

NOTICE OF MEETING

CABINET MEMBER SIGNING

Monday, 3rd April, 2017, 10.00 am - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Alan Strickland (Chair)

Quorum: 1

1. **FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. **URGENT BUSINESS**

The Cabinet Member will advise of any items they have decided to take as urgent business.

3. **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

4. RENTS AND CHARGES FOR TEMPORARY ACCOMMODATION (PAGES 1 - 18)

To approve the level of rents and charges for temporary accommodation in 2017/18.

5. AWARD OF HOUSING RELATED SUPPORT CONTRACTS - DOMESTIC VIOLENCE REFUGE PROVISION AND FLOATING SUPPORT SERVICES (PAGES 19 - 28)

To approve the award of contract to provide Domestic Violence Refuge Provision and Floating Support Services, in with Contract Standing Order (CSO) 9.07.1(d).

6. NEW ITEMS OF URGENT BUSINESS

To consider any items of Urgent Business admitted under Item 2 above.

7. EXCLUSION OF THE PRESS & PUBLIC

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under Paragraph 3 Part 1, Schedule 12A of the Local Government Act 1972.

8. AWARD OF HOUSING RELATED SUPPORT CONTRACTS - DOMESTIC VIOLENCE REFUGE PROVISION AND FLOATING SUPPORT SERVICES (PAGES 29 - 32)

As per item 5.

9. NEW ITEMS OF EXEMPT URGENT BUSINESS

As per item 2

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Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 24 March 2017

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Report for: Cabinet Member Signing 3 April 2017

Item number: 4

Title: Rents and Charges for Temporary Accommodation

Report authorised by: Lyn Garner, Director of Regeneration, Planning and Development

Lead Officer: Alan Benson, Head of Housing Strategy & Commissioning
Alan.benson@haringey.org.uk 020 8489 2819

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key Decision

1. DESCRIBE THE ISSUE UNDER CONSIDERATION

- 1.1. The Council provides temporary accommodation to around 3,200 households and uses a range of different accommodation types. Historically, the rent and charges have been set independently for each type of accommodation.
- 1.2. Following recent legislation and regulations affecting the rent which can be charged for such accommodation, this paper sets out a unified rent and charging policy for temporary accommodation.

2. CABINET MEMBER INTRODUCTION

- 2.1. The rents for temporary accommodation have previously been adopted through a range of policies. This paper sets out a unified rent setting policy and sets a rent for each type of accommodation which the Council has procured or owns. This policy also ensures that no residents in our temporary accommodation have an increase in their rent, and many will have a reduction. I therefore welcome the introduction of this policy and its annual review each year.

3. RECOMMENDATIONS

It is recommended that the Cabinet Member:

- 3.1. Approves the 2017/18 rents for temporary accommodation as set out in 6.18 to 6.27 and 2017/18 charges for temporary accommodation as set out in 6.28 to 6.40.
- 3.2. Notes and considers the Equalities Impact Assessment (Appendix 1).

4. REASONS FOR DECISION

- 4.1. Recommendation 3.1 is proposed in order to
- a) ensure that the temporary accommodation rents are compliant with the rent reduction provisions in the Welfare Reform and Work Act 2016 and the Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016; and
 - b) standardise rents for residents in temporary accommodation.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1. The Council could continue to charge current rents for their temporary accommodation. However, where rents are above those allowed by the rent reduction provisions, these would be subject to challenge. Where rents are below these rents, there would be a loss of income to the Council.

6. **BACKGROUND INFORMATION**

Welfare Reform and Work Act 2016

- 6.1. The Welfare Reform and Work Act 2016 (“the 2016 Act”) and the Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016 (“the Regulations”) require social housing rents to be decreased by 1% on 1 April each year from 1 April 2016 until 1 April 2019. These provisions were announced in the Budget on 8 July 2015.
- 6.2. The Regulations do not exclude temporary accommodation from the 2016 Act, save accommodation which is not owned by the Council, where the property is leased to the Council for more than two years – broadly, this is PSL accommodation.
- 6.3. Where a household has been continuously occupying the same property, the rent from which the reductions are to be made (the applicable rent) is their rent as at 8 July 2015.
- 6.4. Where there is a new tenant of existing social housing (i.e. existing at 8 July 2015), the applicable rent is defined as the highest of the formula rent for the property as at 8 July 2015 or the rent that was paid by the existing tenant as at 8 July 2015.
- 6.5. Where a property was social housing, but was void on 8 July 2015, then the applicable rent is the rent which would have been charged had the property been let on that date.
- 6.6. Where the accommodation is new social housing (that is, was not social housing as at 8 July 2015) the applicable rent is the formula rent.
- 6.7. Where however the accommodation is supported housing (including homelessness hostels), the formula rent is increased by 10%, plus a further 0.9% for CPI inflation from 8 July 2015 to 1 April 2016; and the 1% reductions only begin on 1 April 2017.

- 6.8. Other than in Affordable Rent housing, service charges are not included in calculating the rent for the purposes of the 2016 Act.

Changes to temporary accommodation funding

- 6.9. Department of Work and Pensions (DWP) circular HB G8/2016 sent to Housing Benefit teams, sets out that DWP will not be paying the £40 additional HB subsidy payment for temporary accommodation management fee from April 2017 onwards.
- 6.10. This payment was credited to the claimants rent account in addition to the rent of 90% of the LHA rent.
- 6.11. In replacement of the lost revenue which Local Authorities would suffer, additional block funding has been provided from the Department of Communities and Local Government.

