



Nottingham City Council

Commissioning and Procurement Sub-Committee

Date: Tuesday, 11 February 2020

Time: 10.00 am

Place: LH 0.06 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Phil Wye **Direct Dial:** 0115 8764637

Agenda	Pages
1 Apologies for absence	
2 Declarations of Interest	
3 Minutes Minutes of the meeting held on 14 January 2020, for confirmation	3 - 10
4 Building Services Procurement Requirements 2020-2021 Report of the Portfolio Holder for Energy, Environment and Democratic Services	11 - 26
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6 Approval for Procurement and Contracting of Multi-functional Devices (Printers) Report of the Portfolio Holder for Leisure, Culture and IT	39 - 42
7 Fee Rates For Adult Social Care Services 2020/21 Report of the Portfolio Holder for Adult Care and Local Transport	43 - 46
8 Exclusion of the public To consider excluding the public from the meeting during consideration	

of the remaining item(s) in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

9 Fee rates for adult social care services 2020/21 - exempt appendices

47 - 58

All items listed 'under exclusion of the public' will be heard in private. They have been included on the agenda as no representations against hearing the items in private were received

If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Officer shown above, if possible before the day of the meeting

Citizens attending meetings are asked to arrive at least 15 minutes before the start of the meeting to be issued with visitor badges

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NOTTINGHAM CITY COUNCIL

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

**MINUTES of the meeting held at Loxley House, Nottingham on 14 January 2020
from 10.00 am - 10.53 am**

Membership

Present

Councillor Sam Webster (Chair)
Councillor Eunice Campbell-Clark
Councillor Sally Longford
Councillor Adele Williams

Absent

Councillor Cheryl Barnard (Vice
Chair)

Colleagues, partners and others in attendance:

Celina Adams	- Head of Support Services, NCVS
Mark Bradbury	- Infrastructure Delivery Manager, Building Services
David King	- Head of Building Services
Claire Labdon-West	- Commissioning Manager
Nick Lee	- Director of Education Services
Steve Oakley	- Head of Contracting and Procurement
Christine Oliver	- Head of Commissioning
Phil Wye	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 22nd January 2020. Decisions cannot be implemented until the working day after this date.

31 APOLOGIES FOR ABSENCE

Councillor Cheryl Barnard – other Council business

32 DECLARATIONS OF INTEREST

None.

33 MINUTES

The Committee confirmed the minutes of the meeting held on 10 September as a correct record and they were signed by the Chair.

34 VOLUNTARY AND COMMUNITY SECTOR UPDATE

An update document was submitted by Celina Adams, Head of Support Services at Nottingham Community and Voluntary Services (NCVS) and is appended to these minutes.

NCVS will continue to develop links with smaller community groups through its Community Connector who works with groups to help recruit volunteers and support them with training and funding applications.

35 PROCUREMENT OF UTILITIES CONTRACT 2020 TO 2024

This decision is not subject to call in because the Chair of Overview and Scrutiny Committee agreed that the decision is reasonable in all circumstances and should be treated as a matter of urgency because due to EU procurement rules the tender has to be posted on or before the 16th January to enable the Council to have lead in time to have a new contract in place from the 1st April 2020.

Wayne Bexton, Head of Energy Services, introduced the report about the procurement of the contract for supply of gas and electricity in the financial year 2020/21. It was noted that the procurement will be via an open tender process and the contract will be awarded by the Corporate Director for Strategy and Resources.

RESOLVED to

- (1) approve the procurement of supply of gas and electricity for Nottingham City Council via an open tender;**
- (2) delegate authority to the Corporate Director for Strategy and Resources to award the contract;**
- (3) approve the spend associated with this supply for 4 years.**

Reasons for decision

- the Council's contract for the supply of gas and electricity are expiring in the financial year 2020/21 (gas expires 31st March 2020 and electricity 30th September 2020).
- Nottingham City Council have an opportunity to review the best route of procurement to deliver a value for money type for Nottingham City Council which will contribute towards the Medium Term Financial Plan (MTFP) and the budget gaps.
- This report contains a detailed options appraisal document for the most cost effective route for the Council to take for its supply of energy for the next four years.

Other options considered

- Not to go to market for gas and electricity supply. This would have seen Nottingham City Council and its partners pay out of contract rates, which would have seen a significant rise in the costs for gas and electricity.
- To procure via a current framework such as ESPO or Crown Commercial Services. This option provides no opportunity for the contribution via a levy on this contract to the Nottingham Jobs Fund.
- In light of the current financial climate for Nottingham City Council it is key that the route that will deliver value for money is undertaken.

36 FUNDING FOR NOTTINGHAM SCHOOLS TRUST

Nick Lee, Director of Education Services, introduced the report seeking to enter into a five year funding agreement with Nottingham Schools Trust (NST). NST opened in September 2017 and was initially funded through a grant funding agreement. This agreement was a temporary measure until the trust had established itself.

RESOLVED to

- (1) authorise the award of three five year contracts to Nottingham Schools Trust relating to intervention, school improvement and quality assurance;**
- (2) agree dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 to allow the direct award of these contracts to Nottingham Schools Trust.**

Reasons for decision

- NST opened in September 2017 and is an education trust where maintained schools and standalone academies have partnered to deliver school improvement in their own schools and the other schools in the trust.
- In the relatively short time NST has been operating, it has enjoyed significant success and 97% of schools in NST are now rated either Good or Outstanding by Ofsted (100% of the primary schools in the trust are Good or Outstanding). NST opened with 33 member schools and three additional schools have since joined.
- Dispensation from financial regulations is required to directly award the three contracts to NST. This is because NST are uniquely placed to deliver the full school improvement package the council is seeking, due mostly to its membership. NST is funded through two income streams; DfE funds via NCC and the £5,100 annual membership fee charged to all of its 36 member schools. Whilst the income allows NST to deliver a comprehensive range of school improvement support, the value of NST also lies with its membership and the time member schools put into peer to peer support and attendance at trust-wide development meetings.
- NST would be destabilised without the school improvement funding from the DfE and NCC and would most likely cease trading which, in light of its

tremendous success in a short period of time is not a desired outcome. Awarding a five year contract to NST will give the trust further stability and time to develop and deliver further ambitious school improvement.

Other options considered

The option to go out to tender was considered but this was disregarded. NCC played a significant role in the establishment of NST and the outcomes to date have exceeded expectations. Whilst some of the school improvement functions could be tendered for, the power and success of the NST model comes from the whole package of the trust and this could not be replicated with a different model. Therefore, going out to tender was not considered a reasonable option.

