

## REPORT TO CABINET

20 February 2019

<b>Subject:</b>	<b>Procurement of Housing Related Support Services for Pregnant Teenagers/Teenage Parents</b>
<b>Presenting Cabinet Member:</b>	<b>Councillor Ann Shackleton - Cabinet Member for Social Care</b>
<b>Director:</b>	<p><b>Director of Law and Governance and Monitoring Officer - Surjit Tour</b></p> <p><b>Executive Director – Resources – Darren Carter</b></p> <p><b>Executive Director - Neighbourhoods - Dr Alison Knight</b></p> <p><b>Executive Director - Adult Social Care, Health and Wellbeing – David Stevens</b></p> <p><b>Director – Prevention and Protection – Stuart Lackenby</b></p>
<b>Contribution towards Vision 2030:</b>	
<b>Key Decision:</b>	Yes
<b>Forward Plan (28 day notice) Reference:</b>	SMBC0902/2019
<b>Cabinet Member Approval and Date:</b>	Councillor A. Shackleton 23/01/2019
<b>Director Approval:</b>	23/01/2019
<b>Reason for Urgency:</b>	Urgency provisions do not apply.
<b>Exempt Information Ref:</b>	Exemption provisions do not apply.

<b>Ward Councillor (s) Consulted (if applicable):</b>	This is a boroughwide initiative.
<b>Scrutiny Consultation Considered?</b>	Scrutiny have not been consulted.
<b>Contact Officer(s):</b>	Justin Haywood – Operations Manager for Commissioning <a href="mailto:Justin_haywood@sandwell.gov.uk">Justin_haywood@sandwell.gov.uk</a>  Sheena Rafiq – Commissioner <a href="mailto:Sheena_rafiq@sandwell.gov.uk">Sheena_rafiq@sandwell.gov.uk</a>

## DECISION RECOMMENDATIONS

### That Cabinet:

1. Approves the re-procurement of housing related support services for pregnant teenagers/teenage parents aged 16-19 who are homeless or at risk of homelessness in Sandwell;
2. Authorises the Director of Law and Governance and Monitoring Officer to enter into contract(s) for the provision of housing related support services for a period of two years, with the option to extend this by two periods of one year each on terms to be agreed with the Director of Adult Social Care, Health and Wellbeing and that;
3. That any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules 2018-19 to enable the contract for housing related support services for pregnant teenagers/teenage parents aged 16-19 who are homeless or at risk of homelessness in Sandwell to be awarded;
4. Authorises the Director of Law and Governance and Monitoring Officer to offer a lease to the successful tenderer for the offices at Selby House, Wallace Close, Oldbury on terms to be agreed by the Director of Regeneration and Growth;
5. Authorises the Executive Director of Neighbourhoods to enter into a Management Agreement with the successful tenderer for the accommodation at Selby House, Wallace Close, Oldbury.

## **1 PURPOSE OF THE REPORT**

- 1.1 This report seeks authority to procure housing related support services for pregnant teenagers/teenage parents aged 16 to 19 in Sandwell given that the existing contract(s) relating to these Services are due to expire on 31 July 2019.
- 1.2 It also seeks authority for the Director – Law and Governance and Monitoring Officer to enter into contract(s) for the provision of housing related support services for a period of two years, with the option to extend this by two periods of one year on terms to be agreed with the Director of Adult Social Care, Health and Wellbeing.

## **2 IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 The provision of housing related support services for pregnant teenagers/teenage parents aged 16 to 19 who are homeless or at risk of homelessness in Sandwell will enable them to adjust to parenthood and prepare for independent living within a supportive environment. The, prevention and reduction of homelessness as a result of the service will have a direct impact upon ambitions One, Two and Five and the Sandwell's 2030 Vision.