Current rent policy

- 6.12. The Council provides temporary accommodation to around 3,200 households and uses a range of different accommodation types. Historically, the rent and charges have been set independently for each type of accommodation.
- 6.13. Temporary accommodation in Council owned stock has traditionally had the same rent that would have been charged had the stock been used as general needs accommodation. This rent is either at a social rent, or, in more recent lets, the slightly higher formula rent. However, there are 153 Council owned units which have been used as temporary accommodation since they were acquired and, as such, charged a higher rent.
- 6.14. In February 2016, the Cabinet endorsed the provision of temporary accommodation in properties which had been vacated in advance of estate renewal schemes. The Cabinet set the rent for these units at the Local Housing Allowance (LHA) rate. Currently there are 10 units on the Love Lane estate which are being charged this rent, while around 100 other properties on the estate that are used as temporary accommodation are being charged formula rent.
- 6.15. In October 2016, the Cabinet approved the charging of LHA rents for the Broadwater Lodge shared facility hostel and future shared facility hostels. This hostel opened in January 2017 and currently has around 50 households who are being charged at LHA rents.
- 6.16. The Council has also purchased a small number of properties through its Acquisitions fund, and other properties on regeneration schemes. These properties are also charged at LHA rents.
- 6.17. In addition to properties that it owns, the Council also uses accommodation which is leased to it through its Private Sector Lettings Scheme (around 1,000 properties), Housing Association Lettings Scheme (around 230), through nightly contracts such as Annexes (around 1,650), private hostels (around 25),

and, on rare occasions, Bed and Breakfasts. These properties are currently charged at 90% of the 2011 LHA rate plus a management fee of £40 per week.

Proposed rents for 2017/18 for current residents

Temporary Accommodation in Council Owned properties

- 6.18. All Council owned properties that are used as temporary accommodation or social housing will have an annual 1% rent reduction as set in the 2016 Act and Regulations.
- 6.19. The rents paid by current residents will be decreased by 1% or more if their rent is subject to the limits described in 6.18 below.
- 6.20. The 2017/18 maximum rent will be based on the highest of the following;
- (a) 110.99% of formula rent as at 8 July 2015, less 1% of that figure; or
or (where the property was let as social housing/temporary accommodation as at 8 July 2015)
 - (b) the actual rent charged for the unit as at 8 July 2015, less 1.99%
- 6.21. Properties with rents higher than the above limits will be reduced to the highest of the two rent limit described in (a) and (b) above.

Such properties include:

- previously tenanted properties on regeneration estates which are awaiting demolition,
- previously hard-to-let properties which have been used as temporary accommodation,
- demountable housing,
- buildings which have historically been used as temporary accommodation such as Russell Road,
- properties which have been purchased since 8 July 2015 including those on regeneration estates, and
- Broadwater Lodge and future shared facility hostels.

Temporary Accommodation in properties leased to the Council, or purchased on a nightly basis

- 6.22. The rent for these properties in 2016/17 was set at the 90% of the 2011 LHA rent plus £40 a week management charge. Although the Council is still awaiting the settlement award from the Government, it has been confirmed that the management fee will no longer be met by the DWP.
- 6.23. The rents payable for these properties 2017/18 will remain at 90% of 2011 LHA plus £40 a week management charge. The £40 management fee will be paid in the first instance by Housing Benefit, where the household is in receipt of Housing Benefit. Once the settlement has been received an accounting mechanism will be put in place to transfer the appropriate funds to Housing Benefits to replace the loss of subsidy previously received from DWP.

- 6.24. Such properties include annexes, private sector leased properties, and private hotels.

Proposed rents for 2017/18 for new lets or new temporary accommodation

- 6.25. Any Council owned properties that are re-let on new tenancies or licences, will be let at the higher of;
- 110.99% of formula rent as at 8 July 2015, less 1% of that figure;
or (where the property was let as social housing/temporary accommodation as at 8 July 2015)
 - The actual rent charged for the unit as at 8 July 2015, less 1.99%
- 6.26. Any Council owned properties which were not previously used for temporary accommodation or social housing will also be let at the higher of the two rents set out in 6.25 above;
- 6.27. Any new properties and re-lets leased to the Council or let on a nightly basis as described in 6.24 will be let at 90% of the 2011 LHA, plus £40 and funded as set out in 6.22 and 6.23.

Proposed charges for 2017/18

Service charges for Council owned accommodation (excluding Broadwater Lodge)

- 6.28. In addition to the above rent, homeless households living in Council owned temporary accommodation will pay the same services charges which would be charged if the property was let as a general needs secure tenancy.
- 6.29. The following explanation of these charges has been reproduced from the Medium Term Finance Strategy 2017-21 and 2017/18 Budget report sections 9.9 to 9.14.
- 6.30. In addition to the rent, tenants pay service charges for services not covered by their rent. Service charges must be set at a level that recovers the cost of the service, and no more than this. The Council's policy has been to set charges at the start of each financial year to match budgeted expenditure. Therefore, the weekly amount is fixed and a flat rate is charged.
- 6.31. Charges are calculated by dividing the budgeted cost of providing the service to tenants by the number of tenants receiving the service. The amount tenants pay increases where the cost of providing the service is anticipated to increase. Equally, charges are reduced when the cost of providing the service reduces or where there has been an over-recovery in the previous year.
- 6.32. Tenants pay for the services listed below:
- Concierge
 - Grounds maintenance, bin and chute cleaning and caretaking
 - Street sweeping (Waste collection)