37 BUILDING SERVICES, MECHANICAL AND ELECTRICAL TEAM PROCUREMENT REQUIREMENTS – 2020-24

David King, Head of Building Services, introduced the report setting out the requirements for Nottingham City Council Building Services Mechanical and Electrical (M&E) Team to procure multiple frameworks to enhance the expanding service requirements. The six specific frameworks that will be procured are as detailed below:

1: Electrical Support Framework (£1m over 4 years):

This framework will consist of but no limited to the following disciplines:

- Electrician

2: Mechanical Support Framework (£2.5m over 4 years):

- Plumber
- Domestic Gas Engineer
- Commercial Gas Engineer
- Mechanical Fitter

3: Electrical Contracting Supply and Install Framework (£5m over 4 years):

- Electrical Supply and Install
- Electrical Testing

4: Mechanical Contracting Supply and Install Framework (£4.8m over 4 years):

- Mechanical Supply and Install
- Out of Hours Call Out

5: Flue Fabrication and Install Framework (£0.3m over 4 years):

- Fabrication and install of specialist flue systems

6: Tool Hire Framework

- Small Tools
- Scaffolding
- Power Generation and Lighting
- Powered Access
- Specialist Gas, Water and Electricity Equipment

RESOLVED to

- (1) approve the procurement of Framework Agreements in line with Public Procurement Regulations 2015;**
- (2) delegate authority to the Head of Service for Building Services to approve the outcome of the procurement processes and award Framework Agreements in line with criteria as set out within the tender documentation;**
- (3) delegate authority to the appropriate person within Building Services in line with the Financial Regulations, to call off from the Framework Agreements.**

Reasons for decision

- NCC adopts a mixed approach to the delivery of M&E work that utilises the Council's own skilled workforce and fully supports the City Council's ambitious commercialisation agenda.
- Procuring the Frameworks will result in the following advantages:
 - a value for money delivery model with no fixed financial commitment to use the framework;
 - opportunities for local Small to Medium Enterprise (SME) companies to tender for the work;
 - the potential for a local workforce either through direct employment or through regional SME sub-contractors.
- The delivery model has a number of additional benefits including:
 - strong links to the Council's corporate value and objectives;
 - a highly flexible and responsive structure to accommodate short term changes to design programmes;
 - local knowledge available in the planning and assessment of proposed works.

Other options considered

- Do nothing – no authorised procurement is in place for the provision of specialist services and as such would not be compliant with Nottingham City Council's Financial Regulations and Public Procurement Regulation 2015.
- Insource all of the activity covered by the contract areas under consideration for renewal – this option has been rejected due to the following; capacity, complexity, risk and value for money.

38 MENTAL HEALTH ACCOMMODATION AND SUPPORT PATHWAYS

Claire Labdon-West, Lead Commissioning Manager, introduced the report seeking approval to commission four Housing Related Support Services and two Independent Living Support Services for people with mental ill health. These services support adults with mental ill health to live independently or to recover sufficiently to move to

more independent living arrangements and to help reduce the need for other more intensive forms of support.

Discussions are ongoing with the NHS around funding for commissioned health-related services.

RESOLVED to

- (1) approve the commissioning of a Mental Health Reablement service, which will replace the current Independent Living Support Service for which the contract ends on the 31st of March 2020;**
- (2) approve to undertake a tender process for a Mental Health Reablement service, four accommodation based Housing Related Support (HRS) services and the Forensic Outreach Service for a contract period of 3+2+2+2 years. This will be for an annual contractual value of up to £1,595,024;**
- (3) delegate authority to the Head of Service for Contracting and Procurement to approve and sign off the outcome of the tender process for the four HRS services, the Mental Health Reablement service and the Forensic Outreach Service and to award a contract;**
- (4) note that one of the HRS services, Hughenden Lodge, is subject to agreement by NHS Greater Nottingham Clinical Commissioning Partnership to maintain joint funding. Discussions with NHS Greater Nottingham Clinical Commissioning Partnership suggests that they may change the method of payment from a block fund arrangement to a S117 and continuing healthcare arrangement. NCC should receive confirmation by the latest February 2020 as to how they will pay for the service;**
- (5) approve the spend associated with this decision in recommendation (£14,355,216) for a potential contract period of nine years;**
- (6) approve an extension of six months from 1st of April 2020 in relation to the current contracts. This will be required if there is a change in provider and a longer implementation period is required or for some other reason. This will be up to a total value of £797,512;**
- (7) approve dispensation from Contract Procedure Rules 5.1.1 and 5.1.2 in accordance with Financial regulations 3.29 to allow for 6 month extensions as outlines in recommendation 6 and for the funding of services for the 6 month period as outlined in appendix 1;**
- (8) delegate authority to the Head of Contracting and Procurement to issue extensions to contracts up to the values noted in appendix 1.**

Reasons for decision

- The services within the scope of this report have been reviewed recently. The review concluded that these services are generally operating effectively in line with current requirements. These services enable the Council to deliver

against its statutory requirements under the Mental Health Act 1983 and the Care Act 2014.

- Approval is sought to procure six services: a Mental Health Reablement Service, four accommodation based HRS services and the Forensic Outreach Service which will support people with mental ill health. A competitive tender process will be undertaken which will deliver value for money.
- The recent review suggests that the current HRS services provide value for money when compared against other provision within the mental health pathway such as residential care or accommodation based Care Support and Enablement.
- Longer contract periods are being recommended for the services outlined in appendix 1 as this will support opportunity for providers to innovate during the contract life and respond to any necessary and permitted contractual changes.
- The provision to extend the current contracts for a period of up to six months is recommended to provide sufficient time for implementation should a new provider successfully bid for the contract. It will allow potential new providers to support services users with transition arrangements. If the existing provider is successful in the tender process then an extension should not be required.
- The contracts will allow commissioners to review services in the context of budgetary pressures as well as managing any changes required due to a shift in policy and legislative changes.

Other options considered

- The option not to procure but to directly award the services to current providers was considered however this was discounted as it would mean that NCC were not meeting its legal obligations under procurement law.

39 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

40 EXEMPT APPENDIX - PROCUREMENT OF UTILITIES CONTRACT 2020-2024

RESOLVED to note the information contained in the exempt appendix.

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Agenda Item 4

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE – 11/02/2020

Subject:	Building Services Procurement Requirements 2020-2021		
Corporate Director(s)/ Director(s):	Andy Vaughan - Corporate Director for Commercial & Operations		
Portfolio Holder(s):	Councillor Sally Longford Portfolio Holder for Energy, Environment and Democratic Services		
Report author and contact details:	Ken France Contracts & Commercials Manager Kenneth.france@nottinghamcity.gov.uk Tel: 0115 8765886		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	<input checked="" type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital	
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total value of the decision: £8.75m			
Wards affected: City-wide		Date of consultation with Portfolio Holder(s): 07/01/2020	
Relevant Council Plan Key Theme:			
Nottingham People			<input type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input type="checkbox"/>
Serving Nottingham Better			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>The Executive Board paper dated 2nd November 2015, outlined Building Services' new strategic direction regarding its procurement requirements. Working in conjunction with the Procurement Team, Building Services & Facilities Management (FM) created a programme of procurement solutions, including insourcing of appropriate activity and reviewing external contracts. The result of this analysis led to the reduction in the number of contracts required going forward and realised significant savings and insourcing opportunities including the use of Nottingham City Homes (NCH).</p> <p>This report sets out Building Services & FM's annual procurement requirements for planned and reactive maintenance requirements for 2020-2021.</p>			
Exempt information:			
State 'None' or complete the following.			
None.			
Recommendation(s):			
1 To continue the Council's strategic approach to its reactive and planned maintenance function as set out in this report, both internally and externally.			
2 To seek dispensation to financial regulation 3.29 in accordance with contract procedure rule 5.1.2 to make a direct award Nottingham City Homes for the sum of £1.2m for 2020/21 period as set out in appendix 1.			
3 To approve the annual procurement plan for 2020/2021 as set out in appendix 2			