## **3 BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The Government's National Teenage Pregnancy Strategy (1999) was the first strategy developed through the Social Exclusion Unit to deal with the high rates of teenage pregnancy in the UK. The Teenage Pregnancy Strategy represented the first coordinated attempt by the Government to tackle both the causes and consequences of teenage pregnancy.
- 3.2 The report highlighted the increased risks of poor health and social outcomes faced by teenage parents and their children. Young women who are more vulnerable to becoming teenage parents include young women who are: in or leaving care, homeless, underachieving at school, children of teenage parents, involved in crime and living in areas with higher social deprivation. Young women who become pregnant and choose early parenthood, outcomes remain disproportionately poor. Higher rates of infant mortality, poor mental health, safeguarding concerns and child poverty place teenage mothers, young fathers and their children at risk of becoming some of the most vulnerable citizen's in the future, requiring high levels of health and social care support.

- 3.3 There is a strong relationship between teenage conceptions and deprivation. Therefore, reducing teenage pregnancies continues to be part of the Government's long-term effort to reduce future teenage pregnancies, narrow social and health inequalities and tackle child poverty.
- 3.4 The IMD 2015 ranks Sandwell as the 13th most deprived local authority in England. The level of child poverty, teenage pregnancy and GCSE attainment is well below than the England average. Historically, Sandwell has had a high teenage pregnancy rate. However, Sandwell under 18's conception rates are on a downward trend and as the rate has continued to reduce, so has the number of resulting births due to early interventions and improving deprived neighbourhoods.
- 3.5 Access to good quality housing with housing related support is crucial as this has a considerable impact on achieving better outcomes in terms of parenting, re-engagement with learning and improving outcomes for teenage parents and their children.
- 3.6 The provision of housing related support services to pregnant teenagers/teenage parents aged 16 to 19 who are homeless or at risk of homelessness supports the Council's Corporate parenting responsibilities.

#### 4 THE CURRENT POSITION

- 4.1 At present, housing related support services are provided through contract(s) with Sandwell Homeless and Resettlement Project Ltd (SHARP) **Lot 1** and Churches Housing Association of Dudley and District (CHADD) **Lot 2**. The existing contracts relating to these Services are both due to expire on 31 July 2019.
- 4.2 The current contractor for **Lot 1** provides 24 hours, seven days a week housing related support service to 30 pregnant teenagers/teenage parents aged 16-19 in Council owned accommodation at Selby House.
- 4.3 The supported housing scheme consists of 30 self-contained units within a low-rise building. Sandwell Homeless and Resettlement Project Ltd (SHARP) have entered into a Management Agreement with the Council to be their managing agent and a lease to occupy the offices at Selby House.

4.4 This Service is currently funded through the following income streams:

<b>Funding source</b>	<b>Value</b>	<b>Scope</b>
Adult Social Care, Health and Wellbeing	<b>£171,415.00 per annum</b>	Provision of housing related support service
Neighbourhoods - Housing Revenue Account	<b>£36,937.00 per annum</b>	Provision of delegated housing management functions

4.5 In addition to this contract, CHADD currently provides housing related support service (**Lot 2**) to up to 9 families at any one time from 9 am to 5 pm. The Service is currently funded through the following income stream:

<b>Funding source</b>	<b>Value</b>	<b>Scope</b>
Adult Social Care, Health and Wellbeing	<b>£39,985 per annum</b>	Provision of housing related support service

## 5 **CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

5.1 There is no statutory requirement to consult as the expectation is that there will be no significant adverse effect on the provision of housing related support services to service users from protected groups.

## 6 **ALTERNATIVE OPTIONS**

6.1 The following options appraisal has been conducted:

### **Option 1: Do nothing.**

The Council may conclude not to provide the proposed services. Implications of deciding not to procure services would be:

- A reputational and financial risk to the Council by the potential failure to perform its statutory duty to homeless pregnant teenagers/ teenage parents; This could result in expensive litigation including judicial review proceedings;
- A significant increase of expenditure to the Council having to provide temporary accommodation; the use of bed and breakfast accommodation for homeless pregnant teenagers/ teenage parents.