- Light and power (Communal lighting)
- Heating (including Gas or Oil/Electricity)
- Integrated reception service (Digital TV)
- Estates road maintenance

6.33. The table below sets out the proposed changes in tenants' service charges for 2017/18.

Tenants' service charge	Current Weekly Charge 2016/17	Proposed Weekly Charge 2017/18	Increase / (decrease)	Projected Annual Income
Concierge	£15.66	£15.43	-£0.23	£1,554
Grounds maintenance	£3.16	£2.77	-£0.39	£1,306
Caretaking	£4.29	£4.02	-£0.27	£1,544
Street sweeping (Waste collection)	£3.56	£3.62	£0.06	£1,553
Light and power (Communal lighting)	£2.19	£2.62	£0.43	£1,203
Gas (Elderly)	£10.64	£11.16	£0.52	£217
Gas (Not Elderly Person)	£10.17	£10.67	£0.50	£60
GLC Heating	£11.66	£12.23	£0.57	£38
District Heating 6	£10.93	£11.47	£0.54	£0.60
Oil/Electricity (Elderly Person)	£8.33	£8.74	£0.41	£18
Integrated reception (Digital TV)	£0.77	£0.77	£0.00	£349.90
Estates road maintenance	£0.50	£0.57	£0.07	£266
Bin and chute cleaning	£0.16	£0.16	£0.00	£72.70
Proposed tenants' service charge income				£8,186.10
<i>Projected annual income is based on the number of tenants receiving the service for 52 weeks with an allowance of 1% service charges loss due to empty properties.</i>				

6.34. The Council collects weekly water rates on behalf of Thames Water Utilities Ltd from tenants where the water supply to their home is unmetered. The amount is set by Thames Water on the basis of the rateable value of each property.

6.35. The weekly water rates to be paid by each tenant in 2017/18 will be provided by Thames Water in March 2017. Tenants will be notified accordingly.

Broadwater Lodge and future shared facility hostels

- 6.36. The Broadwater Lodge hostel has 51 shared facility rooms, and one self-contained mobility standard unit. The hostel provides the following services to residents;
- Reception and security services,
 - Communal kitchen diners, toilets and washing facilities,
 - Internal cleaning of communal areas and shared facilities, and
 - Laundry
- 6.37. For 2017/18, the costs of these facilities are set out at Appendix 2 and are estimated to be £406,289 per year, or £153.20 per week per unit.
- 6.38. In 2016/17, these costs were met through the weekly rent. This was set at the LHA rent for a one-bedroom property for the shared facility units, and the LHA rent for a two-bedroom property for the self-contained mobility standard room. In the Outer London Broad Rental Market Area these rents were £199.68 per week and £255.34 respectively. In the above rent setting calculations, the rent for Broadwater Lodge will be reduced to 110.99% of the formula rent, less 1%.
- 6.39. In light of the previous rent levels, it is therefore recommended that the charges for Broadwater Lodge are recharged to residents, but that the total rent and charges are capped to be no higher than the 2016/17 rent of the appropriate LHA rate.
- 6.40. Any future Council owned hostels created in the year, namely the proposed Whitehall Street hostel, will also be subject to the same rent policy, and with total rent plus charges also capped at the applicant LHA rate.

7. CONTRIBUTION TO STRATEGIC OUTCOMES

- 7.1. These proposals support the objectives of Priority 5 in the Corporate Plan – Creating homes where people choose to live and are able to thrive. In particular, the Corporate Plan notes that “*We will provide realistic and achievable options for people to find housing or alternative housing*”.

8. STATUTORY OFFICERS COMMENTS (CHIEF FINANCE OFFICER (INCLUDING PROCUREMENT), ASSISTANT DIRECTOR OF CORPORATE GOVERNANCE, EQUALITIES)

a. Finance

- 8.1. Overall the changes to the rents of the Council properties will mean that the rental income is approximately £300k lower than it would otherwise have been. However, the 2017/18 budgets are based on social rents so there will be no budget shortfall.
- 8.2. The rental for the Council owned properties is income into the housing revenue account (HRA) with any additional costs for using the units as temporary accommodation also being borne by the housing revenue account. This situation is under review by officers as prevention of homelessness is a general fund duty and the HRA should not suffer additional costs as a result.

