

Decision Pathway



PURPOSE: Key decision

MEETING: Cabinet

DATE: 05 April 2022

TITLE	Rough Sleeping Initiative (RSI) Services 2022-2025		
Ward(s)	City wide		
Author: Hywel Caddy	Job title: Commissioning Manager (Homelessness)		
Cabinet lead: Councillor Tom Renhard, Cabinet Member Housing Delivery and Homes	Executive Director lead: Stephen Peacock, Executive Director Growth and Regeneration		
Proposal origin: <i>BCC Staff</i>			
Decision maker: Cabinet Member Decision forum: <i>Cabinet</i>			
Purpose of Report: 1. To seek approval for the plans for the provision of services relating to the Rough Sleeping Initiative and Commissioning services from 2022 to 2025.			
Evidence Base: Background 1. The Government has announced its intention to provide an additional three-years of funding to local authorities through DLUHC in order to fulfil the aims of the Prime Minister to end rough sleeping by the end of this Parliament (2024). Nationally, £2 billion has been secured to tackle homelessness and rough sleeping over the next three years. 2. Commissioners have worked with government advisors to co-produce a three-year funding bid that was submitted on 25th February 2022, and we have been advised that the level of funding awarded to Bristol will not be confirmed until after 1st April 2022. Assurances have been given by DLUHC to fund a minimum level of provision for the first 3 months of RSI 2022-2025. This will be equal to 75% of our current RSI 4 funded costs per quarter, calculated on the 9-month RSI award for 2021/22 (£690,345) to assist the transitioning of services. The shortfall in funding to cover the transition period is covered by additional contingency funding that has been identified to ensure there is no loss in service for clients. Rough sleeping in Bristol 3. The recent annual count of people sleeping rough in the city on 19th November 2021 - a count of 68 people - was higher than the level in 2020 – when 50 people were counted - largely due to ‘Everyone in’ in operating during 2020-21, including the follow up work to help people move on into more settled accommodation. Another count was conducted in January which was much lower, with 26 people found but this was likely to be lower as we have had additional funding to accommodate people over the winter months through Winter Pressures and Protect and Vaccinate Funding. However, the level of people rough sleeping or threatened with homelessness has increased in 2021-22 and these levels are likely to remain high moving forward due to factors such as the ending of furlough, the reduction in Universal Credit, limiting access to benefits for non-UK nationals, rising rents and interest rates, the fall in real incomes and the backlog of people with rent arrears coming through the courts. 4. The council commissions and directly funds a wide range of short-term supported housing for homeless individuals			

and a street outreach service. However, the significant additional resources required to prevent and relieve the high levels of street homelessness have increasingly come through the Government's RSI programme. For the last four years this has been an annual bidding round largely due to the government not undertaking a three-year spending review. Annual bid rounds create difficulties for local authorities in procuring and strategically planning services and creates uncertainties for providers and staff.

5. These issues have been recognised by DHULC and the intention this year was for a three-year programme, and this is welcomed by the city council and providers. The surge in the Omicron variant, and associated diverted government resources, has impacted on the timetable so, although the three-year funding proposal is still in place, the announcement of the awards will not be until after 1st April 2022. As a result, some transitional work in relation to funding and tendering of services in 2022/23 will be necessary in order to ensure continuity of service.

Funding for rough sleeping services

6. In 2021-22, the overall pot of funding for direct service provision to assist people off the streets or to prevent people rough sleeping is £4,105,742 - made up of RSI £2,761,379 (Q2-4), continuation funding for Q1 of £725,943 and internal revenue fund £618,420 - of which just over 15% comes from a Bristol City Council internal revenue fund. The bidding and final award announcement process creates a relatively short run-in period for tendering for services when existing agreements and contracts will have come to an end in June 2022, particularly in relation to existing services where complex TUPE issues need to be addressed.

7. DLUHC advisors have said it is also likely that the funding available for the next three years will be slightly lower than current funding levels. Given that purchasing and implementation of a new services and potentially awards to new providers needs an acceptable transition period - especially where TUPE is involved - new contract awards – and implementation periods - are unlikely to be in place until October 2022 with new services beginning in January 2023.

8. We are currently in the process of extending the majority of the existing RSI funded services - until the new contracts are in place - with the Procurement team. In addition, we will need to extend grant funding arrangements for the three flexible floating support services created to assist people to move on who were accommodated through Everyone in until a new Higher Needs Floating Support tender process and implementation period is completed. The level of funding for these agreements is likely to be less than the level asked for as the services will hold any non-essential vacancies.

