred thousand) and £250,000 (two hundred and fifty thousand); or
 - e) a Director where the contract value is £100,000 (one hundred thousand) or less (save that the Director shall not have authority to waive CSO 9.08)
- 10.01.2. A waiver may be agreed after considering a written report that demonstrates:
- a) the nature of the market for the works to be carried out or the goods or services to be provided has been investigated and is such that a departure from the requirements of Contract Standing Orders is justifiable; or
 - b) the contract is for works, goods or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen; or
 - c) the circumstances of the proposed contract are covered by legislative exemptions (whether under EU or English law); or
 - d) it is in the Council's overall interest; or
 - e) there are other circumstances which are genuinely exceptional.
- 10.01.3. Waiver requests must be approved before any related contract awards, variations or extensions.

- 10.01.4. A record of the decision approving a waiver and the reasons for it must be kept and an entry made in a central register maintained and monitored by the Head of Procurement.
- 10.01.5. Where a waiver of Contract Standing Orders is sought for the second time in relation to the same individual contract, a Cabinet Procurement Committee Member must agree those valued at £50,000 (fifty thousand) or less and be agreed by the Cabinet Procurement Committee for those valued £50,000 (fifty thousand) or more.

10.02 Variations and Extension

- 10.02.1. Subject to the provisions of CSO 3.01; the Public Contract Regulations restrictions and compliance with Financial Regulations, a Director may authorise the following:
- a) any extension provided for within the terms of a contract and previously included in an award of contract decision taken by Cabinet Procurement Committee (but subject to satisfactory outcomes of contract monitoring);
 - b) or a single extension by up to six months, or half the contract term (whichever is less) of the contract not provided for within the original contract award decision; and
 - c) any variation, and if relevant a consequent change in price, determined in accordance with the contract terms.
- 10.02.2. In any other circumstances where the value exceeds £250,000 (two hundred and fifty thousand) the Cabinet Procurement Committee may vary or extend a contract providing that to do so is consistent with the Public Contract Regulations and the Council's Financial Regulations.
- 10.02.3. In addition a Director may authorise variations to a contract where either delay would incur substantial cost penalties to the Council or the proposed variations are unavoidable and/or essential for the contract to proceed or continue, and the additional cost of such variations does not exceed 25% of the value of the contract, up to a maximum of £250,000 (two hundred and fifty thousand). Variations above this level may be authorised by a Director, where the Director considers that circumstances require such authorisation, as long as such variations are reported to the Cabinet Procurement Committee at the earliest opportunity.
- 10.02.4. All variations and extensions must be recorded in writing.

10.03 Novations (Transfers)

In appropriate circumstances the Council may agree to the novation or assignment of a contract. This decision must be taken based on the value of the contract at the date of award.

11. Contract Termination

- 11.01. In the event of a supplier being declared bankrupt, going into administration, receivership or liquidation then a Director may terminate any associated contract(s) and initiate alternative arrangements as may be required taking into account CSO 10.03 in cases of novation or CSO 4.01 in cases that warrant the re-letting of the contract(s).
- 11.02. The decision to terminate a contract early in all other circumstances must be approved by a Director.
- 11.03. In all cases of contract termination for whatever reason where the awarded contract value was more than £250,000, a report must be presented at the earliest opportunity to Cabinet Procurement Committee.

12. Schools

In accordance with the requirements of the Council's Scheme for Financing Schools, and the Financial Regulations for Schools, where a school acts as an agent for the Council, these Contract Standing Orders apply to all schools within the London Borough of Haringey with the exception of Academy and Trust Schools. A school's governing body shall have the powers and duties of the Cabinet Procurement Committee specified in these Contract Standing Orders, except in relation to waivers (CSO 10.01).

13. Care Contracts for Individuals

Adults & Housing Services and the Children & Young People's Service care contracts may be 'block' contracts (where a number of beds, places or services are provided by the contractor at pre-agreed pricing schedules, to which the Council may refer users over the contract period) or 'spot' contracts (one-off contracts meeting an individual user's needs, or contracts where a number of beds, places or services are provided by the contractor without pre-agreed prices, such prices to be agreed upon each referral of a user over the contract period). The Directors of the Adult & Housing Services and the Children & Young People's Service will seek to optimise overall best value for the Council. The following provisions shall apply to the Adult & Housing Services and the Children & Young People's Service care contracts:

- a) All Contract Standing Orders apply to block contracts;
- b) CSO 8.03 (in relation to quotation procedures) shall **not apply** to spot contracts;
- c) The Directors of the Adult & Housing Services and the Children & Young People's Service may award all spot contracts, which shall be reviewed at least annually as part of the review of whether the service provided continues to demonstrate value for money and meet the needs of the service user;
- d) The Directors of the Adult & Housing Services and the Children & Young People's Service shall provide bi-annual reports to the relevant Cabinet Member and an annual report to the Cabinet Procurement Committee detailing the nature, extent and value of spot contracts entered into in the previous period *quarter*.

14. Alexandra Palace and Park

These Contract Standing Orders apply to the procurement of works, goods and services by or on behalf of Alexandra Palace and Park Charitable Trust on the following basis:

- a) The Chief Executive of APPCT shall have the powers and duties of a Director specified in Contract Standing Orders;
- b) The Alexandra Palace and Park Board and Panel shall have the powers and duties of the Cabinet Procurement Committee and a Cabinet Member specified in these Contract Standing Orders;
- c) In the event of any conflict, the requirements of the Charities Act 1993, any regulations made under that Act or charity law in general shall prevail over the provisions of Contract Standing Orders.

15. Disposal of assets

- 15.01. Where Council assets (other than land & buildings) are to be disposed of because they are surplus to requirements, damaged or obsolete, reasonable endeavours must be undertaken to realise the residual value of the assets.
- 15.02. Assets having little or no realisable value may be disposed of as waste with the approval of the relevant Head of Business Unit, provided the disposal shall be in favour of recycling wherever possible.
- 15.03. In respect of assets to be disposed of having an estimated value of less than £5,000 (five thousand), the Director concerned should act in the

manner most expedient to the efficient management of the service, having kept a record for so doing.

- 15.04. Assets recommended for disposal with an estimated value of more than £5,000 (five thousand), shall be disposed of in such a manner as to secure best value.
- 15.05. Disposal of assets valued at more than £250,000 (two hundred and fifty thousand) must be reported to the Cabinet Procurement Committee.
- 15.06. Under no circumstances shall disposal of Council assets be made to employees or Members of the Council without the prior approval of the Director.

16. Urgent Decisions

- 16.01. These provisions apply where action needs to be taken urgently on any matter between meetings of the Cabinet Procurement Committee and that action would be outside the powers given to a Director or an individual Cabinet Procurement Committee Member. They may only be used in cases of genuine urgency and not to avoid proper forward planning.
- 16.02. All urgent decisions, including waivers and awards of contract, that are not “key decisions”, may be taken by the Chair of the Cabinet Procurement Committee or in his/her absence by the Leader of the Council.
- 16.03. All urgent decisions, including waivers and awards of contract, that are “key decisions”, may be taken by the Leader of the Council in accordance with his/her powers under the Constitution and subject to the statutory “Special Urgency” rules where these apply. In the absence of the Leader, the decision may be taken by the Chair of the Cabinet Procurement Committee subject to the same procedures being followed.