- 8.3. Service charges on both the Council owned and non-Council owned properties reflect the cost of providing the services.
- 8.4. The loss of the Temporary Accommodation Management Fee Subsidy reduces the maximum housing benefit subsidy the Council can receive on each of the properties listed in paragraph 6.24 to 90% of the Local Housing Allowance. This will usually be a loss of £40 per property per week. However, this would only be an impact on properties where the tenants receive housing benefit. The overall estimated loss of income is anticipated to be in the region of £6m-£8m. Officers are working to produce a more precise figure.
- 8.5. The Department of Communities and Local Government (CLG) have advised that there will be a grant to local authorities to ensure there is no revenue impact from the loss of Temporary Accommodation Management Fee Subsidy in 2017/18. The Government estimates that Haringey would see a reduction of £7,386,509 in payments from the DWP in 2017/18, and has replaced this with £8,630,852 in 2017/18 and £8,272,890 for 2018/19. For future years it is not yet known how the value of the grant will be arrived at and officers will need to take into account the drivers for the grant determination when formulating the approach to addressing the Council's homelessness duty.

b. Legal

- 8.6. The Assistant Director Corporate Governance has been consulted in the preparation of this report and comments as follows.
- 8.7. Rent setting on all Council properties is a function reserved to Cabinet by the Constitution.
- 8.8. Part VII of the Housing Act 1996 ("the 1996 Act") places obligations on the Council to secure accommodation for homeless applicants, firstly while investigating their entitlement and secondly, where a full housing duty is accepted following investigation, until that duty ceases usually by provision of a settled alternative. There are also more limited duties and discretions under which the Council provides temporary accommodation under Part VII.
- 8.9. By s206(2) of the 1996 Act the Council is empowered to require applicants to pay such reasonable charges for accommodation secured under Part VII as it may determine. The sole limitation on such charges under the 1996 Act is that they be reasonable. The Council is not generally bound, in setting those charges, by provisions applicable to general needs housing.
- 8.10. Councils have historically set higher rents for temporary - Part VII - accommodation than for general needs accommodation, reflecting a number of factors including the cost of obtaining that accommodation in the market.
- 8.11. That general discretion in setting rents is however now subject to the 2016 Act and the Regulations. They apply to "social housing" using a definition of that term (from the Housing and Regeneration Act 2008¹) which applies equally to general needs – Part VI – housing and Part VII accommodation.

¹ Housing is social housing for these purposes if:

- 8.12. The purpose of the 2016 Act as announced in the Budget was to require a reduction generally in social housing rents which were said to be increasing faster than rents in the private sector.
- 8.13. The effect however is to freeze the position as at 8 July 2015. Whereas before the Council would have the broad discretion outlined above in setting the rent on any newly acquired temporary social housing, the 2016 Act and Regulations create a structure which not only requires rent reductions going forward but (to prevent avoidance) limits initial rent-setting. The effect is described above in Background Information under the heading “Welfare Reform and Work Act 2016”.
- 8.14. To fall within the modified scheme as supported housing and therefore allow rent setting as set out in paragraph 6.18 above, the accommodation must be:
- made available only in conjunction with the supply of support, and
 - available exclusively to those who have an identified need for that support, and
 - either accommodation that has been designated as being available only to individuals within an identified group with specific support needs, or have been designed, structurally altered or refurbished in order to enable residents to live independently

The definition of support for these purposes also includes “hostels for the homeless”.

- 8.15. Where the modified scheme does not apply, rents in temporary accommodation (other than PSL) that is social housing within the 2016 Act and Regulations will be limited to the 8 July 2015 formula rent with applicable annual 1% reductions.
- 8.16. The exclusion of service charges from the calculation of rent other than in relation to Affordable Housing means that any such appropriate and reasonable costs can be charged in addition to the rent fixed according to the 2016 Act and Regulations, whether or not the accommodation falls within the modified scheme.

c. Equality

- 8.17. A full equality impact assessment has been undertaken which concludes that the rent proposals for temporary accommodation will have a positive impact on all those households who are not receiving full housing benefit, in particular those groups who are more vulnerable to homelessness.

9. USE OF APPENDICES

Appendix 1 Equalities Impact Assessment

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- (a) it is made available for rent,
 - (b) the rent is below the market rate, and
 - (c) the accommodation is made available in accordance with rules designed to ensure that it is made available to people whose needs are not adequately served by the commercial housing market.
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Appendix 2 Broadwater Lodge Service Charge Breakdown

10. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Medium Term Finance Strategy 2017-18 and 2017/18 Budget report

<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=118&MId=7850&Ver=4>

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a '**General Duty**' on all public bodies to have '**due regard**' to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity for those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Stage 2 – Full Equality Impact Assessment

An EqlA provides evidence for meeting the Council's commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqlA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqlA to help inform their final decision. The EqlA once submitted will become a public document, published alongside the minutes and record of the decision.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Rents and Charges for Temporary Accommodation
Service area	Housing Strategy & Commissioning
Officer completing assessment	Martin Gulliver
Equalities/ HR Advisor	Paul Green
Cabinet meeting date	14 March 2017
Director/Assistant Director	Dan Hawthorn - Director of Housing & Growth

2. Summary of the proposal

The council provides temporary accommodation to around 3,200 households and uses a range of different accommodation types. Historically, the rent and charges have been set independently for each type of accommodation.

Following recent legislation and regulations affecting the rent which can be charged for such accommodation, this paper sets out a unified rent and charging policy for temporary accommodation.

