

CABINET MEMBER SIGNING

Thursday, 1st December, 2022, 9.30 am

Members: Councillor Zena Brabazon – Cabinet Member for Children, Schools, and Families

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. HARINGEY FAMILY HUBS PROGRAMME (PAGES 1 - 8)

4. PARK VIEW SCHOOL - REPLACEMENT OF SPORTS HALL ROOF AND WALL CLADDING WITH ASSOCIATED WORKS - FURTHER VARIATION OF CONSTRUCTION CONTRACT (PAGES 9 - 14)

5. SEVEN SISTERS PRIMARY SCHOOL BUILDING SERVICES AND EXTERNAL ENVELOPE IMPROVEMENT WORKS PHASE 1 & 2 - VARIATION OF CONSTRUCTION CONTRACT (PAGES 15 - 20)

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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 23 November 2022

Report for:	Cabinet Member Signing – 1 December 2022
Title:	Haringey Family Hubs Programme
Report Authorised by:	Ann Graham, Director of Children's Services
Lead Officer:	Jackie Difolco, Assistant Director for Early Help, Prevention, and SEND
Ward(s) affected:	All
Report for Key/ Non Key Decision:	Key Decision

1. Describe the issue under consideration

2.1 This report recommends accepting grant of up to £3,768,000 from the Department of Education and Department of Health and Social Care to implement the Family Hubs Programme in Haringey. Accepting grant funding will enable the implementation of the programme as described in the report and the development of four new Family Hubs for children and young people aged 0 – 19 and their families.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

The Cabinet Member for Children, Schools, and Families is recommended:

- 3.1 In accordance with Contract Standing Order 16.02 and Contract Standing Order 17.1, to approve the acceptance of grant funding from the Department of Education, the terms of which are summarised at section 6 of the report.
- 3.2 To delegate authority to agree the final grant documentation and implementation plan to the Director of Children's Services, after consultation with the Cabinet Member for Children, Schools, and Families.

4. Reasons for decision

- 4.1 The council is committed to developing a Locality Model that is needs led, responding to resident demand, providing multi agency services that are accessible locally. The Family Hubs and Start for Life Programme aligns well with this objective and will provide necessary funding to help support, design and establish local family hubs.

5. Alternative options considered

- 5.1 Local Authorities can decide not to accept any offer of grant from the Department of Education and Department of Health and Social Care. However, in doing so, this would prevent the Council from being able to implement a locality model which is a key objective within our partnership strategies: Haringey Early Help Strategy and Haringey Early Years Strategy. Therefore, this option was not considered viable.

6. Background information

6.1 Haringey is one of 75 upper tier local authorities eligible for government funding to deliver Start for Life and Family Hub Services over the next three financial years. There is £300 million committed to the programme.

6.2 Local authorities participating in the programme have to be the lead agency and will be expected to deliver against **ALL** the following components in their delivery model, with funding attached to each of these elements.

- Create a network of welcoming family hubs that are for children and young people aged 0 – 19 physically, virtually and via outreach.
- Publish a start for life offer
- Evidenced based parenting programmes
- Infant-parent mental health support
- Breast feeding support
- Accessible information confident and competent multi agency workforce, data, evaluation and evidence of impact and robust leadership

6.3 The Department for Education has defined the list of core services that the 75 local authorities receiving funding will be expected to deliver within their family hub network. Services will be received either physically or in-person in a family hub, accessed through the family hub but delivered elsewhere, or delivered via a virtual offer.

6.4 Services in scope include, reducing parental conflict, debt and welfare support, mental health services, substance misuse support, youth services, housing support, SEND support and Start for Life universal services. A full list of service expectations is available here: [Family Hub Service Expectations \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

6.5 We have now received indicative funding information as well as more detail on expectations for authorities who engage in the programme. The programme funding is calculated from two streams, a flat rate for all authorities and an element based on relative population size. The council has acknowledged the invitation letter and has completed a return of 'in principle' interest although this does not formally commit us to participate in the programme.

6.6 The indicative funding for Haringey is outlined in the table below:

2022-23	2023-24		2024-2025		TOTAL	
	LOWER	HIGHER	LOWER	HIGHER	LOWER	HIGHER
908,000	1,473,000	1,555,000	1,239,000	1,304,000	3,620,000	3,768,000

6.7 The expectation from the programme is that the hubs are developed with the following funding distribution. The distribution of funding has been rounded to one decimal place. The sum of percentages across six strands may not total 100% due to this rounding. The funding distribution has been calculated using the lower ranges that we are expected to receive.