4	To approve external spend of £8.750m as set out in Table 1 and Appendix 2 .
5	To approve a maximum external spend associated with commissioning maintenance for schools of c. £2.4m as per paragraph 4.2.
6	To delegate authority to the Head of Building Services in conjunction with the Head of Procurement to approve the outcome of the procurement processes and award contract/s to the provider/s in accordance with the award criteria set out in the tender documentation and proven to deliver best value for the Council.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Due to multiple contracts coming to the end of their term in March 2020 Nottingham City Council, Building Services team have to procure replacements. This enables the Building Services team to keep Nottingham City Council's portfolio of assets compliant with multiple statutory, regulatory and legislative obligations (Appendix 2), for its portfolio of assets which serve a diverse mixture of citizens in Nottingham.
- 1.2 This report sets out proposals for delivering further savings on externally procured and insourced services (Appendix 1 & 2) to alleviate financial pressures within the Council.
- 1.3 To improve efficiency and value for money in the services we commission. This annual procurement plan is the optimal approach in managing our costs.
- 1.4 To ensure a high level of customer satisfaction with our services, as evidenced by feedback from internal stakeholders.
- 1.5 New contracts will require the supplier to utilise modern technology where appropriate, to maximise efficiency in their own operations and ensure that Nottingham City Council Concerto system, records live data and continues the processing and storage of circa 15,000 compliance certificates / documents every year.
- 1.6 To ensure risk is managed in an appropriate manner ensuring the citizens of Nottingham and its visitors to the city are safe when visiting the council's portfolio of assets.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Building Services has undertaken the commercial restructuring of its supplier contracts achieving a reduction in spend by £220K for 2018-20 period. In addition to our restructuring, we have insourced legionella hot and cold water services, asbestos auditing within our programme, which brings our annual insourcing spend to £2.4m per annum. All new contracts will include a contractual clause to enable further insourcing activity, which will result in further savings.
- 2.2 Nottingham City Council must fulfil its statutory, regulatory and legislative compliance obligations for its portfolio of assets which serve a diverse mixture of citizens in Nottingham and also includes the flagship corporate and civic asset portfolio. Nottingham City Council has a legal duty to offer a safe, and properly maintained portfolio of assets to its citizens, which are also accessible and appropriate to all sectors of the community.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing and allow contracts to end and not re-commission services, which will remove statutory, regulatory and legislative compliancy across Nottingham City Council's portfolio of assets and increase the risk of prosecution and reputation to Nottingham City Council for providing non-compliant assets that endanger its citizens. This is unacceptable and has been rejected.
- 3.2 Insource all of the activity covered by the contract areas under consideration for renewal. This option has been rejected due to the following; capacity, complexity, risk and value for money.
- 3.3 Allow Nottingham City Council's various directorates to purchase individually the services as they require to ensure compliancy across the assets they are responsible for. This will result in a more expensive, less compliant and less reliable service. It would also be more bureaucratic, with less ownership and accountability. This is a politically sensitive area which is likely to give rise to public challenge if citizen safety is compromised especially with such a high profile enquiry ongoing (Grenfell). This option has been rejected.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The spend schedule of £8.75m includes both one year procurement spend cycle and a four year procurement spend cycle. Procurement have identified several specialist areas that will benefit from a four year cycle as opposed to their current standard one year proposal, this is detailed in **Table 1** below:

TABLE 1: ANALYSIS OF SPEND	
	£m
Annual Specialist works Out sourced - (£3.9m / 4 years = £0.975m)	0.975
Direct Award NCH Minor Works & Reactive Maintenance	1.113
Forward Planned Maintenance Projects	3.730
Total Expected Annual Spend Year 1	5.819
Residual - Year 2,3 & 4 Specialist Works Out sourced	2.925
Total Schedule of proposed spend Years 1-4	8.750

- 4.2 The maintenance schedule covers both Planned & Reactive works across multi sites and assets within NCC which has an annual budget in the Medium Term Financial Plan of £7.064m; **Table 2** shows this breakdown:

TABLE 2: BUDGET DETAIL	
	£m
Planned Maintenance	3.452
Reactive maintenance – held within Facilities & Building Services	0.213
Reactive maintenance – held within other departments	3.398
Total Budget	7.064

In addition to this the service will also commission and charge schools for maintenance of c. £2.403m. Therefore the total commissioned activity could equal £9.467m per annum.

The difference between the budget of £7.094m and contractual approval for year 1 of £5.819m is £1.275m; this element will be delivered by the in sourced service as per **Appendix 1**.

As with externally procured services any in sourced service is also required to demonstrate value for money. It is recommended that this is captured as part of the Make or Buy Big Ticket during 2020/21.

- 4.3 Procurement of maintenance works should adhere to a compliant procurement process ensuring a flexible and responsive offer throughout the supply chain, with an emphasis on value for money, lead times and quality of service.
- 4.4 By accessing this procurement route there should be no fixed up-front fee offered to any identified contractors.
- 4.5 The authorisation of this schedule of spend does not guarantee any value to successful contractors, therefore the Council is not committed to any expenditure at this point until a compliant procurement route has been sought;
- 4.6 All necessary checks should be made when accessing the framework to ensure that the services being procured are CIS Compliant and that the companies are financially stable.
- 4.7 **Chief Finance Officers Observations on Dispensation**
Dispensation from financial regulations 3.29 and contract procedure rule 5.1.2 is supported in this instance for operational reasons.

Meagan Milic –Commercial Finance Business Partner Date 30/01/2020

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 There are no procurement concerns arising from the report. The procurement team will work with the client to ensure compliance with the Councils Contract Procedure Rules and Public Contract Regulations 2015 and to ensure that value for money is achieved.

Sue Oliver – Procurement Category Manager (Places) Date 14/01/20.

Dispensation from financial regulation 3.29 has been agreed by the Chief Finance Officer in consultation with the Portfolio Holder with responsibility for finance on 30/01/2020, in accordance with contract procedure rule 5.1.2, in order to make a direct award to Nottingham City Homes for the sum of £1.2m for 2020/21.

Ken France – Contracts & Commercial Manager 30/01/2020.

- 5.2 There are no significant legal issues arising from this report. Legal support will be provided throughout the procurement process and to ensure that appropriate contractual arrangements are put in place with any contractor.

Naomi Vass – Senior Solicitor, Commercial, Employment and Education 21/01/20

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

- 6.1 **Not applicable**

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The multiple maintenance service contracts are unable to be insourced due to the specialisms and therefore where possible Building Services will ensure that the chosen suppliers will provide where possible, employment opportunities for Nottingham citizens.
- 7.2 The multiple maintenance service contracts will support Nottingham's citizens in continuing to access information on services, support and opportunities such as training and post-education opportunities, which are available to them within Nottingham City Council asset portfolio.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 N/A

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Appendix 1 - 2020-21 Planned Maintenance Strategy
- Appendix 2 - 2020-21 Building Services & FM Procurement Timeline
- Appendix 3 - Equality Impact Assessment

Appendix 1 – 2020/21 Planned Maintenance Strategy

The continuation of strategy referred to in the main report includes the following procurement routes and associated values.

The procurement will consist of six routes:

1. Nottingham City Council to procure or insource additional specialist works that are not accommodated by any of the other options (Table 1) and appendix 2 procurement programme
2. Direct Award to Nottingham City Homes for general building works
3. Direct Award to Nottingham City Homes for minor works related general building works projects
4. Insourcing with Neighbourhood Services for mechanical and electrical works
5. Insourcing with Neighbourhood Services Building Services and FM for management works
6. Insourcing with Neighbourhood Services Building Services and FM for Statutory works

The estimated values associated with each procurement route for one year are as follows:

Procurement Route	Total Spend 2019/20
Additional Specialist works outsourced (Table 1)	£3,900,000
Direct Award NCH Minor Works & Reactive Maintenance (Table 3)	£1,113,445
Insource Mechanical & Electrical Team (Table 2)	£927,052
Insource Building Services & FM Teams (Table 2)	£350,520*
Forward Planned Maintenance Projects	£2,453,000**
Total	£8,750,000

**The £350k is part year value due to insourcing activities only starting in summer 2018 full year insourced spend anticipated to be c£500k per year*

***approval to spend on forward planned maintenance projects against the specialist disciplines in table one below, approval for the project authorisation will be agreed at Strategic Asset Management Corporate Leadership Team (SAM CLT)*

Appendix 1 – 2020/21 Planned Maintenance Strategy

(Table 1) Additional outsourced specialist works (which may include full EU Tenders)

PPM Description	Procurement Type	PPM Description	Procurement Type
Air Conditioning	Outsourced	Gas and Fire Suppression	Outsourced
Air Handling	Outsourced	Generators	Outsourced
Air Source Heat Pumps	Outsourced	Geothermal Heat Pumps	Outsourced
Automatic Doors	Outsourced	High Voltage Substations	Outsourced
Automatic Gates	Outsourced	Kitchen Fans and Extraction	Outsourced
Balance Tanks	Outsourced	Legionella Risk Assessments	Outsourced
Chiller Units	Outsourced	Lifts & Thorough Inspection	Outsourced
Chlorine Dioxide Dosing	Outsourced	Lightning protection	Outsourced
CHP Units	Outsourced	Public Address and Voice Alarms	Outsourced
Data Centres	Outsourced	Pool Covers	Outsourced
Fall Arrestors	Outsourced	Pool Water Sampling	Outsourced
Fire Hydrants	Outsourced	Public Clocks	Outsourced
Fire Protection Equipment	Outsourced	Reduced Pressure Zone Valves	Outsourced
Fire Shutters and Curtains	Outsourced	Roller Shutters	Outsourced
Flagpole Inspections	Outsourced	Sauna Rooms	Outsourced
Floating Pool Floors	Outsourced	Sliding Partitions, Walls and Doors	Outsourced
Flumes	Outsourced	Specialist Baths	Outsourced
Gantries	Outsourced	Springboards	Outsourced
UV Systems	Outsourced	Sprinkler Systems	Outsourced
Wet and Dry Risers	Outsourced	Steam Rooms	Outsourced

(Table 2) Insourced specialist works

PPM Description	Procurement Type	PPM Description	Procurement Type
Air Conditioning Inspections	Insourced	Intruder Alarm Monitoring	Insourced
Asbestos Management Audits	Insourced	Legionella Audits	Insourced
Chemical Dosing	Insourced	Legionella Management	Insourced
Chimney Sweep	Insourced	Legionella Risk Assessments	Insourced
Electrical Installations	Insourced	Pressure Sets	Insourced
Emergency Lighting	Insourced	Pest Control	Insourced
External Fire Escape Inspection	Insourced	PV Cell Service	Insourced
Filtration Systems	Insourced	Spa Pools and Water Features	Insourced
Fire Alarms (Bell testing)	Insourced	Stage Lighting	Insourced
Gas Detectors	Insourced	Thermographic Camera Imaging	Insourced
Heat Source Appliances	Insourced	UV Systems	Insourced
Hot and Cold Water Services	Insourced	Vehicle Charging Points	Insourced

(Table 3) NCH specialist works

Works Description	Procurement Type	Works Description	Procurement Type
Minor Works	Outsourced	Reactive Maintenance	Outsourced

Building Services & FM Procurement Requirements 2020/21

CPU	Project Title	Contract Start Date	Contract Term	1 Year Value	4 year value	PPM £	Remedial £	Reactive £	Minor Works £
3622	Lift and Disabled Access Equipment Maintenance & LOLLER	01/04/2020	2+1+1	£ 310,340	£ 1,241,360	£115,000	£ 1,295	£ 19,045	£175,000
3621	Air Handling Plant and Air Conditioning Geothermal Heat Pumps Maintenance	01/04/2020	2+1+1	£ 263,214	£ 1,052,856	£140,203	£ 35,711	£ 45,081	£ 42,219
3629	UPS and Generator R & M	01/04/2020	2+1+1	£ 23,047	£ 92,188	£ 20,000	£ 2,547	£ 500	£ -
3623	Sprinklers, Fixed and Portable Fire Safety Appliances	01/04/2020	2+1+1	£ 60,305	£ 241,220	£ 44,042	£ 8,500	£ 7,700	£ 63
2312	R&M - Chlorine Dioxide Units	01/04/2020	2+1+1	£ 24,015	£ 96,060	£ 24,015	£ -	£ -	£ -
3625	Chimneys and Lightning Conductors - Planned and Reactive maintenance of fall arrests and lightning protection.	01/04/2020	2+1+1	£ 30,621	£ 122,484	£ 24,278	£ 3,676	£ 2,667	£ -
3627	Floating Pool Floor Maintenance	01/04/2020	2+1+1	£ 18,565	£ 74,260	£ 12,336	£ 1,229	£ -	£ 5,000
TBC	Balance Tanks R & M	01/04/2020	2+1+1	£ 15,624	£ 62,496	£ 7,000	£ 553	£ 8,071	£ -
TBC	Sauna and steam rooms	01/04/2020	2+1+1	£ 13,365	£ 53,460	£ 7,143	£ 1,156	£ 5,066	£ -
TBC	UV systems	01/04/2020	2+1+1	£ 20,846	£ 83,384	£ 19,200	£ 210	£ 1,436	£ -
TBC	Pool water sampling	01/04/2020	2+1+1	£ 22,000	£ 88,000	£ 20,000	£ -	£ 2,000	£ -
TBC	Access doors	01/06/2020	2+1+1	£ 124,125	£ 496,500	£ 32,925	£ 50,000	£ 11,200	£ 30,000