This proposal will be taken to the April Cabinet for approval.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?		
Protected group	Service users	Staff
Sex	1) Internal data from homelessness and temporary accommodation 2) P1E Homelessness data https://www.gov.uk/government/collections/homelessness-statistics	Staff are not affected unless they are currently homeless or likely to become homeless in Haringey.
Gender Reassignment	No data available	See above
Age	See data sources listed as for 'Sex'	See above
Disability	See above	See above
Race & Ethnicity	See above	See above
Sexual Orientation	No data available	See above
Religion or Belief (or No Belief)	Census 2011	See above
Pregnancy & Maternity	See data sources listed as for 'Sex'	See above
Marriage and Civil Partnership	Census 2011	See above
Outline the key findings of your data analysis.		
<p>The report sets the rents for temporary accommodation for 2017/18. The policy will lead to a decrease in rents of 1% for those living in Council owned properties, and with significant decreases for a few residents who have been charged LHA rents for properties on regeneration schemes and newly acquired properties. The rents for those living in non-Council owned accommodation will remain the same.</p> <p>Where the household is claiming full housing benefit, there will be no change in the payable charges for those living in council owned properties. Where households are not receiving full housing benefit. the reduction in rents for Council owned properties will have a positive effect by increasing their disposable income</p>		

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?
The rents for each property are consulted with the residents through a formal "consultation notice" in advance of the change in rent. As the rents are decreasing, it is not expected to be any negative response to these changes.
4. b) Outline the key findings of your consultation
Not applicable (see above)

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

1. Sex

Positive	Y	Negative		Neutral impact		Unknown Impact	
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Female headed households form 74% of accepted households.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit. There will be a neutral affect on those who receive full housing benefit and are living in council owned temporary accommodation.

2. Gender reassignment

Positive	Y	Negative		Neutral impact		Unknown Impact	
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We do not have borough level data for people undergoing gender reassignment. This group makes up an estimated 0.1% of households nationally. We are aware that younger adults who are trans are more vulnerable in becoming homeless and therefore will be more likely to use temporary accommodation.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit and living in Council owned accommodation and therefore will have a positive impact for those more likely to use temporary accommodation. There will be a neutral affect on those who receive full housing benefit.

3. Age

Positive	Y	Negative		Neutral impact		Unknown Impact	
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Adults aged 25-54 are over-represented in homelessness services as they form 79% of statutory accepted households living in temporary accommodation. Young single adults are likely to benefit from any reductions more as their housing benefit may be restricted to shared room rate.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit and living in Council owned accommodation, and therefore will have a positive impact for those more likely to use temporary accommodation. There will be a neutral affect on those who receive full housing benefit.

4. Disability

Positive	Y	Negative		Neutral impact		Unknown Impact	
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There is limited data on disability amongst statutory households unless it is their priority need. However, in 2015/16, 3% of accepted households have a physical disability.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit and living in Council owned accommodation, and therefore will have a positive impact for those more likely to use temporary accommodation. There will be a neutral affect on those who receive full housing benefit.

5. Race and ethnicity

Positive	Y	Negative		Neutral impact		Unknown Impact	
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Black Households are significantly over represented amongst those who are statutory homeless acceptance (40%) in comparison to the borough (16%).

The change in rents will have a positive effect on these households if they are not receiving full housing benefit and living in Council owned accommodation, and therefore will have a positive impact for those more likely to use temporary accommodation, which will include Black households. There will be a neutral affect on those who receive full housing benefit.

6. Sexual orientation

Positive	Y	Negative		Neutral impact		Unknown Impact	
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We do not have borough level data for people identifying as bisexual, gay or lesbian. However based on estimates for London, we work on the basis that people identifying as bisexual, gay or lesbian account for at least 10 per cent of our population LGBT people aged 16 – 25 form 25% of youth homelessness.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit and living in Council owned accommodation, and therefore will have a positive impact for those more likely to use temporary accommodation, which will include young lesbian, gay and bisexual people. There will be a neutral affect on those who receive full housing benefit..

7. Religion or belief (or no belief)

Positive	Y	Negative		Neutral impact		Unknown Impact	
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Although data is recorded at application stage, this is not a consideration in the discharge of housing need and is not recorded by the Government’s P1E statistics.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit, and living in Council owned accommodation. There will be a neutral affect on those who receive full housing benefit. We do not know if there are particular religious groups who are more vulnerable to homelessness and therefore more likely to use temporary accommodation.

8. Pregnancy and maternity

Positive	Y	Negative		Neutral impact		Unknown Impact	
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The additional supply of housing will benefit smaller households, including those who are expecting their first or second child.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit, and living in Council owned accommodation. There will be a neutral affect on those who receive full housing benefit. .

9. Marriage and Civil Partnership

Positive		Negative		Neutral impact	Y	Unknown Impact	
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The Plan is not seeking to deliver a specific service for married people or people who are civil partners so will not have an impact with regard to this protected characteristic

10. Groups that cross two or more equality strands e.g. young black women

Black Female headed households are over-represented among those living in temporary accommodation.

The change in rents will have a positive effect on these households if they are not receiving full housing benefit, and living in Council owned accommodation. There will be a neutral affect on those who receive full housing benefit..

Outline the overall impact of the policy for the Public Sector Equality Duty:

The change in rents will have a positive effect on these households by reducing the rent

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Outcome	Y/N
No major change to the proposal:	Y
Adjust the proposal:	N
Stop and remove the proposal:	N

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which protected characteristics are impacted?	Action	Lead officer	Timescale
<i>No negative impacts</i>			


Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

No negative impacts

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

Where the household is claiming full housing benefit, there will be minimal change to those living in council owned properties, and an improvement of £40 per week to those living in PSL or Annex accommodation. Where are households is not receiving full housing benefit. the reduction in rents will have a positive effect by increasing their disposable income.

7. Authorisation

EqIA approved by Dan Hawthorn 	Date 24 March 2017 .
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8. Publication

Please ensure the completed EqIA is published in accordance with the Council's policy.