Therefore this option is not recommended.

## **Option 2: Terminate Housing Related Support Services**

As there is no statutory duty to provide housing related support services, the Council could cease funding of these Services. However, ceasing funding would result in removal of support services required by vulnerable pregnant teenagers/teenage parents to live independently, prevent homelessness and enable successful move-on from supported accommodation. Therefore this is not a viable option.

## **Option 3: Commission a like for like Service**

This option would require the Council to go out to the market and ask organisations to bid to provide housing related support services in Sandwell. As the preferred option this will have the benefit of retaining service continuity and stability.

## **7 STRATEGIC RESOURCE IMPLICATIONS**

- 7.1 The value of the new contracts (Lots 1 and 2) is **£248,337** per annum, with a total contract value of **£993,348** for the proposed term of this contract, being two years plus the option to extend by two periods of one year each, so four years maximum.
- 7.2 This will be funded from within the current budget(s) allocation:
- **Lot 1:**
    - The Management Fee will be funded from the Housing Revenue Account;
    - Housing Related Support Services will be funded from Adult Social Care budget.
- 7.3 The incumbent provider for **Lot 1** Service currently occupies several offices in Selby House, Oldbury. A commercial rental valuation of the areas occupied will be undertaken and the successful tenderer will be required to enter into a Lease Agreement.
- 7.4 The successful tenderer for **Lot 1** will be required to enter into a Management Agreement to provide housing management functions delegated by the Executive Director of Neighbourhood Services.
- 7.5 The Council will pay the successful tenderer for **Lot 1** an annual fixed Management Fee from its Housing Revenue Account to provide housing management functions on its behalf. The Management Fee included in the report is contained within the budget in the Housing Revenue Account.

- 7.6 Housing Related Support Service **Lot 2** will be funded from Adult Social Care budget.
- 7.7 There are no Capital costs for this report.
- 7.8 The corporate risk management strategy has been complied with to identify and assess the risks associated with the decisions being sought. This has identified that there are no red risks that require reporting. For the risks identified, measures have been/ will be put in place to mitigate risk to a suitable level.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 The procurement of housing related support services will enable the Council to meet its statutory obligations to pregnant teenagers/ teenage parents by maintaining them in suitable accommodation and providing housing related support services under the, Part VII of The Housing Act 1996, 2002 and the Homeless Reduction Act 2017 (as amended), The Leaving Care Act 2000 and 2001 (Amendment), The Children Act 1989, the Care Leavers (England) Regulations 2010 and The Children and Social Work Act 2017 and The Homelessness (Priority Need for Accommodation) (England) Order 2002.
- 8.2 Local authorities are obliged to carry out enquiries to satisfy themselves as to what level or duty is owed to a homeless applicant. If an applicant has become homeless unintentionally, the authority must assess whether they, or a member of their household, falls into 'priority need' category as set out in out in section 189 of the 1996 Act.
- 8.3 Section 20 of the Children Act requires that local authorities must provide accommodation for any child in need within their area who appears to them to require accommodation as a result of (a) there being no person who has parental responsibility for him, (b) his being lost or abandoned or the person who has been caring for him being prevented from providing suitable accommodation or care. A further duty to provide accommodation may arise where a child in need has reached the age of 16 and whose welfare will be seriously prejudiced if accommodation is not provided.
- 8.4 Following the House of Lords Southwark judgement (2009) relating to a homeless 16 and 17-year-old), there is an obligation on children's services to provide accommodation and support to homeless young people aged 16 and 17 as a looked after child and subsequently as a care leaver. This takes precedence over the duties in the 1996 Act in providing for children in need who require accommodation. Furthermore, the Council is required to procure and utilise temporary accommodation in meeting its statutory obligations to homeless people in light of the 2 April 2015 judgement of the Supreme Court in the case of Nzolameso v Westminster City Council. This

judgement also reinforced the 'Sufficiency Duty Statutory Guidance' that describes the accommodation required for a child looked after that: is near the child's home; does not disrupt his/her education or training; enables the child to live with an accommodated sibling; where the child is disabled, is suitable to meet the needs of that child; and is within the local authority's area, unless that is not reasonably practicable.