Updated 17/01/2020 KF

3624 (cancelled)	Inert Gas Fire Suppression Systems	01/04/2020	2+1+1	£ 700	£ 2,800	£ -	£ -	£ -	£ -	
N/A	Flumes	01/04/2020	2+1+1	£ 3,700	£ 14,800	£ 2,500	£ -	£ 1,200	£ -	
N/A	Pool Covers	01/04/2020	2+1+1	£ 4,396	£ 17,584	£ 1,575	£ 2,230	£ 591	£ -	
N/A	Springboards	01/04/2020	2+1+1	£ 2,444	£ 9,776	£ 1,950	£ 494	£ -	£ -	
N/A	High Voltage Substations	01/04/2020	2+1+1	£ 2,460	£ 9,840	£ 2,460	£ -	£ -	£ -	
N/A	Gantry Maintenance - Package includes 24 hour emergency cover, annual inspection, testing and samples of 2 sites, Loxley House and Guildhall.	01/04/2020	2+1+1	£ 2,037	£ 8,148	£ 2,037	£ -	£ -	£ -	
Page 20	N/A	Specialist Baths Maintenance	01/04/2020	2+1+1	£ 2,106	£ 8,424	£ 1,811	£ -	£ 295	£ -
N/A	Reduced Pressure Zone Valves Maintenance	01/04/2020	2+1+1	£ 2,480	£ 9,920	£ 1,240	£ 1,240	£ -	£ -	
N/A	Clock Maintenance	01/04/2020	2+1+1	£ 5,314	£ 21,256	£ 3,206	£ 150	£ 1,958	£ -	
3626	Legionella risk assessment - large sites only	01/04/2021	2+1+1	£ 25,000	£ 100,000	£ 25,000	£ -	£ -	£ -	

Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	Building Services Procurement 2020/24
Author (assigned to Pentana):	Trevor Bone – Property Maintenance Manager
Director:	Dave Halstead
Department:	Building Services
Service Area:	Commercial and Operations
Contact details:	Tel: 0115 8763412; Email: trevor.bone@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N	Y
Exempt from publication Y/N	Y

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2. Document Amendment Record

Version	Author	Date	Approved

3. Contributors/Reviewers

Name	Position	Date

4. Glossary of Terms

Term	Description

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

This report sets out the requirements for Nottingham City Council, Building Services team to procure multiple replacement contracts which end at various months during this financial year. Working with the central procurement team a programme of procurement has been formulated and included a thorough analysis of the total number of current contracts which has been reduced by packaging similar works together.

Without these contracts, Nottingham City Council will not be able to fulfil its many statutory, regulatory and legislative compliance obligations for its portfolio of assets which serve a diverse mixture of citizens in Nottingham and also include the flagship corporate and civic asset portfolio.

Nottingham City Council has a legal duty to offer a safe, and properly maintained portfolio of assets to its citizens, which are also accessible and appropriate to all sectors of the community.

This report recommends that Nottingham City Council gives authority for Building Service to procure multiple replacement contracts with a total value of £30m over a four year period and to allow Building services to award and enter into the contracts.

[screeintip-sectionC](#)

2. Information used to analyse the effects on equality:

No consultation exercise has taken place due to the nature of the type of maintenance service contracts we are having to replace. However, without the procurement taking place its envisaged that all citizens of Nottingham will be impacted up and Nottingham City Council, asset portfolio will not be compliant with statutory and legislative requirements and therefore they could potential become a risk to all citizens.

3. Impacts and Actions:

<u>screeintip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Men	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Women	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Trans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Older	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Younger	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please underline the group(s) /issue more adversely affected or which benefits.

screen-tip-section E

How different groups could be affected
(Summary of impacts)

Building Service procurement requirements will adhere to the Nottingham City Council Procurement Strategy and will support the Council in meeting the requirements of the Equality Act 2010, including ensuring non-discrimination and compliance with the public sector equality duty in the delivery of contracts procured.

The Strategy is a key driver in promoting and meeting the requirements of the Public Services (Social Value) Act 2012, through the key objectives and themes of securing social, economic and environmental benefits for the City and its citizens. To maximise the economic, social and environmental benefits delivered, appropriate specific measures will be taken where relevant to any contract procured, for example including requirements for employment and training opportunities and promoting the principles of the NCC Business Charter.

Where a procured contracts has specific equality implications (for example a change of service provision) an EIA will be undertaken as part of the commissioning decision making process. The Strategy sets out a number

screen-tip-section F

Details of actions to reduce negative or increase positive impact
(or why action isn't possible)

The outcomes of procurement activity will be monitored and reported, in particular progress against the key economic, social and environmental objectives of the Procurement Strategy.

The Building Services Team will work in a fair and inclusive way and will promote equality and diversity in accordance with the principles of the Procurement Strategy.

The Strategy will support and promote the Council's Equality Objectives: 'Make sure that our workforce will reflect the citizens we serve; Create economic growth for the benefit of all communities; Provide inclusive and accessible services for our citizens; Lead the City in tackling discrimination and promoting equality

Procurement processes will be fair, open, transparent, proportionate and accessible to ensure a level playing field for all suppliers and no barriers to participation, particularly for small businesses and VCOs.

<p>of core principles for all procurement that will support equalities including:</p> <ul style="list-style-type: none"> - 'ethical standards' including the wellbeing and protection of work forces, that people are treated with respect and their rights protected. - 'governance, fairness and transparency' in the procurement and governance process - Citizens at the heart': ensuring all services procured are accessible and appropriate to meet the diverse needs of the community 	
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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact</p>	<p>Date sent for scrutiny: Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk</p>
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tel & email to allow citizen/stakeholder feedback on proposals. trevor.bone@nottinghamcity.gov.uk or 0115 8763142	
SRO Approval:	Date of final approval:

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE – 11/02/2020

Subject:	Vulnerable Person's Resettlement Scheme Grant Income Extension		
Corporate Director(s)/ Director(s):	Andy Vaughan, Corporate Director of Commercial and Operations Andrew Errington, Director of Community Protection		
Portfolio Holder(s):	Councillor Rebecca Langton (Communities)		
Report author and contact details:	Amy Goulden (Senior Community Cohesion Manager, Community Protection) x311324 amy.goulden@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input checked="" type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £1,500,000.000			
Wards affected: All	Date of consultation with Portfolio Holder(s): 16.01.2020		
Relevant Council Plan Key Theme:			
Nottingham People			<input type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input checked="" type="checkbox"/>
Serving Nottingham Better			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>This report seeks permission to claim and draw down Home Office grant income relating to resettlement of vulnerable refugees during financial year 2020/2021. The bulk of this income will fund services for this cohort, sited in the voluntary sector.</p> <p>Nottingham City Council's participation from 2014 (and support for neighbouring districts to take part) in the UK's resettlement scheme is a key part of the Council Plan commitment to be a city that works with partners to provide a welcome to those in need of refuge or shelter.</p> <p>The funding is available to support refugees identified by the UNHCR as particularly vulnerable and in need of resettlement. The grant enables the city to provide a welcome, build their capacity as citizens, and to support key voluntary and charitable sector organisations, which in turn provide support to vulnerable asylum seekers and refugees in the city and county more broadly. The existing programme has been in place for four years, operating within budget and meeting all targets.</p> <p>The cross-council boundary work undertaken has enabled neighbouring authorities to support vulnerable service users, spreading the benefits and responsibilities beyond the City boundary.</p>			
Exempt information:			
State 'None' or complete the following. None			
Recommendation(s):			
<p>1 To approve the acceptance of grant income to enable the continued participation of NCC in resettlement through financial year 2020-21, resettling up to 25 additional individuals in the city. This will attract additional ring-fenced income of approximately £576,000 over financial years 2020-2025.</p>			