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Please contact the Policy & Strategy Team for any feedback on the EqIA process.

Appendix 2 Broadwater Lodge Service Charge Breakdown

OPERATING COSTS AND SERVICE CHARGES	Annual <i>Whole scheme</i>	Weekly <i>Whole scheme</i>	Weekly <i>per room</i>
STAFFING			
Lodge Manager	£41,850	£804.81	£15.78
Reception officers	£118,125	£2,2713.63	£44.54
Estate Services Officers	£99,225	£1,908.17	£37.42
SERVICES			
Refuse collection	£1,961	£37.72	£0.74
Hazardous waste (PHS)	£1,275	£24.52	£0.48
Grounds Maintenance	£4,190	£80.57	£1.58
External cleaning	£735	£14.14	£0.28
Security (excluding VAT)	£36,633	£704.48	£13.81
Laundry (excluding VAT) for 1 washer & 1 dryer	£2,408	£46.31	£0.91
MISCELLANEOUS			
Overtime contingency (for cover)	£11,442	£220.03	£4.31
Uniforms and other sundries	£2,671	£51.36	£1.01
Office infrastructure (Phones, IT etc.)	£4,782	£91.96	£1.80
Fitting renewals	£4,904	£94.30	£1.85
FACILITIES AND SUPPLIES			
CCTV	£981	£18.86	£0.37
Communal Heating and Hot water	£20,596	£396.08	£7.77
Communal Lighting and Power	£14,711	£282.91	£5.55
Lift maintenance	£800	£15.38	£0.30
Door Entry System	£750	£14.42	£0.28
Repairs & maintenance (£750 per unit per annum)	£38,250	£735.58	£14.42
TOTAL COSTS	£406,289	£7,813.24	£153.20

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Report for: Cabinet Member for Housing, Regeneration and Planning

Item number: 5

Title: Award of Housing Related Support Contracts (HRS) - Domestic Violence Refuge Provision and Floating Support Services

Report authorised by : Lyn Garner, Director for Regeneration, Planning and Development

Lead Officer: Alan Benson, Head of Housing Strategy & Commissioning

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 This report details the outcome of an open tender process for the award of contracts to provide Domestic Violence Refuge Provision and Floating Support Services to women and their children who are fleeing from or are at risk of domestic abuse and seeks approval for the recommendation on contact award as detailed in Part B of this report.
- 1.2 New contracts will be awarded in 2 lots as detailed in 8.6 of this report in accordance with Contract Procedure Rule (CPR) 16.02 following a robust tendering process. The annual contract price for Lot 2, Haringey Domestic Violence Refuge Provision will be £85,912 and £138,499 for Lot 3, Haringey Domestic Violence Floating Support Service.

2. Cabinet Member Introduction

- 2.1 Housing Related Support (HRS) services play a vital role in the prevention of homelessness within the Borough, by helping people to sustain independent living.
- 2.2 I am pleased to recommend the award of contracts to provide services to women and their children who are fleeing or at risk of domestic and sexual violence.

3. Recommendations

3.1 For the Cabinet Member for Housing, Regeneration and Planning in accordance with Contract Procedure Rule 16.02 to:

3.1.1 Approve the award of the contract for Lot 2, Haringey Domestic Violence Refuge Provision Service to Solace Women's Aid for an initial three year period with a value of £257,736 with the option to extend for two further periods of one year each up to a maximum value of £429,560 for 5 years;

3.1.2 Approve the award of contract for Lot 3, Haringey Domestic Violence Floating Support Service to Solace Women's Aid for an initial three year period with a value of £415,497 with the option to extend for two further periods of one year each up to a maximum value of £692,495 for 5 years.

4. Reasons for decision

4.1 As a result of a joint procurement exercise with Islington and Enfield Councils, carried out in accordance with the Lead Council's Contract Standing Orders and the Public Contract Regulations 2015 it is proposed to award contracts to the successful tenderer as outlined in 3.1 and 3.2 in line with CPR 16.02.

5. Alternative options considered

5.1 The extension of the existing refuge and floating support DV contracts from 1 August 2016 are due to expire and there is no further facility to extend beyond 31 July 2017. It was therefore necessary to tender to continue to provide services to women at risk of domestic and sexual violence.

5.2 De-commissioning the services was considered, but despite financial pressures on the Council this option has been ruled out as it would result in worse outcomes for victims of domestic violence. The refuge and floating support services address the Council's Violence Against Women and Girls Strategy 2016-2026 requirements for specialist services for women victims and survivors of domestic violence.

5.3 A procurement exercise by Haringey was also considered. The joint borough approach was adopted in order to increase transparency of provision, share resources and best practice across the three boroughs and establish a basis for future collaboration.

6. Background information

6.1 The HRS programme funds support services for vulnerable people in Haringey. There are currently over 60 contracts delivering support to a wide range of client groups including: older people; people with mental health problems; learning and physical disabilities; young people; women fleeing domestic violence;

people with substance misuse issues; those at risk of re-offending and those at risk of homelessness.