9. The bid was submitted on the 25th of February 2022. The following interventions are proposed to be continued/remodelled:

(i) More simple interventions – where competitive process (or evidence that no other interest in market – so direct award) can be achieved by July 2022

- 2 prison release posts (existing intervention).
- YP Navigator (existing intervention).

(ii) Complex interventions – with many staff involved - with proposed extensions until January 23/April 24 to enable time for a tender process

- Higher Needs Floating Support service/s to assist people to move into sustainable housing options (includes support for existing Housing First clients and transition funding for three floating support services created to assist people to move on who were accommodated through Everyone in).
- Rough Sleeping Prevention Service (RSPS) linked to providing low support, short stay accommodation units.
- Navigator team - Adults (pulling together existing posts in different organisations and a coordinator into one team).
- Target priority Group workers/ Assessment centre workers linked to Outreach service (due to added value that cannot be achieved elsewhere if it goes ahead would be direct award).

(iii) In-house or through existing procurement route

- Shared HMO housing.

- Supported lettings (Rapid Intervention/lower needs floating support) - A supported housing team to support people working with the RSPS to move into PRS accommodation and to intervene in tenancies in crisis.
- 2 Link Workers (Welfare Benefit Advice, based in WRAMAS).
- PRS workers (up to 3 posts) to source and link people to private sector tenancies (for prevention and pathway move-on) and to assist with identification of other move on. This includes management of a potential Landlord incentive fund for additional PRT properties and a fund to help clients settle into accommodation.
- A rent in advance fund.
- Overall coordination of programme.
- Housing Advisors (3 posts).
- Social Workers based in the Homeless Move-on Team (2 posts).
- An Employment Service offer with ESOL.

Additionally, we are looking to submit proposals around potential other new interventions to strengthen our current services - and fill any gaps- to augment our approach to reducing rough sleeping. We are meeting with providers to consider services that they are proposing as gaps in the current system.

New interventions:

(iv) Jointly funded with another public body

- Funding for a post located in the BCC Homelessness Prevention Team around coordinating prison release (funding split with the HPT Probation team).
- Higher needs ex-offender accommodation (funding for support split with the HPT Probation team).

(v) procurement route to be discussed for each one:

- Winter 'Surge' funding to assist people off the streets during to winter months.
- High Stability Housing – extension of a pilot with adult social care for people with care needs.
- Support for people with Limited Eligibility (with No recourse for Public Funding).
- A pot of funding for recovery related costs for clients in services.
- A community-based prevention project.
- Legacy funding for Respite Rooms (jointly funded proposal with Public Health).

RRS Commissioning Plan

10. Cabinet approved an overall longer-term Reducing Rough Sleeping Commissioning Plan on February 5th, 2021 and gave authorisation to progress with recommendations arising from the final commissioning plan and associated procurement processes, and subsequently award of contracts for 2020/21.

11. Set out in the table below are the details provided to Cabinet at that point – with the new final column outlining the current proposals in relation to subsequent Rough Sleeping Accommodation Programme funding and changes to the funding of services now that we have gained government commitment to a three-year RSI funding programme.

Service	Process	Original timescale 25-02-21	AMENDED TIMESCALES & COMMENTS from original timescales in the Cabinet report from 25-02-2021
Prevention /new to the streets service	We are proposing that this will be a direct award to St Mungo's from 1st April 2021 to 31 st March 2022 (subject to funding from MHCLG) under PCR Regulation 32 extreme urgency.	Direct award under the PCR Regulation32 - Extreme Urgency. 1 st April 2021.	Now that access to three-year funding has been announced, tender process to commence. Propose extension until end September 2022. New service in place for October 22 -given the complexity of this service in terms of TUPE liabilities (with longer term