<p>2 To approve NCC continuing to act as accountable body for neighbouring district authorities, supporting their continued participation in resettlement; NCC retains management costs from the grant to enable work. Services include community development, partnership and financial management, and administrative services. A combined pledge of up to 60 additional individuals will attract additional ring-fenced income of approximately £796,950 over financial years 2020-2025.</p>
<p>3 To approve to draw down relevant grant income, and the delegation of authority to the relevant Portfolio Holder and responsible Director to spend the funds in accordance with Nottingham City Council's financial regulations.</p>
<p>4 To continue extension and adaptation of the current grant-funded service level agreement with Nottingham and Nottinghamshire Refugee Forum for a further year, equating to expenditure in 2020-21 of £416,767 (including support for existing 2015-19 resettled refugees, and new refugees).</p>

1 REASONS FOR RECOMMENDATIONS

- 1.1 This proposal is in accordance with the Council Plan commitment to work with partners to be a city that welcomes those in need of shelter or refuge.
- 1.2 By continuing to draw down Home Office grant funding and NCC will be able to continue to the resettlement of refugees into Nottingham City and South Nottinghamshire within the national scheme, at no additional cost. The sums listed in the recommendations are estimated and subject to change, dependent upon size, the make-up and specific needs of the families resettled (and any additional funding claimed for any complex cases); the total amount will not exceed £1,500,000 additional income.
- 1.3 The recommendation to continue to work with Nottingham and Nottinghamshire Refugee Forum (NNRF) in a grant funding arrangement is based upon two key factors; Firstly NNRF were successful in winning the communities of identity grant funding as the lead voluntary organisation for asylum seekers and refugees between 2019-2022, to which some of the resettlement scheme funding was previously added, in order to support the rapid set-up of the scheme locally. Secondly NNRF have been able to collaboratively support the growth and development of this scheme, accommodating development of casework, employability training and interpreting/translation for resettled refugees. This work creates wider benefits for other refugee and asylum seeking groups in the city.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 Supporting neighbouring authorities to develop a resettlement offer reduces pressure on Nottingham as an urban centre, sharing responsibility more equitably between City and County.
- 3.2 Community Safety & Cohesion has worked extensively with NNRF to develop the resettlement service. The current SLA includes a robust quarterly monitoring framework to ensure that quality is achieved, and this will continue to be developed.

- 3.3 The responsible Portfolio Holder and Director for the service have delegated authority to approve ad hoc spend, including staffing/recruitment decisions, within the threshold of the scheme's parameters.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not participating in the continuation of the scheme and not accessing this additional grant income. Considered but not accepted by the Portfolio Holder as this is a Council Plan priority.
- 3.2 To shift from grant-aid to a commissioned basis: Rejected as resettlement is a Council Plan commitment being delivered in a way that supports a number of interlinked services for asylum seekers and refugees currently funded through the Communities of Identity grant.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 This decision seeks approval for the Council to continue to participate in the refugee resettlement scheme, for a further 25 individuals, at an approximate total cost of £576,000 over financial years 2020/21 to 2024/25 inclusive.
- 4.2 This decision also seeks approval for the Council to act as the accountable body for neighbouring local authorities in the resettlement scheme for a maximum of 60 individuals, at an approximate total cost of £796,950 over financial years 2020/21 to 2024/25 inclusive.
- 4.3 The above approximate costs are subject to a number of factors such as the make-up of adults and children, and possible special needs, which in turn will affect the level of funds available to the Council to deliver the Vulnerable Person's Resettlement Scheme. As a result, the value of this decision has been set at £1,500,000 in recognition of these factors. The total cost to deliver the resettlement scheme will be funded from ring-fenced grant to be paid by the Home Office. The Community Cohesion team will need to put in place the appropriate measures to adhere to the Home Office grant conditions, thereby ensuring all expenditure incurred by the Council will be funded from the government grant. These measures will ensure that there will be no net cost to the Council.
- 4.4 All the expenditure will be funded from the Home Office ring-fenced grant awarded to deliver the Scheme. The grant funding will taper after the initial years, and therefore as individuals and families settle, there will need to be a review of the staffing and service level agreement to ensure the expenditure correlates to the funding available. Provision will need to be made to cover possible exit costs arising when this programme ends, as these will need to be funded from the Home Office grant award.

Maria Balchin, Senior Commercial Business Partner. Friday 17 January 2020

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 Procurement Observations

This decision relates to the continued delivery of the Home Office funded Refugee Resettlement Scheme for the City and participating neighbouring Authorities and proposes the extension of the current grant funding arrangement with Nottingham and Nottinghamshire Refugee Forum for one year from 1st April 2020, subject to satisfactory performance. As this is a grant funding arrangement, there are no procurement implications. The proposal is supported from a procurement perspective subject to a robust grant agreement being in place for the duration and compliance with the conditions of the Home Office funding. In the ad hoc expenditure of resettlement grant funds (recommendation 3), any spend with external agencies should be in compliance with the Council's Financial Regulations and Contract Procedure Rules and the Procurement Team will provide support with this as needed.

Jo Pettifor, Category Manager – Strategy & People, 21st January 2020

5.2 Legal Observations

The City Council must ensure it can comply with the terms of the grant funding arrangements agreed with the Home Office. As the City Council is acting as the lead authority for the other authorities mentioned in this report it should document its relationship with those authorities including any requirements for monitoring and reporting outputs to the Home Office. From a legal perspective grant funding to NNRF to continue to provide the resettlement activities is an appropriate funding methodology. The existing SLA with NNRF should be extended for the additional years of funding.

Andrew James, Team Leader - Commercial, Employment and Education 21st January 2020

5.3 Crime and Disorder Act Observations

In other parts of the country resettled refugee families have been subjected to hate crime. The Community Safety and Cohesion Service has developed and supported a number of hate crime interventions to mitigate this risk across the city, raising awareness with refugees of services and the law, supporting schools and community groups to understand and celebrate difference. This scheme is well resourced through Home Office grant, which has enabled the team to act quickly to reduce risk and put in interventions which rebuild cohesion where issues have arisen since 2014.