- 6.2 HRS services provide tenancy support and connections to health and wellbeing, care, employment and training services. These services enable individuals and families to live independently in the community, preventing the need for higher end support and residential care. They also assist in avoiding tenancy failure and preventing homelessness, as well as having beneficial impacts on crime and health.
- 6.3 HRS services provide tenancy support and connections to health and wellbeing, care, employment and training services which enable individuals and families to live independently in the community; preventing higher end needs and reducing by two thirds costs in homelessness, tenancy failure, crime, health and residential care packages.
- 6.4 Domestic abuse is a crime that affects a large number of people from all backgrounds. The Crime Survey of England and Wales 2016 estimated that 8.2% of women and 4.0% of men reported experiencing any type of domestic abuse in the last year. This is equivalent to 1.3million female victims and 600,000 male victims. The Home Office defines domestic violence as ‘any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality’. This encompasses but is not limited to psychological, physical, sexual, financial and emotional abuse.
- 6.5 Legislatively, the Care Act 2014 specifies that freedom from abuse and neglect is a key aspect of a person’s wellbeing and local authorities have a duty to provide advice and support to prevent the care and support needs arising from the domestic abuse. In addition the Housing Act (1996) and Homelessness Act (2002) specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness, including placing people in a refuge. Refuges provide a safe and supportive environment for households fleeing domestic violence with short term and intensive support.
- 6.6 Haringey provides a safe haven for individuals seeking refuge from other parts of the country, just as other refuges outside Haringey would provide refuge for Haringey residents. This reciprocal arrangement enables 70% of referrals in England to be housed outside the area they were originated from. Haringey refuges continue to be 100% utilised with demand outstripping supply.
- 6.7 Haringey has a high prevalence of recorded domestic violence. In 2015/16 Haringey had the fifth highest rate of recorded domestic violence in London (22 recorded incidents per 1,000 population). There were 2,787 reported domestic abuse incidents, a 21% increase on the previous 12 months as well as an increase in sexual offences, 592 recorded, which relates to a 10% increase during the last year. In addition between 70%-80% of all Children and Young People contacts in Haringey involve domestic abuse. It is estimated that 3,500

women and girls are affected by female genital mutilation and 115 survivors/victims were reported in 2015/16.

- 6.8 The increased rate of reported domestic violence cases in Haringey is reflected in a correspondingly increased rate of referrals to the Multi Agency Risk Assessment Conference (MARAC) from 53 cases per quarter in Q1 2013/2014 to 90 cases in Q3 2016/2017. The MARAC panel assesses and manages high risk cases. In addition, domestic violence is the most cited risk factor in Haringey's Children social care risk assessment and is a leading cause of child protection proceedings and children being taken into care.
- 6.9 The HRS programme of DV services in Haringey supports survivors, victims of domestic abuse over 16 with or without children, preventing homelessness and risk of harm, and providing advocacy and advice to enable women to sustain independent living in the community, working closely with other statutory and community services.
- 6.10 The HRS programme currently commissions 15 units of refuge provision and 60 units of floating support services with one provider. Support is delivered through accommodation based refuge services of between 9-12 months, or by floating support services of between 6-9 months depending on need.
- 6.11 The floating support service prevents a higher tenancy failure rate in women who have moved on from refuge provision, and has helped to reduce the number of women presenting as homeless within the borough; preventing higher costs to health and care services.

7. Tender approach and objectives

- 7.1 Haringey, Islington and Enfield agreed a joint borough procurement led by Enfield in order to increase transparency within the limited, specialist DV provider marketplace. Joint-working enables the local authorities to share resources and information on needs and market place trends, and contract monitoring and service review of the tri-borough contract; and may lead to opportunities for further shared investment and savings in future.
- 7.2 The tri-borough contract has a common specification for refuge provision, with separate lots which identify individual borough service requirements. The Haringey element contains 2 lots, one for refuge and the other for floating support.
- 7.3 The boroughs identified three overarching aims for these services;
- **Delivering independence and preventing homelessness:** through the provision of housing with support, giving people the opportunity to stabilise their lives and move on
 - **Creating opportunities:** offering vulnerable and socially excluded people the chance to improve their quality of life and increase their independence;

- **Providing efficiently managed services and value for money;** through the delivery of high quality, strategically planned and personalised services which are well managed, reliable, and cost effective and work well with other support and care services, placing service users at the heart of the service development and delivery.

7.4 The contract has an initial term of three years with the ability to extend the contract by a further two occasions of one year each. This will allow for a degree of flexibility in the future if required.

7.5 Whilst Enfield conducted the joint tender process, each borough will award a separate block contract with the successful Provider. This is to simplify contractual arrangements and administration and to maintain a level of control over the service without adversely affecting the services of the other boroughs.

7.6 Information is provided on the current arrangements and any sensitive financial and contractual information appear in the accompanying Part B report.

8. Tender Process

8.1 There were 4 lots in the tender and providers were invited to bid for one or more lots. Identical quality and pricing award criterion were developed together with a common over-arching service specification to facilitate bid submissions from providers for multiple lots.

8.2 The overall contract value of this procurement is above OJEU thresholds. Therefore an OJEU notice was published prior to going out to tender. This procurement is also subject to the light touch procurement regime.

8.3 The opportunity was advertised widely, using all appropriate communication mechanisms, including the London Tenders Portal and the OJEU. Invitations were also sent directly to all providers that attended Enfield's market engagement event in April 2016 or otherwise expressed an interest.

8.4 An Open Procurement Procedure was utilised. The tender was launched in November 2016 and responses were due on the 12th January 2017. At the close of the tender process three bids were received. Upon receipt of tenders all minimum standards and compliance checks were conducted.