STRAND	Percentage allocation
Family Hub Programme Spend	19
Family Hub Capital Spend	4.8
Parenting Support	16

Home Learning Environment	8.8
Parent- Infant Relationships and Perinatal Mental Health	31.5
Infant Feeding Support	16.3
Publishing Start for Life Offer and Parent Carer Panels	3.5

Programme Expectations

6.8 Along with the funding, a Family Hub and Start for Life programme guide has been issued, setting out the vision and objectives of the programme. There is a requirement to develop a delivery plan, setting out how we will deliver the programme expectations and how we will improve outcomes for babies, children, families and reduce inequalities in outcomes, experiences and access to services.

6.9 The plan will need to reflect the importance of early years, with reference to 1001 critical days, whilst also evidencing how we will deliver a whole family agenda. The impact of COVID 19 and measures to reduce the issues identified will also need to be documented. The programme of work will need to evidence joined up and enhanced service delivery, with partners.

6.10 The guidance provides minimum and go further expectations for the programme and it is likely that these will be linked to lower and higher funding bands. These expectations are clearly laid out in the guide, enabling us to benchmark our current position and develop a plan for delivery against the expected outcomes.

6.11 There are also a number of additional minimum expectations that must be committed to. These include appointed, named local leads for the programme and adopting any central government banding. There will also be data and evaluation expectations.

6.12 A summary of key requirements outlined in the terms and conditions of the grant include:

- Areas must deliver all of the minimum expectations and open Family Hubs in first half of 2023. There is no detail relating to the number of hubs that are required but it is Haringey's intention to create four Family Hubs, linked to the emerging locality model. The first hub is planned to be at the Triangle Children Centre by July 2023.
- Areas have to achieve all minimum expectations by Mar 25.
- Each programme element has an age range, the vast majority are for children aged 0 – 1 with the exception of the Family Hubs element which is for children and young people aged 0 – 19 and their families.
- Commissioning of workforce development support should consider the Supporting Families Early Help System Guide and the commissioning guidance for the Healthy Child Programme.
- Areas can use the funding to employ staff to deliver services directly.
- Areas must set out the impact of funding and the difference it will make in delivering local support and services
- Co-location, data sharing, case management system and a team around the family approach with one Lead Professional needs to be in place
- Integration between children, adults and health with an interface with Integrated Care strategy, Health and Well Being strategy and national Supporting Families agenda.

- Areas need to develop a local needs assessment using part of the development element of the grant in year one.

6.13 Refer to the sign up form attached as Appendix One: Family Hubs and Start for Life Sign Up Form which is also available online here:

[Family Hubs and Start for Life Programme - Sign-Up Form.docx \(live.com\)](#)

6.14 Following confirmation of successful sign up to the programme, a delivery plan for implementation is required for submission by mid-December. To support the development of this plan, stakeholder workshop for professionals, children, young people and families is scheduled to take place on the 15 November, 2022. These workshops will enable stakeholders to hear more about the programme, consider what our data is telling us and influence how the programme should be delivered in Haringey. Governance arrangements have been established to provide robust scrutiny and oversight of this programme with key stakeholders represented, including parents and carers.

7. Contribution to strategic outcomes

7.1 The Family Hubs programme is aligned with the priorities within Haringey's Early Help Strategy, Haringey's SEND Strategy and the 'Borough Plan – Priority 2 (People)' specifically:

- Happy childhood: all children across the borough will be happy and healthy as they grow up feeling safe and secure in their family, networks, and communities
- Every young person, whatever their background, has a pathway to success for the future
- All adults are able to live healthy and fulfilling lives, with dignity, staying active and connected in their communities

8. Statutory Officer Comments

8.1 Finance

8.1.1 This report is seeking to agree outline grant funding of up to £3.768m from the Department of Education for the Family Hubs Programme. Further agreement is sought to delegate authority to the Director of Children's Services, after consultation with the Cabinet Member for Children, Schools and Families, to agree the final terms and conditions.