Amy Goulden, Senior Manager Community Cohesion - Community Safety and Cohesion Service 16th January 2020

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

6.1 Not Applicable

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The Vulnerable Persons Resettlement Scheme (Syrian) and Vulnerable Children's Resettlement Scheme (families fleeing Middle East and North African conflicts) began in 2015. This provides a safe route for the most vulnerable refugees to access sanctuary in the UK without having to make the dangerous sea crossings or risk using people traffickers. Nottingham City and surrounding first-tier Authorities made an early commitment to take part.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 NHS funding is available, and additional to that drawn down by NCC; arrangements are in place to ensure this occurs and medical treatment is free at the point of access.

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as an Appendix, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 Appendix A - Equality Impact Assessment of Resettlement Extension

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Home Office funding instructions for Councils and NHS can be found at <https://www.gov.uk/government/publications/uk-resettlement-programmes-funding-instruction-2019-to-2020>

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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	Vulnerable Persons Grant Income Extension
Author (assigned to Pentana):	Amy Goulden
Director:	Andrew Errington
Department:	Commercial and Operations
Service Area:	Community Protection
Contact details:	01158445094
Strategic Budget EIA: Y/N	N
Exempt from publication Y/N	Y

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2. Document Amendment Record

Version	Author	Date	Approved
0.1	Amy Goulden	16/01/2020	16/01/2020

3. Contributors/Reviewers

Name	Position	Date
Noel Oxford	Resettlement Project Officer	07/11/2019
Amy Goulden	Cohesion Senior Manager	16/01/2020

4. Glossary of Terms

Term	Description
VPRS	Vulnerable Persons Resettlement Scheme

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

Continuation of refugee resettlement

[screentip-sectionC](#)

2. Information used to analyse the effects on equality:

Ongoing delivery of refugee resettlement since 2015

3. Impacts and Actions:

screentip-sectionD	Could particularly benefit X	May adversely impact X
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People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other benefiting groups (looked after children, cohesion/ good relations, vulnerable children/ adults).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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<p style="text-align: right;">screentip-sectionE</p> <p>How different groups could be affected (Summary of impacts)</p>	<p style="text-align: right;">screentip-sectionF</p> <p>Details of actions to reduce negative or increase positive impact (or why action isn't possible)</p>
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>As a scheme aimed at resettling the most vulnerable refugees, VPRS provides a safe and legal route to UK settlement without the need to make dangerous sea crossings. Beneficiaries of the scheme are those who may</p>	<p>1 Actions will need to be uploaded on Pentana.</p> <p>To continue to prioritise acceptance of the most vulnerable refugees, and provide the best support possible for their vulnerabilities</p>

<p>lack capacity to flee conflict independently, or who meet one or more of seven specific vulnerability criteria (including survivors of torture or abuse, those at risk due to sexual orientation, elderly, sick or disabled refugees, etc).</p> <p>We work intensively to account for and mitigate those protected characteristics which may create a risk factor (ie, gay Muslim males, for example).</p> <p>The scheme is well funded, and the delivery team are well placed to understand and account for vulnerability within the cohort.</p> <p>This creates a benefit for people in protected groups who would otherwise struggle to avail themselves of their privileges under the 1951 United Nations Convention on the Status of Refugees.</p> <p>Page 36</p>	
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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Continue to seek solutions for the most vulnerable refugees.

6. Approved by (manager signature) and Date sent to equality team for publishing:

Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.	Date sent for scrutiny: 11/07/2019 Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk
SRO Approval: Amy Goulden (Senior Cohesion Manager) amy.goulden@nottinghamcity.gov.uk 01158445094	Date of final approval:16/01/2020

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

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Agenda Item 6

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE – 11/02/20

Subject:	Approval for Procurement and Contracting of Multi-functional Devices (Printers)		
Corporate Director(s)/ Director(s):	Candida Brudenell, Corporate Director for Strategy and Resources		
Portfolio Holder(s):	Cllr David Trimble, Portfolio Holder for Leisure, Culture and IT		
Report author and contact details:	Isobel Walton, Contracts Officer, Contracting and Procurement Isobel.Walton@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Subject to call-in
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital	
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total value of the decision: £1,140,000 over 5 years			
Wards affected: None	Date of consultation with Portfolio Holder(s): 28/01/2020		
Relevant Council Plan Key Theme:			
Nottingham People			<input type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input type="checkbox"/>
Serving Nottingham Better			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
Nottingham City Council (NCC) requires a fleet of Multi-functional Devices (MFDs) to enable colleagues to complete day to day work and provide services to citizens. The current contract for MFDs with Konica Minolta will expire on 09/06/2020.			
Exempt information: State 'None' or complete the following. None			
Recommendation(s):			
1 Approve Spend of up to £1,140,000 over 5 years in a new contract for the supply of Multi-Functional Devices/Printers (MFDs).			
2 Approval to conduct a compliant procurement process in line with Nottingham City Council's financial regulations and Contract Procedure rules, or to source a provider to supply and maintain MFDs.			
3 Delegate Authority to the Head of Contracting and Procurement to award and sign the contract following the procurement process.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 Nottingham City Council (NCC) requires a fleet of Multi-functional Devices (MFDs) to enable colleagues to complete day to day work and provide services to citizens. The contract covers the costs of leasing and maintenance of all devices used in NCC premises.

- 1.2 The current contract for MFDs with Konica Minolta will expire on 09/06/2020. Under the current contract each MFD has an individual lease agreement, the first of which goes out of contract on 20/06/2020.
- 1.3 NCC wish to conduct a compliant procurement process to source an alternative provider to deliver a similar service and to establish a new contract from 10/06/2020. The new contract will also be for the maintenance and the lease of the devices. The new contract will enable NCC to replace the existing city-wide fleet of MFDs, maintenance contract and achieve savings.
- 1.4 The preferred procurement route is a mini competition via a call off from an established framework agreement such as the Crown Commercial Services framework. The mini competition process is quicker and incurs less officer time & costs than an open tender. All of the existing suppliers on the CCS framework will have already been assessed on quality.
- 1.5 There are two elements to the pricing for this service, one being the fixed rental cost, and the second being the cost for printed pages which includes device maintenance. Whilst this “copy” cost is fixed, the price will vary depending on the volume of copies printed.
- 1.6 The Council will identify the best value supplier by following a compliant procurement process. This will also enable colleagues to make one off purchases (as well as leasing) MFDs as the framework agreement or a contract developed by NCC would have the flexibility to allow NCC to do so if required.
- 1.7 In addition to securing lower rates via this new procurement, NCC intend to achieve further savings in the following ways:
 - The prices will be fixed for the first two years of the new contract.
 - Reduction in the number of devices across NCC. A review to identify where the current fleet can be reduced with limited impact to department activity is currently underway.
 - Lease of mono (black and white) only machines where practicable saving not only on rental but also on printing cost.
 - There is ongoing work from the corporate contracts team to reduce the volume of printing across the Council.
- 1.8 It is anticipated that in line with the above NCC will be able to achieve a minimum of £60k savings over the next 5 years (a minimum saving of £12,000 per year).

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 N/A

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 **Do nothing** – Having an MFD printer contract in place enables NCC to track spend and printing behaviour, includes machines maintenance, as well as ensuring best value is obtained. Having no arrangement in place would expose the Council to a risk of higher costs and for this reason this option was rejected.