- 8.5 In addition, The Housing Act 1996 Part 7 and the Homelessness (Priority Need for Accommodation (England) Order 2002 applicants aged 16 or 17 may have a priority need for accommodation if they are not owed a duty under section 20 of the 1989 or have refused section 20 accommodation.
- 8.6 The Council has a duty under Section 2 of the Care Act 2014 to provide or arrange for the provision of services, facilities or resources, or take other steps, which it considers will contribute towards preventing or delaying the development of care and support need for adults in their area. Similarly, Section 2 of the Care Act requires Councils to reduce care and support needs by developing preventative services
- 8.7 The procurement process will be carried out in accordance with the Public Contracts Regulations 2015 and with the Council's Procurement and Contract Procedure Rules 2018 -2019 and in the case of the management agreement, the General Approval for Housing Management 2009 made under section 27 of the Housing Act 1985.
- 8.8 The total maximum contract value of the two Lots for a maximum contract period of 4 years is **£993,348**, as such this will be over the OJEU threshold and must be advertised in the official Journal of the European Union (OJEU).

## **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 The Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. There are no significant equality issues arising from this report. The commissioning of housing related support services will provide support to vulnerable young people, including those with protected characteristics.
- 9.2 Overall, it is anticipated that the provision of housing related support services will have a positive impact on protected groups given that the Council will maintain service continuity to vulnerable young people.

## **10 DATA PROTECTION IMPACT ASSESSMENT**

- 10.1 A comprehensive review of data protection requirements to meet General Data Protection Regulations has been carried out for the commissioning of housing related support services for pregnant teenagers/teenage parents aged 16 -19 and is currently ongoing.

## **11 CRIME AND DISORDER AND RISK ASSESSMENT**

- 11.1 The Crime and Disorder Act 1998 as amended imposes a statutory duty on the Council to work in partnership with other agencies to reduce crime and disorder. Protecting vulnerable young people including those at risk of domestic abuse remains a high priority for the Sandwell Community Safety Partnership and is a key cross cutting theme for the Council.
- 11.2 The provision of housing related support services to pregnant teenagers/teenage parents to achieve their full potential and encouraging participation in meaningful activities will thus reduce criminal activity and antisocial behaviour.
- 11.3 The commissioning outcomes will have a positive impact in terms of reducing levels of crime and disorder in the Borough.

## **12 SUSTAINABILITY OF PROPOSALS**

- 12.1 The provision of housing related services covered by these contract(s) are paramount for the delivery of the Council's homeless fiduciary duties. Housing and Social Services must work jointly in the discharge of their respective duties, and this may take the form of the provision of housing related support services and supported housing.
- 12.2 By continuing to invest funding in housing related support services the Council will be protecting the interests of some of its most vulnerable young people whilst contributing to its key priorities in relation to start of life and later life.

## **13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

- 13.1 Housing related support services successfully work to provide a preventative approach to avoid more intense and costly crisis intervention. The focus of housing related support service is in enabling and supporting the resident to 'do things for themselves' and having control over how their support is delivered.

13.2 Essentially, the primary aim of housing related support services is to develop and sustain an individual or family capacity to live independently. It covers a wide range of activities and behaviours, including assistance with life skills; budgeting; maintaining a tenancy; providing advice and support to arrange repairs and helping people understand the consequences of their actions, for example, getting along with their immediate neighbours and wider community and prevent longer financial implications for associated social care provision.

13.3 Several cost/benefit and social return on investment studies have been undertaken that demonstrate that housing related support services is effective in preventing the need for costlier statutory services (Capgemini Cost: Benefit analysis of Supporting People 2008). One government funded study has suggested that for each £1 spent on housing support services a further £2.11 is saved in statutory funded services. (Research into the financial benefits of the Supporting People programme, 2009).