8.1.2 The Family Hubs Programme grant of up to £3.768m supports existing council policies and will provide crucial capital, operational revenue and programme costs to establish four Family Hub centres. The award of the grant is expected In December 2022 and the funding to cover part of 2022/23 through to 2024/25.

8.1.3 There is a risk that costs will be incurred and not be chargeable to the grant funding. This will be mitigated by close financial monitoring of committed and actual expenditure against grant funded outcomes. There is a further risk that funding will not continue in whole or in part following on from 2025/26. This will be addressed once future funding becomes clearer through a service review and the MTFS planning process.

8.2 Legal

- 8.2.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.
- 8.2.2 In accordance with Contract Standing Order 16.02 and Contract Standing Order 17.1 the Cabinet Member having the relevant portfolio responsibilities has authority to approve the recommendations in this report.
- 8.2.3 In order to receive the grant from the Department of Education the Council will be required to sign a Memorandum of Understanding (MoU). If required Legal Services can advise on the terms of the MoU.
- 8.2.4 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Children, Schools and Families from approving the recommendations in the report.

8.3 Procurement

Strategic Procurement has been consulted in the preparation of this report, there are no immediate procurement ramifications. Procurement will, however, support the commissioning of various elements of programme delivery where appropriate

8.4 Equality

- 8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and those people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 8.4.2 The three parts of the duty applies to the following protected characteristics: age disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status apply to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 8.4.3 The decisions in this report are designed to accept a grant from the Department for Education and Department for Health and Social Care, which will put in place appropriate financial arrangements to support the implementation of the Family Hubs Programme.
- 8.4.4 This decision is likely to positively impact children and young people aged 0 – 19 and their families as the funding will help to increase resources to develop four Family Hubs and a multi-agency offer that is accessible locally responding to the communities needs.

8.4.5 The Early Help strategy and SEND strategy recognises that children and young people are affected differently according to age, gender, and socio-economic background and as such the strategies and the programme intend to ensure that the specific inequalities which affect these groups and that these actions are accountable. There are no negative impacts on those with protected characteristics expected from this decision.

8.4.6 To support the development of the delivery plan for implementation, a stakeholder and consultation workshop is planned with professionals and families in November to influence the plan. Work is underway to ensure that the stakeholders are representative of their communities, with a full equality impact assessment to be completed to fully consider any implications with mitigation.

8.4.7 Final recommendations of what is included in the delivery plan will be consulted on and approved of via key agency partners in the Family Hub Implementation Group.

9. Use of appendices

- Appendix One: Family Hubs and Start for Life Programme sign up form
- Further background information on the Family Hubs Programme can be accessed here: [Family hubs and start for life programme: local authority guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/family-hubs-and-start-for-life-programme-local-authority-guide)

10. Local Government (Access to Information) Act 1985

Not applicable

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Report for: Cabinet Member Signing – 1 December 2022

Title: Park View School - Replacement of Sports Hall Roof and Wall cladding with Associated Works – Further Variation of Construction Contract

Report

Authorised by: Ann Graham, Director Children's Services

Lead Officer: Claire Barnes, Delivery Manager, claire.barnes@haringey.gov.uk

Ward(s) affected: West Green

Report for Key/

Non Key Decision: Key Decision

1. Describe the issues under consideration

- 1.1 On 13th April 2021 the Cabinet Member approved an award to Cosmur Construction (London) Ltd for Park View School up to £869,431.24.
- 1.2 On the 10th March 2022 Cabinet Member approved a variation of contract to Cosmur Construction (London) Ltd for Park View School up to £954,137.87.
- 1.3 Variation of works, set out in section 4 have been approved by the Client under change control. On this basis this is a retrospective request. This report seeks Cabinet Member approval to vary the contract with Cosmur Construction (London) Ltd for Park View School as allowed under Contract Standing Order (CSO) 16.02 and 10.2.1.b and as set out in section 3.
- 1.4 The additional works provide the Council with greater value for money by including the works within the current contract on site, as opposed to returning with a separate contract, which as a result of the current climate – construction inflation and material shortages - would likely result in inflated market rates and cause further disruption to the schools.

2. Cabinet Member Introduction

- 2.1 Not applicable.