- 3.2 **Directly award another contract to Konica** – This option was rejected because the market needs to be tested to ensure that the Local Authority achieves value for money through a competitive process.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 This decision seeks approval to spend up to £1.140m over 5 years in a new contract for the supply of Multi-Functional Devices/Printers (MFDs) via a tendering exercise to achieve value for money.
- 4.2 MTFP budget for the current contract spend exists across multiple services across NCC so no financial pressure is expected nor can be absorbed as a result of this exercise. Further analysis of existing budgets and the apportionment of new spend via this contract needs to be undertaken once further details of the contract price is known.
- 4.3 It is anticipated that savings of £12k per annum will be delivered against the current contract price. This is the minimum expected however this is only an estimate at present until the tender exercise is completed.
- 4.4 Should savings be delivered as expected then they will contribute towards the corporate contract saving of £0.200m that has been proposed in 20/21 onwards. A mechanism of identifying, collating and communicating these savings to individual budget holders will need to be developed in order for the saving to contribute to the corporate target and not towards individual service area budgets.
- 4.5 VAT will be treated in accordance with HMRC guidance.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 Procurement Colleagues will assist with the tendering exercise to ensure that a fully compliant, value for money contract is entered into.
Paul Ritchie, Procurement Manager, 13/01/2020.

Legal comment: Given the total estimated value of the contract a full procurement exercise is required to comply with the council's constitutional documents and procurement rules. This could be achieved by using a framework agreement such as the Crown Commercial framework agreement for this service.
Sarah O'Bradaigh, Senior Solicitor, 14/01/2020

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

- 6.1 N/A

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 N/A

8 REGARD TO THE NHS CONSTITUTION

8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because this contract does not impact equality interests.

Yes

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 N/A

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 N/A

COMMISSIONING AND PROCUREMENT – 11th February 2020 Agenda Item 7

Subject:	Fee Rates For Adult Social Care Services 2020/21		
Corporate Director(s)/ Director(s):	Candida Brudenell, Corporate Director Strategy and Resources Steve Oakley, Head of Contracting and Procurement		
Portfolio Holder(s):	Councillor Adele Williams – Portfolio Holder for Adult Care and Local Transport		
Report author and contact details:	Jo Pettifor – Category Manager - Strategy and People Tel: 0115 8765026 Email: jo.pettifor@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £1.242m			
Wards affected: All	Date of consultation with Portfolio Holder(s): Cllr Williams, 28 th January 2020		
Relevant Council Plan Key Theme:			
Nottingham People			<input checked="" type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input type="checkbox"/>
Serving Nottingham Better			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
This report presents proposals for fee rates in 2020/21 across adult social care contracted provision. The Council is contractually bound to consider fee rates on an annual basis where it has a statutory duty to provide a service. The Council will consult with providers on these proposals and consider responses prior to implementation from 1 st May 2020.			
Exempt information:			
Appendices 1, 2 and 3 to this report are exempt from publication under paragraph 3 and paragraph 5 of Schedule 12A to the Local Government Act 1972 because having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Financial advice is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 it contains commercially sensitive information relating to the Councils pricing structure and financial modelling. Having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information as declaring financial modelling to suppliers would prevent the Authority from managing the market efficiently, which could cost it more. Legal advice is exempt from publication under paragraph 5 of Schedule 12A to the Local Government Act 1972 because it contains information which is subject to legal professional privilege and having regard to all the circumstances, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information sets out the legal implications inherent in the course of action proposed here, which the decision maker is arguably entitled to consider without the Council's position being affected by consideration of those implications.			
Recommendation(s):			
1 To approve proposals for fee rates for Adult Social Care Services in 2020/21 as outlined in the pricing details at exempt Appendix 1, which will be consulted on with service providers			
2 To delegate authority to the Head of Contracting and Procurement to agree fee rates in accordance with the proposals detailed in the exempt Appendix 1 pricing detail. This is subject to the outcome of consultation with providers and in line with the Council budget. The			

agreed rates will be implemented from 1st May 2020.

3 To approve the total spend associated with this decision of £1.242m. Note: Approval to spend against the high cost placement provision will be through the Council's scheme of delegation for Adults Care Packages.

4 To note that if upon completion of the consultation the financial impact of any revised proposals exceed the budget available, further approval will be required.

1 REASONS FOR RECOMMENDATIONS

1.1 The Council is contractually bound to consider fee rates in respect of services that it has a duty to provide. This is balanced against budget commitments and pressures for the City Council.

1.2 In accordance with its legal obligation, the Council will consult with adult social care providers with regard to these proposals. The Head of Contracting and Procurement will take account of consultation responses and issue variations to existing contracts reflective of the proposals in this report should no significant issue arise.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Following its budget announcement in July 2015, the government introduced the National Living Wage (NLW), which replaced the National Minimum Wage as the statutory minimum wage payable to workers in the United Kingdom. The Council has a legal duty to consider fee rates for social care contracted services and in doing so, it must consider the implications of the NLW for adult social care providers.

2.2 Every year officers undertake analysis of the potential impact of fee rates on adult social care providers meeting National Living Wage requirements as well as other pressures such as cost of living, pensions, profit and voids. This analysis also considers budget savings required across adult provision as a consequence of ongoing reductions in the funding the Council receives from central government. Analysis takes place on a sector by sector basis across the social care budget against a backdrop of increased demand for social care provision as a result of demographic pressures, policy change and increased difficulty in attracting workers into the care sector due to increased competition from other sectors. The Council Inflationary fee rate modelling is therefore key to support social care providers to meet NLW and other inflationary pressures, and manage the social care market. This must be balanced against budget commitments and pressures for the City Council.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Do nothing – we are contractually bound to review contract fee rates on an annual basis. Doing nothing would have placed the Council at risk of legal challenge. For this reason, this option was rejected.

3.2 Offer different fee rate proposals. This option is not recommended as the proposals have resulted from significant work and modelling between finance and contracting colleagues, taking into account our contractual requirements, knowledge

of the market and the overall budget pressures for Adult Social Care. The final proposals have also tried to take into account the potential impact on service delivery and risk of market failure. Offering different fee rate proposals would put pressure on the Adult Social Care budget and this is not a feasible option.

- 3.3 To undertake analysis of individual provider costs and offer fee rates based on the cost of care to factor wage rated paid, pension contributions, profit and void levels etc. This option would not be feasible at this time as it would be administratively burdensome problematic as rates of pay and other factors are not standard across the sector.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 Finance comments are contained within exempt appendix 2.

Hayley Mason, Strategic Finance Business Partner, 15 January 2020

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 Legal comments are contained within exempt appendix 3

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

- 6.1 None applicable

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 None applicable

8 REGARD TO THE NHS CONSTITUTION

- 8.1 None applicable

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because this will be undertaken following consultation with providers on the proposals and prior to final approval. The consultation will include specific questions about the potential impact of the proposed fees and mitigating actions that could be taken. Consultation responses will be reviewed and risks identified will be analysed to assess the impact of the proposal on services as a whole, citizens within those services, and providers.

**10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT
(NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT
INFORMATION)**

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 None

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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