8.5 The overall evaluation was based on a ratio of: quality 60%; and price 40%. The quality evaluation assessed key areas of the service specification and included case study scenarios. In addition two questions were developed and evaluated by a panel of previous service users

- 8.6 The table below details the total scores for each tenderer and identifies the successful tenderer for the respective lots.

Lot 2 – Haringey Domestic Violence Refuge Provision

Tenderers	Total Quality Score (%)	Total Pricing Score (%)	Total Score Quality & Price (Max 100%)	Contract price for 5 years (£)
Solace Women's Aid	46.25	40	86.25	429,560
Tenderer B	32.50	28	60.88	434,905

Lot 3 – Haringey Domestic Violence Floating Support Service

Tenderers	Total Quality Score (%)	Total Pricing Score (%)	Total Score Quality & Price (Max 100%)	Contract price for 5 years (£)
Solace Women's Aid	52.5	32.76	85.26	692,495
Tenderer B	32.50	38.41	60.88	720,170

- 8.7 If these awards are agreed, this will bring the total budget for the Refuge Accommodation and Floating Support contracts to £224,411 per annum, an increase of £1,128 on our current contracts.
- 8.8 The detailed evaluation outcomes and recommendations are contained within the Part B report.
- 8.9 It is anticipated that should this award be approved the Contract will be effective from 1 August 2017 therefore providing sufficient time for an appropriate transition and mobilisation period.
- 8.10 The procurement process was fully compliant with the Lead Council's Contract Procedure Rules and the Public Contract Regulations 2015.
- 8.11 There is clear direction provided in the detailed specification with regards to the performance management and regular monitoring of the service to ensure both timely delivery and quality.

9. Contribution to strategic outcomes

9.1 HRS Domestic Violence Services support the following Council Priorities:

- Priority 3, A clean and safe borough where people are proud to live.
- Objective 4, We will prevent and reduce violence against women and girls.
- Priority 5, Creating homes and communities where people choose to live and are able to thrive.
- Objective 2, Prevent homelessness and support residents to lead fulfilling lives.

10. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

10.1 Finance

10.1.1 The annual contract price for Lot 2, Haringey Domestic Violence Refuge Provision will be £85,912 on a 5 year contract and £138,499 for Lot 3, Haringey Floating Support Service. This totals £224,411 per annum and the cost in 2017/18 will be £168,308 as the contract starts in August 2017. Both contracts this financial year will be funded from the AHO5 Housing Related Support Programme within the General Fund revenue budget.

10.1.2 Future years spend against these contracts will be committed against this budget.

10.1.3 The contracts were evaluated on 60% quality and 40% price.

10.2 Procurement

10.2.1 The procurement was carried out in line with requirements of the Public Contracts Regulation 2015, under the Light Touch Regime. As required the contract opportunity was advertised in the Official Journal of the European Union, the tender process was transparent and non discriminatory.

10.2.2 The joint procurement involved Haringey, Islington and Enfield Councils and was led by the latter. Such procurements enable Councils to obtain best value by aggregating demand thus providing best value in the current market, as well as, efficiencies in service delivery and resources in undertaking a formal tender process.

10.2.3 The contract contains key performance indicators with regular monitoring requirements to ensure the service delivers targets and meets the need of service users. Regular contract monitoring will mitigate the risk of poor performance, and provide the opportunity to share best practice and feedback.

10.3 Legal

10.03.1 The Assistant Director of Corporate Governance notes the contents of the report.

10.03.2 This is a key decision and the Business Unit has confirmed it has been included on the Forward Plan in accordance with Contract Procedure Rule 9.07.1(e)

10.3.3 The Assistant Director of Corporate Governance sees no legal reasons preventing the Cabinet Member for Housing, Regeneration and Planning from approving the recommendations in the report.

10.4 **Equality**

10.4.1 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to the need to:

- a) Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- b) Advance equality of opportunity between people who share those protected characteristics and people who do not;
- c) Foster good relations between people who share those characteristics and people who do not.

10.4.2 The services by their nature provide support to vulnerable people, including those with the protected characteristics. The services provided under the contracts for both services remain the same as currently provided and are effective in tackling equalities.

10.4.3 The refuge and floating support services fulfil the requirement identified in the Violence Against Women and Girls Strategy 2016-26 consultation for services to support the needs of: older women; victims and survivors facing multiple disadvantages including homelessness, mental health, complex drugs and alcohol use and prostitution; as well as survivors with no recourse to public funds.

10.4.4 The contract specifications clearly sets out the supplier's responsibilities under equalities legislation, including a requirement to have in place up to date equalities policies and to ensure that the services are accessible to all sections of the community.

10.4.5 The contractor's compliance with equalities legislation is quality assured through regular contract monitoring and service reviews. There is evidence to demonstrate that the contractor meets the needs of different service users and ensures the service provided is accessible to all sections of the community.

11. Use of Appendices

11.1 Part B, Exempt Information

12. Local Government (Access to Information) Act 1985

12.1. This report contains exempt and non exempt information. Exempt information is contained in Part B and is not for publication. The exempt information is under the following category: (identified in the amended schedule 12 A of the Local Government Act 1972 (3)) information in relation to financial or the business affairs of any particular person (including the authority holding that information).

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

Document is exempt

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