3. Recommendations

For Cabinet Member for Children, Schools, and Families is recommended:

- 3.1 Pursuant to Contract Standing Order 16.02, to approve a further variation of the construction contract to Cosmur Construction (London) Ltd in the sum of £85,668.24 giving a varied contract value of £1,039,806.11.

- 3.2 To waiver Contract Standing Order 3.01d and delegate authority to the Director of Children's Services to approve any subsequent variations which may be required in the settlement of the final account up to £50,000.

4. Reasons for decision

- 4.1 The initial variation of construction supported additional condition works to replace the hall flooring, lighting (bulb replacement only) and redecoration. Works which had been discovered once the works commenced and the contractor was able to fully access and intrusively inspect the hall flooring and lighting. Scaffolding and working crash deck in place for new mechanical works provided greater access to inspect lighting.
- 4.2 A further variation is requested to support additional gantry works for the air handling unit, temporary ventilation supplies over the exam period, raising the height of the new ventilation sock, fire alarm modifications, additional drainage works and adjustments to the design for damp proof membrane. These works have been approved by the Client under change control and are contained within the programme budget.
- 4.3 The additional works provide the Council with greater value for money by including the works within the current contract on site, as opposed to returning with a separate contract, which as a result of the current climate – construction inflation and material shortages - would likely result in inflated market rates and cause further disruption to the school.
- 4.4 The additional work has led to the contractor requesting further time to accommodate all additional work condition works, some of which may not been fully considered as part of the original variation request.
- 4.5 The final account has not been agreed and will require to be fully evidenced to achieve the allowance requested in this report.
- 4.6 The Children's Capital Programme Budget is sufficient to cover this contract increase.

5. Alternative Options Considered

- 5.1 Do nothing – a decision not to support the increase in the value of the construction works contract would leave the school with inadequate facilities to meet curriculum requirements which the community also benefit from.
- 5.2 Returning to the market and delivering under a separate contract was discounted as would not offer best value to the Council due to current climate conditions – construction inflation and material shortages – this would likely result in inflated market rates and cause further disruption to the school.

6. Background Information

- 6.1 London Borough of Haringey are seeking to identify and address building condition and suitability issues across the Education/schools estate.
- 6.2 A major review of the condition and suitability of the Children's Services estate has been undertaken which has informed the Children's Service's asset management plan (CSAMP). This identified condition and suitability deficiencies in the primary, secondary, and wider Children's Service estate that need addressing in the short, medium, and long-term.
- 6.3 The condition survey for Park View School identified issues relating to the condition of the Sports Hall Roof including regular water penetration during rainfall. These issues were backed up by the school providing information about the history of the water penetration and the failure of recent attempts to repair the roof. During outline and design development the scope of the project evolved to also include:
- Replacement of wall cladding
 - Replacement of the halls ventilation system as this presented a health and safety issue due to inadequate supply of fresh air.
 - There was no safe access to the roof for routine maintenance.
 - Existing gutters and downpipes poorly sized to cater for the currently predicted heavy rainfall events.
 - The underground drainage associated to the removal of rainwater from the sports hall had failed in a number of locations and needed significant repairs.
- 6.4 Further works were identified during construction including replacement of flooring, lighting (bulb replacement only) and redecoration. This was approved via a variation of award in March 2022. It was noted in this variation that the works were expected to take place until July 2022 to accommodate a break for exams.
- 6.5 Additional works described in 4.1 and 4.2 have offer a projected completion of October 2022. The loss and expense claim associated with the Extension of Time (EoT) award to the contractor is presently being finalised with contractor. This variation includes a contingency to support settlement of the final account.
- 6.6 The quantity surveyor has verified and confirmed the additional condition work costs are in line with market rates and will not result in the Council paying any additional costs compared with them being included within the tender.
- 6.7 The contract increases can be supported by the Children's Capital Programme:

	Original Budget	Revised Total Project Budget
Construction	£869,431.24	£1,039,806.11

Other	£438,969.99	£376,672.67
Total	£1,308,401.14	£1,416,478.78

6.8 A summary table of construction contract awards and variations is shown below:

Contract Awards & Variations	Cost
Original Contract Award April 2021 (including contingency)	£869,431.24
Variation No.1 March 2022 (including contingency)	£84,706.63
Total Contract Award Value as at March 2022	£954,137.87
Variation No.2 December 2022 (including contingency)	£85,668.24
Total Contract Award Value as December 2022	£1,039,806.11

7. Contribution to Strategic Outcomes

7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23, in particular:

All projects commissioned by Officers of the Council are expected to align with this plan and will be reflected in key capital project documentation such as project briefs, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

7.2 To confirm Park View is not in Wave 1 but is a high priority due to high risk in relation to health and safety or operational delivery impact to the school (i.e. not being able to use their sports facility).

8. Statutory Officer Comments

8.1 Finance

8.1.1 The recommendation of the report is to vary the contract value for works at Park View School by £0.085m. If agreed, the revised contract sum will be as £1.039m. There is also a recommendation to delegate to the Director Children's Services to vary the contract further up to a maximum of £0.05m to allow for any variations in the final account.

8.1.2 The proposed contract variation will mean that the outturn cost of construction would be £0.170m (20%) greater than the original contract award.

8.1.3 The proposed variation and the potential additional £0.05m can be contained within the overall Children's Services approved capital programme for 2022/23.

8.2 Procurement

8.2.1 Strategic Procurement note the content of the report. The variations noted in the paper are in line with the authority's CSO's and the PCR's. Strategic procurement approves the variation for Park View.

8.3 Legal

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report. The aggregate value of the original contract award and the variations referred to in the report are below the threshold where the rules on contract modifications set out in Regulation 72 of the Public Contracts Regulations 2015 apply. The variations are therefore outside the scope of Regulation 72.

8.3.2 Pursuant to CSO 16.02 and CSO 10.02.1(b) a Cabinet Member with the relevant portfolio responsibilities has authority to approve the variations referred to in the report.

8.3.3 The variations for Park View School contract is a key decision and, as such, need to comply with the Council's governance arrangements in respect of Key Decisions, including publication on the Forward Plan.

8.3.4 The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Children, Education and Families from approving the recommendations in this report.

8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The proposed decision is to vary the contract awarded to Cosmur Construction (London) Ltd to account for additional works that have been identified during initial construction works to replace the sports hall roof at Park View School. This will affect roughly 1136 students and members of staff, among whom BAME communities and/or individuals experiencing socioeconomic disadvantage may

be overrepresented (in line with the wider demographic profile of the West Green ward.

8.4.4 The objective of the proposed decision is to replace the hall flooring and lighting, and undertake redecoration works, in addition to the works identified upon the original award to Cosmur Construction (London) Ltd. Works are proposed to coincide with the conclusion of summer exams to minimise the impact of works on Park View School pupils. The additional works will ensure the Sports Hall is of an adequate standard that will allow for its continued use for physical education and other purposes, irrespective of weather conditions. It is expected that this decision will lead to improved health and safety of all students and members of staff. It will also ensure that pupils are not adversely impacted by the works by timing work to avoid the exam period. The proposed decision therefore represents a measure to advance equality of opportunity for all protected groups by ensuring that the standard of the Park View School estate is safe and fit for use. Therefore, despite the fact BAME communities and/or individuals experiencing socioeconomic disadvantage may be overrepresented while the works are being carried out, the long-term impact will be positive.

8.4.6 As an organisation carrying out a public function on behalf of a public body, Cosmur Construction (London) Ltd will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

9 Use of Appendices

9.1 None

10 Local Government (Access to Information) Act 1995

10.1 None

Report for: Cabinet Member Signing – 1 December 2022

Title: Seven Sisters Primary School Building Services and External Envelope Improvement Works Phase 1 & 2 – Variation of Construction Contract

Report

Authorised by: Ann Graham, Director Children's Services

Lead Officer: Graham Sheret, Project Manager, 07505 261441,
Graham.Sheret@haringey.gov.uk

Ward(s) affected: St Ann's

Report for Key/

Non Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 On 15th June 2021, the Cabinet Member approved an award to Mulalley & Company Ltd for Seven Sisters Primary School Phase 1 in the sum of £1,233,949.00. This contract award was varied on 17th January 2022 to £1,366,875.00 by the Cabinet Member.
- 1.2 On the 9th November 2021 the Cabinet Member approved an award to Mulalley & Company Ltd for Seven Sisters Primary School Phase 2 in the sum of £1,264,690.60.
- 1.3 This report seeks approval to vary both contracts to Mulalley & Company Ltd as allowed under Contract Standing Order (CSO) 10.2.1.b and (CSO) 16.02.
- 1.4 The additional works provide the Council with greater value for money by including the works within the current contract on site, as opposed to returning with a separate contract, which as a result of the current climate – construction inflation and material shortages - would likely result in inflated market rates and cause further disruption to the schools

2. Cabinet Member Introduction

- 2.1 Not applicable.

3. Recommendations

The Cabinet Member for Children, Schools, and Families is recommended:

- 3.1 Pursuant to Contract Standing Order 16.02, to vary the following construction contract awards:

- (i) To approve a further variation of the construction contract for Seven Sisters Primary School Phase 1 to Mulalley & Company Ltd in the sum of £263,125.00 giving a varied contract value from £1,366,875.00 to £1,630,000.00.
- (ii) To approve a variation of the construction contract for Seven Sisters Primary School Phase 2 to Mulalley & Company Ltd in the sum of £58,288.00, giving a varied contract value from £1,264,690.40 to £1,322,978.00.
- (iii) To delegate authority to the Director of Children's Services to approve any subsequent variations which may be required in the settlement of the final account up to £50,000 for each Phase of the project.

4. Reasons for decision

- 4.1 During construction of Phase 1, additional condition works were identified which included remedial works to address additional pipework, asbestos removal and additional works to aluminium window reveals.
- 4.2 The additional work has led to the contractor requesting further time to accommodate the additional works, some of which may not been fully considered as part of the original variation request for Phase 1.
- 4.3 Phase 2 works experienced additional works to windows roofs and asbestos. As with Phase 1 this has resulted in the contractor requesting further time to accommodate the additional works.
- 4.4 Whilst elements of cost are yet to be fully evidenced and agreed, these variations of contracts are expected to be sufficient to settle the final accounts.

5. Alternative Options Considered

- 5.1 Do nothing – a decision not to support the increase in the value of the construction works contract will result in delays in completing urgent condition works and leave the Council unable to fulfil its contractual obligations with regarding to payments to the contractor. Design changes have been agreed via strict change control processes and can be supported by the project budgets. 'permanent' heating system.
- 5.2 Returning to the market and delivering under a separate contract was discounted as would not offer best value to the Council due to current climate conditions – construction inflation and material shortages – this would likely result in inflated market rates and cause further disruption to the school. This would also cause further delays as it is unlikely that a new contractor could be procured and commence works before the existing contractor had completed the additional work.

6. Background Information

- 6.1 London Borough of Haringey are seeking to identify and address building condition and suitability issues across the Education/schools estate.
- 6.2 A major review of the condition and suitability of the Children's Services estate has been undertaken, which informed the Children's Service's asset management plan (CSAMP). This identified condition and suitability deficiencies in the primary, secondary, and wider Children's Service estate that need addressing in the short, medium, and long-term. Seven Sisters Primary School was considered high priority for major works due to issues relating to health and safety or risk of school closure.
- 6.3 This condition project brings several benefits to the school and the council, with the primary objective of providing improved educational environment for Children in line with Haringey's borough plan. Along with improving educational outcomes, this project will significantly reduce the risk of a health and safety incident or school closure through condition failure such as mechanical failure or roof leaks. The projects will also help the schools reduce its energy demands and thus reduce carbon emissions through technologies and insulation including double glazing. This work also benefits the Council in reducing the reactive maintenance requirements at the school in future by economically fixing the root cause of the condition issues within a single project whilst avoiding additional temporary repairs costs.
- 6.4 The two phases of works at Seven Sisters Primary School involve the renewal of the building services systems, new windows, masonry repairs, roofing, boundary, additional insulation, surfacing and drainage works.
- 6.5 Once works commenced at Seven Sisters School, the heating, roofing and windows required additional works. The contractor has been asked to substantiate requests for additional time and loss and expense in more detail and on this basis the value of the assessment is ongoing, however the variation values requested in this report are expected to achieve final account status.
- 6.6 The quantity surveyor has verified and confirmed these additional condition work costs are in line with market rates and will not result in the Council paying any additional costs compared with them being included within the tender. However, as referred to in 6.5 above, the loss and expense claim associated with the Extension of Time (EoT) award to the contractor, along with a requirement for 'out of hours' working, is presently being finalised with contractor.
- 6.7 The contract increases are within the budget for the works and therefore there is no additional funding requirements.
- 6.8 The total worst-case final construction costs are shown in the table below along with the previous award history.

Phase 1	
Original Contract Award June 2021 (including contingency).	£1,233,949.00
Variation No.1 January 2022 (including contingency)	£132,926.00
Total contract award as at January 2022	£1,366,875.00
Variation No.2 December 2022	£ 263,125
Total Contract Award Value as December 2022	£1,630,000.00
Value of variation requested	£263,125.00
Phase 2	
Original Contract Award January 2022 (including contingency).	£1,264,691.00
Variation No.1 December 2022	£ 58,288.00
Total Contract Award December 2022	£1,322,978.00

- 6.9 The overall worst case contract increases are within the overall project budget for the phase 1 and 2 works and therefore there is no additional funding requirements.

	Total Budget
Phase 1 Construction	£1,630,000
Phase 1 Other	£353,881
Phase 1 Total	£1,983,881
Phase 2 Construction	£1,322,978
Phase 2 Other	£287,207
Phase 2 Total	£1,610,185
Total Project Cost	£3,594,066
Total approved budget for Phases 1 & 2	£4,000,000

7 Contribution to Strategic Outcomes

- 7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23, in particular:

All projects commissioned by Officers of the Council are expected to align with this plan and will be reflected in key capital project documentation such as project briefs, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

- 7.2 Seven Sisters Primary School falls into wave 1 (priority 1) of the Children's Service's asset management plan (CSAMP) and is therefore procured in accordance with the priorities set out in the Children's Capital Programme.

8. Statutory Officer Comments

8.1 Finance

- 8.1.1 The recommendation of the report is to increase the value of 2 contracts awarded to Mulalley and Company for the second time for works to Seven Sister School Phase 1 and Phase 2. The increase for phase 1 is £0.262m and the increase for phase 2 is £0.058m. If the recommendations are accepted the estimated contract value for phase 1 will be £1.63m and for phase 2 £1.323m. The overall increase for the phase 1 contract as compared to the original award £0.397m, 32% and the overall increase for the phase 2 contract as compared to the original award will be £0.058m, 4.6%.

Procurement

- 8.2.1 Strategic Procurement note the content of the report. The variation is in line with the authorities Contract standing orders and the Public Contract regulations. Strategic Procurement can see no reason that the recommendation to vary the contracts as noted in the report is not endorsed

8.3 Legal

- 8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.
- 8.3.2 The value of each contract is below the threshold where the rules on modification set out in the Public Contracts Regulations 2015 apply. The variations are therefore governed by Contract Standing Orders.
- 8.3.3 CSO 10.02.1 (b) (contracts valued at over £500,000) allows for Cabinet to approve both variations. CSO 16.02 provides that in-between meetings of the Cabinet, the Leader may take any such decision or may allocate to the Cabinet Member with the relevant portfolio responsibilities.
- 8.3.4 The Cabinet Member for Children, Schools, and Families also has power under Section 14 (4) of the Local Government Act 2000 to delegate approval of any subsequent variations to the Director of Children's Services.
- 8.3.5 The contracts for Seven Sisters Primary School Phase 1 & 2 are Key Decisions and, as such, need to comply with the Council's governance arrangements in respect of Key Decisions, including publication in the Forward Plan.
- 8.3.6 The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Children, Schools, and Families from approving the recommendations in this report.

8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

The proposed decision is to vary contracts to Mulalley and Company Ltd up to the value stated in Section 3.1 – 3.4 of this report. It was identified that the condition and suitability deficiencies at Campsbourne, Seven Sisters and Stroud Green Primary Schools are a high priority for major works due to issues relating to health and safety or school closure risks. It is expected that this decision will lead to improved health and safety of all students and members of staff. No negative consequences are identified for those who share a protected characteristic, and it is concluded that the works will have a wholly positive impact by improving the health and safety of Campsbourne, Seven Sisters and Stroud Green Primary Schools.

As an organisation carrying out a public function on behalf of a public body Mulalley and Company Ltd will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

9 Use of Appendices

9.1 Not applicable.

10 Local Government (Access to Information) Act 1995

10.1 Not applicable.