	<p>The current service of the YMCA leased hostel/other accommodation from March 2021 with support and the Rough Sleeping Prevention Service will be provided by St Mungo's until the current contract variation comes to an end on 31st March 2021. If we do receive longer term funding from MHCLG after 2021-22 we also propose to return to our initial proposal of going out to tender for this service subject to longer term funding.</p>	<p>If longer term funding made available after 2021-22 consider going out to tender.</p>	<p>funding it is a more attractive proposal for other providers to tender for) and need to identify an alternative building to provide short-term accommodation for those at new or at risk of rough sleeping whilst an option is found for them to leave the streets.</p>
<p>A longer term/returner service for people sleeping rough (core rough sleeper).</p>	<p>This lot will be through a competitive tender. The current Rough Sleeper Service will be provided by St Mungo's at 1 New St until the current contract comes to an end on 30th September 2021. Contracts are proposed to be for three years, with options to extend for two further periods of two years subject to funding.</p>	<p>Competitive process – Spring /early summer 2021</p> <p>New service in place – 1st October 2021</p>	<p>Completed</p>
<p>Resettlement, longer term support and navigation</p>	<p>Current services extended to 31st March 2022. If longer term funding available from MHCLG after 2021-22 then propose to put in place a Framework of providers with competitive call-offs for the following services (and any similar types of services that may be needed):</p> <ul style="list-style-type: none"> • Navigation • Longer term support <p>The Framework will be in place for five years with the option to extend for up to a further two periods of one year each. Contract lengths will be determined by the length of the funding available.</p>	<p>Current services extended/varied to 31st March 2021. Framework established and call-offs – Autumn 2021</p> <p>New service in place at the earliest – 1st April 2022</p>	<p>Framework could not be established as level of funding unknown and checking on good practice elsewhere indicated that complexity /risks associated with frameworks in this scenario was too great. Now that a three-year funding programme in place – propose to tender for:</p> <ul style="list-style-type: none"> • Navigation Team • Specialist posts (if EOI indicates no competition interest in market) • Floating support team/s
<p>Accommodation Framework</p>	<p>This will be a Framework of providers with competitive call-offs for the following services (and any similar types of services that may</p>	<p>Current services likely to be extended/vari</p>	<p>Not necessarily delivered through a Framework. Will be addressed as follows:</p> <ul style="list-style-type: none"> • High Stability Housing

	<p>be needed):</p> <ul style="list-style-type: none"> • Shelter provision – subject to reduced risk of Covid 19 transmission; • Local lettings agency -if decided not to use BCC PRT team; • Longer term accommodation. <p>The Framework will be in place for five years with the option to extend for up to a further two periods of one year each. Contract lengths will be determined by the length of the funding available.</p>	<p>ed to 31st March 2022 Framework established and call-offs – Autumn 2021 (at the earliest) New service in place – 1st April 2022 (at the earliest)</p>	<ul style="list-style-type: none"> • Increased letting opportunities through Private Rented Sector to be developed in-house • Longer term accommodation is more recently being addressed/progressed through the RSAP and Move on programmes • Shelter provision still not recommended due to longer term Covid risks
--	---	--	---

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Authorise the Executive Director of Growth and Regeneration in consultation with Cabinet Member Housing Delivery and Homes to enter into a grant agreement to accept and spend the funding of £10,160,931 from DLUCH to reduce rough sleeping in the city for 2022/25.
2. Authorise the Executive Director, Growth and Regeneration to accept and spend the 2022-23 Quarter 1 funding award from DLUHC for £690,345 received on 20th December 2021.
3. Authorise the Executive Director, Growth and Regeneration to award interim grant agreements to the three flexible floating support services until 31st December 2022 up to the value of £576,442.50
4. Authorise the Executive Director, Growth and Regeneration in consultation with Cabinet Member Housing Delivery and Homes to procure and award the contract(s) necessary for the implementation of recommendations 1 and 2, in-line with the procurement routes and maximum budget envelopes outlined in this report noting the associated Legal commentary.
5. Authorise the Executive Director of Growth & Regeneration to invoke any subsequent extensions/variations specifically defined in the contract(s) being awarded, up to the maximum budget envelope outlined in this report.

Corporate Strategy alignment: Key commitment to reduce the overall level of homelessness and rough sleeping.

City Benefits: The Commissioning Plan and associated EQIA provide a useful overview. In brief the proposal will assist many rough sleepers to access accommodation and support improving their health and reducing the physical and mental health impact of living on the streets.