13.4 The provision of housing related support services will deliver the following outcomes by:

- Reducing the number of 16/17 year olds in bed and breakfast and temporary accommodation;
- Reducing the incidence of homelessness for teenage parents;
- Reducing the number of unplanned teenage pregnancies;
- Improving access to health services and encouraging healthy lifestyles;
- Improvement in independent living skills through; practical skills, financial literacy and financial management skills social skills;
- Improvements in a young person's physical, emotional wellbeing and mental health;
- Improvement in a young person's relationships with family and friends;
- Improvement in a young person's pro-social behaviour by reducing anti-social or offending behaviour;
- Reducing social exclusion by improving access to employment, education or training;
- Providing stable accommodation for young care leavers;
- Reducing criminal activity and anti-social behaviour; and
- Reducing substance misuse and improving access to services.

13.5 The nature of the commissioning arrangements will also generate social value thus the Council will meet its obligations in accordance with the Public Services (Social Value) Act (2012) through:

- Capacity Building: additional benefits are secured by commissioning the current services directly with locally based third sector/not for profit providers. Investing in such organisations improves the

diversity and sustainability of the local economy and offers opportunities for training, volunteering and the development of social enterprise which may help to meet wider Council objectives;

- Added Value: the 'not for profit' ethos of almost all providers within this sector creates additional returns by stretching the value agencies are able to deliver through existing volunteering, philanthropic and charitable activity.

## **14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

14.1 The incumbent provider for **Lot 1 Services** currently occupies office accommodation within Selby House, Oldbury. A commercial rental valuation of the areas occupied will be undertaken and the successful tenderer will be required to enter into a Lease Agreement.

14.2 The successful tenderer for Lot 1 will also be required to enter into a Management Agreement to provide housing management functions delegated by the Executive Director of Neighbourhood Services.

## **15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 The procurement is paramount to provide housing related support services to pregnant teenagers/teenage parents aged 16 to 19. The business rationale for commissioning housing related support services is underpinned by the value attached to helping vulnerable pregnant teenagers/teenage parents aged 16 to 19 to sustain and improve their ability to live independently within the community.

15.2 The Council has a statutory duty to provide accommodation to persons under 18 who have been assessed as requiring accommodation under the Children Act 1989, or because they are owed a duty under the Children (Leaving Care) Act 2000 and duties towards homeless young people under the Housing Act 1996 (as amended) and the Homeless (Priority Need) Order 2002). These proposals directly support the Council in compliance with these provisions.

## **16 BACKGROUND PAPERS**

- Teenage pregnancy: report by the Social Exclusion Unit presented to Parliament by the Prime Minister by command of Her Majesty June 1999;
- Provision of Accommodation for 16 and 17-year-old young people who may be homeless and/or require accommodation;
- Guidance to children's services authorities and local housing authorities about their duties under Part 3 of the Children Act 1989 and Part 7 of the

Housing Act 1996 to secure or provide accommodation for homeless 16 and 17-year-old young people.

- The Children Act 1989;
- Leaving Care Act 2001 and 2001 Amendment;
- Part 7 Housing Act 1996 and 2002 Amendment;
- Research into the financial benefits of the Supporting People programme, 2009;
- Sufficiency: Statutory guidance on securing sufficient accommodation for looked after children (March 2010);
- Localism Act 2011;
- The Homelessness (Priority Need for Accommodation) (England) Order 2002;
- Children and Families Act 2014;
- The Care Act 2014;
- Controlling or Coercive Behavior in an Intimate of Family Relationship: Statutory Guidance Framework, December 2015;
- Sandwell Joint Health and Wellbeing Strategy 2016-2020;
- The Children and Social Work Act 2017;
- The Homelessness Reduction Act 2017.

## 17 **APPENDICES:**

None.