

## Part A

**Report to:** Cabinet

**Date of meeting:** Monday, 30 November 2020

**Report author:** Head of Housing

**Title:** Procurement Exemption - Housing First Specialist Support Contract

### 1.0 Summary

- 1.1 The council has been successful in obtaining £272,600 funding from the Ministry of Housing, Communities and Local Government under its Next Steps Accommodation Programme (NSAP) awarded on 22 September 2020 for the provision of Housing First-principled specialist support to ten rough sleepers accommodated in self-contained homes purchased by Watford Community Housing for Housing First provision under the same funding programme. The Housing First specialist support provision will run from when the first property is purchased (between November 2020 and 31 March 2021) until the end of March 2024.
- 1.2 Rough sleepers accommodation through the Housing First project will be supported in accordance with Housing First [principles](#) to enable them to sustain their tenancy over the period of their occupancy, improve their health and well-being and achieve other planned outcomes as agreed with them including being able to move on to completely independent accommodation within 4-5 years.
- 1.3 The target cohort is rough sleepers who have the most complex needs, are entrenched rough sleepers and have repeatedly failed to thrive in supported shared hostel environments.
- 1.4 The council's contract procedure rules allow exemption from Official Journal of the European Union (OJEU) advertisement for contracts valued below the OJEU threshold. This service is covered by the Light Touch Regime (LTR) for Health, Social, Education and Certain other Service Contracts covered by the Public Contracts Regulations 2015. The value of the contract at £272,600 falls below the LTR threshold of €750,000 (£671,515). For reference, under the LTR the service is covered by the description "Provision of Services to the Community" (CPV codes 75200000-8 to 75231000-4) set out in Schedule 3 of the Public Contracts Regulations 2015 entitled Social and Other Specific Services (Regulations 5(1)(d) and 74).
- 1.5 Furthermore, the following exemptions are relevant under the LTR:

1.5.1 Exceptional circumstances: It is a stipulation of NSAP funding that the ten Housing First homes are purchased by 31 March 2021. Housing First specialist support provision needs to be in place as soon as the first property is ready to occupy which is expected before December 2020.

1.5.2 Limited market: In a soft market testing exercise undertaken by the Housing Department, of seven providers approached to deliver this project, three came forward with Housing First proposals and were interviewed on 15 October 2020. The organisations were New Hope, One YMCA and Keystage Housing. One YMCA was agreed to by the interview panel to have the best understanding of and be the best equipped to deliver the specialist support requirements of Watford’s Housing First project within the government-set timeframe.

1.6 A Procurement Exemption to the Council’s Procurement Procedures was agreed on 30 October 2020 for the council to procure this contract with One YMCA.

## 2.0 Risks

### 2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Housing First Specialist Support is not provided in time	The Housing First project in Watford will be unable to proceed and the most complex, entrenched rough sleepers in Watford will not be assisted off the streets.	Temporary support can be provided via the MHCLG-funded Street Outreach Service run from New Hope until One YMCA are in a position to provide the specialist Housing First support required	Treat	4 (4 x 1)

## 3.0 Recommendations

3.1 That Cabinet notes the Approved Exemption to the Council’s Procurement Procedures in relation to the Housing First-principled Specialist Support Provision set out in Appendix 1.

**Further information:**

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**Report approved by: Tom Dobrashian, Group Head of Place Shaping**

**4.0 Detailed proposal**

4.1 Details of the Exemption can be found in Appendix 1 to this report along with an extract of the council's Contract Procedure Rules as they relate to Exemptions.

**5.0 Implications**

**5.1 Financial**

5.1.1 The Shared Director of Finance comments that the support and mobilisation costs are fully covered through existing budgets.

**5.2 Legal Issues (Monitoring Officer)**

5.2.1 The Group Head of Democracy and Governance comments that under the Council's contract procedure rules exemptions can be agreed in exceptional circumstances and where there is a limited market. The rules require that all exemptions are reported to Cabinet and recorded in a central register held by the Corporate Procurement Manager.

**5.3 Equalities, Human Rights and Data Protection**

5.3.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, to the need to –

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them
- foster good relations between persons who share relevant protected characteristics and persons who do not share them.

An equalities impact assessment will be undertaken as part of the first review of the Housing First service which will take place within its first 12 months.

**5.3.2 Data Protection Impact Assessment**

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake

a Data Processing Impact Assessment (DPIA) for this report. The contract between the council and One YMCA will include that both organisations are joint data controllers for the Housing First specialist support contract.

#### **5.4 Staffing**

5.4.1 There are no staffing implications from this report.

#### **5.5 Accommodation**

5.5.1 There are no accommodation implications from this report.

#### **5.6 Community Safety/Crime and Disorder**

5.6.1 Section 17 of the Crime and Disorder Act 1998 requires the council to give due regard to the likely effect of the exercise of its functions on crime and disorder in its area and to do all it reasonably can to prevent these. The Housing First-principled specialist support provision together with the Housing First accommodation will be a valuable contribution towards reducing rough sleeping in Watford and any associated anti-social behaviour or crime.

#### **5.7 Sustainability**

5.7.1 There are no sustainability implications from this report.

### **Appendices**

- Appendix 1 – Procurement Exemption – One YMCA – Housing First – Oct 2020

### **Background papers**

No papers were used in the preparation of this report.