Consultation Details:

1. **Commissioning Strategy:** Pre-consultation - Staff and client feedback - 17th October to 31st October 2019 35 staff and 70 service users, from a range of services for people rough sleeping, gave feedback in different ways. This informed the draft Commissioning Plan which was consulted on from 14th December 2019 to the 31st March 2020. The new draft Commissioning Plan has been discussed with people with lived experience on the IF group. Full consultation has not been undertaken as the principles of the Commissioning Plan were established in March 2020 and any changes are due to financial constraints and the impact of Covid 19.
2. **RSI 2022-25 Bid:** Consultation through meetings with the sector (stakeholders and providers); specific consultation on the proposals with Independent Futures (an organisation made up of people with lived experience of homelessness and homelessness services)

Background Documents:

Rough Sleeping Strategy: <https://www.gov.uk/government/publications/the-rough-sleeping-strategy>

Delivery Plan: <https://www.gov.uk/government/publications/rough-sleeping-strategy-delivery-plan>

Revenue Cost	1. £690,345 (Q1 2022-23) 2. £10,160,931 (Bid 2022-25)	Source of Revenue Funding	Govt Grant
Capital Cost	n.a.	Source of Capital Funding	n.a.
One off cost <input checked="" type="checkbox"/> Ongoing cost <input type="checkbox"/>		Saving Proposal <input type="checkbox"/> Income generation proposal <input type="checkbox"/>	

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Financial Advice: The report is seeking to submit a funding bid to the DLUHC – for the 3-year period from 2022/23 to 2024/25, for £10,160,931 an average of £3.4m pa. The report also seeks approval to incur expenditure of up to £690,346 to enter into a contract agreement for Qtr 1 of the financial year 22/23 ahead of grant payment which is expected to be received in April/May 2022. The remaining contract from July 22 will be renegotiated once the allocation has been confirmed.

Although, the Rough Sleeping Initiative (RSI) bid is for 3 years, it is subject to annual review and therefore the funding allocation may reduce in future years therefore, the contract should be flexible and not be volume specific with inclusion of appropriate break clauses to enable Council to adjust its expenditure on this service provision to remain within the allocated budget each year.

Any reported underspends on RSI will be deducted from future annual awards, the reported underspend for 2021/22 is £137,499 which will be deducted from the estimated £3.4m allocation for 2022/23.

Finance Business Partner: Aisha Babu, Principal Accountant – 16th March 2022

2. Legal Advice: The procurement processes to spend the DLUCH funding must be conducted in line with the Public Contracts Regulations 2015 and the Council’s own procurement rules. Legal Services will advise and assist officers with regard to the conduct of the procurement process, TUPE issues, and the resulting contractual arrangements. Officers should also ensure that any direct awards comply with the 2015 Regulations.

Legal Team Leader: Husinara Jones, Team Leader, 18th March 2022

3. Implications on IT: There are no implications on IT in regard to this activity.

IT Team Leader: Gavin Arbuckle, Head of Service Improvement and Performance 21st January 2022

4. HR Advice: In law, employees on fixed term contracts have the right not to be treated less favourably than permanent employees doing the same job, unless there is a good business reason to do so. Any employee on fixed term contracts for 4 or more years will automatically become a permanent employee, unless there is a good reason not to do so. Importantly, where a fixed term contract is not renewed, an employee with continuous service of more than 2 years may be entitled to a redundancy payment if the reason for non-renewal is redundancy. Under the Council’s policies, employees should not normally be seconded from their substantive roles for longer than 18 months because secondments are intended as development opportunities. In law, where there is a service provision change (either between contractors or between the Council and a contractor), employee consultation and protection requirements (known as TUPE) are likely to apply, which will need to be taken into account, particularly in relation to the timing and costing of contracting arrangements.

HR Partner: James Brereton, HR Business Partner 28th January 2022

EDM Sign-off	Stephen Peacock, Executive Director Growth and Regeneration	31st January 2022
Cabinet Member sign-off	Clr Renhard, Cabinet Member Housing Delivery and Homes	7th February 2022
For Key Decisions - Mayor’s Office sign-off	Mayor’s office	7th March 2022

Appendix A – Further essential background / detail on the proposal Link to Preventing Rough Sleeping Commissioning Plan on BCC website: Commissioning homelessness prevention services - bristol.gov.uk	YES
Appendix B – Details of consultation carried out - internal and external – Appended to Draft See Appendices to Commissioning plan on Website link above.	
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal: A full Eco-Impact Assessment is not required for this report. The third party running the hostel will be responsible for some minor environmental impacts, but there will be no significant changes to the service (with the exception of a slight increase in travel impacts likely from the use of additional staff). The service has considerable non-environmental benefits. There is potential for the procurement process to take the existing impacts into account, as it may be possible to reduce the impacts. Giles Liddell 27th January 2022	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO