

Cheltenham Borough Council
Cabinet Member Decision – 28th September 2016
Joint Commissioning of a County-wide Assertive Outreach Service

Accountable member	Councillor Peter Jeffries – Cabinet Member, Housing
Accountable officer	Martin Stacy – Lead Commissioner, Housing Services
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	<p>Since April 2015 the six district authorities within Gloucestershire have committed to the use of one-off funding from the Department of Communities and Local Government (and held by Cotswold District Council on behalf of the other districts) to jointly commission across the county an Assertive Outreach Service, the main purpose of which is to tackle rough sleeping.</p> <p>This one-off funding is now due to run out. However, all six districts see the value in the continuation of a county-wide Assertive Outreach Service, and it is therefore proposed that districts will directly fund the joint commissioning of this service out of their own budgets. Gloucestershire’s Clinical Commissioning Group and the Police and Crime Commissioner are also looking to commit to jointly funding this service.</p> <p>It is proposed that Cheltenham Borough Council will commit £15,000/year over the next two years, with a review built in during this time to consider whether to continue to jointly commission this service thereafter. The service will be financed from the council’s existing budget for tackling rough sleeping. This budget is currently being used to finance a local assertive outreach service, which is being delivered by Cheltenham Housing Aid Centre.</p> <p>If the following recommendations are approved, work will begin on the tendering of a new county-wide assertive outreach service. This will be led by Cotswold District Council and supported by officers from other district authorities, including Cheltenham Borough Council. Once the tender process is complete, the decision to enter into a contract with the successful provider, along with a detailed breakdown of actual costs, will be subject to the council’s usual approval requirements.</p> <p>The council will seek to ensure there is a seamless delivery of services, as service provision transfers from one provider to another. It is estimated that this will be completed in December 2016/January 2017.</p>

Recommendation	<ol style="list-style-type: none"> 1. To give notice at the appropriate time to end the council's contractual arrangement with Cheltenham Housing Aid Centre over the provision of an assertive outreach service for rough sleepers. 2. To agree to the council jointly commissioning a county-wide assertive outreach service to tackle rough sleeping.
-----------------------	--

Financial implications	<p>It is proposed that the Council will contribute £15,000 a year to a county-wide assertive outreach service.</p> <p>The Council currently has a budget of £22,000 a year to fund the delivery of a Cheltenham-wide Assertive Outreach service, currently provided by Cheltenham Housing Aid Centre (CHAC).</p> <p>By ending our arrangements with CHAC, this funding can be used to support the delivery of a county-wide Assertive Outreach Service, along with associated activities as detailed in Sections 2.7 and 2.8 below. This will lead to a potential saving to the council of £7,000 a year, which could be used to invest in other homelessness prevention activities.</p> <p>Contact officer: Keith Saunders - Business Partner Accountant, keith.saunders@cheltenham.gov.uk, 01242 264124</p>
-------------------------------	--

Legal implications	<p>The councils, Police and Crime Commissioner and Clinical Commissioning Group jointly procure the service in accordance with the lead council's contract rules and Public Contract Regulations 2015. The councils, Police and Crime Commissioner and Clinical Commissioning Group will enter into a joint contract for a county-wide Assertive Outreach Service.</p> <p>Cotswold District Council will be the lead partner and they will take the lead in the commissioning of this service, whilst receiving support from the remaining participating partners, including Cheltenham Borough Council.</p> <p>Whilst the Council is not the current employer of the staff engaged in this project, any change of Service Provider is likely to result in a transfer under TUPE <i>Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014)</i>. Any prospective bidders will need to be advised of this position.</p> <p>Contact officer: Sarah Halliwell Chartered Legal Executive sarah.halliwell@tewkesbury.gov.uk, 01684 272692</p>
---------------------------	--

<p>HR implications (including learning and organisational development)</p>	<p>The decision to enter into joint commissioning arrangements across the county for the tendering of an Assertive Outreach Service will lead to Cheltenham Borough Council ending its contractual arrangements with Cheltenham Housing Aid Centre.</p> <p>If, following a retender of this service, a provider other than Cheltenham Housing Aid Centre is successful in gaining this county-wide contract, it is believed that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended by the “Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014) may apply. Accordingly, staff employed by the current provider will transfer on their terms and conditions at the date of transfer to the new provider.</p> <p>Contact officer: Carmel Togher – HR Business Partner, carmel.togher@cheltenham.gov.uk, 01242 775215</p>
<p>Key risks</p>	<p>As detailed in Appendix 1 of this report.</p>
<p>Corporate and community plan Implications</p>	<p>This supports the council’s community outcome: People live in strong, safe and healthy communities.</p>
<p>Environmental and climate change implications</p>	<p>None as a direct result of this report.</p>
<p>Property/Asset Implications</p>	<p>None as a direct result of this report.</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background

- 1.1** Since April 2015 the six district authorities within Gloucestershire have committed to the use of one-off funding from the Department of Communities and Local Government (and held by Cotswold District Council on behalf of the other districts) to jointly commission across the county an Assertive Outreach Service, the main purpose of which is to tackle rough sleeping.
- 1.2** This one-off funding is now due to run out. However, all six districts see the value in the continuation of a county-wide Assertive Outreach Service, and it is therefore proposed that districts will directly fund the joint commissioning of this service out of their own budgets. Gloucestershire's Clinical Commissioning Group and the Police and Crime Commissioner are also looking to commit to jointly funding this service.
- 1.3** It is proposed that Cheltenham Borough Council will commit £15,000/year over the next two years, with a review built in during this time to consider whether to continue to jointly commission this service thereafter. The service will be financed from the council's existing budget for tackling rough sleeping. This budget is currently being used to finance a local assertive outreach service, which is currently being delivered by Cheltenham Housing Aid Centre.
- 1.4** If the recommendations are approved, work will begin on the tendering of a new county-wide assertive outreach service. This will be led by Cotswold District Council and supported by officers from other district authorities, including Cheltenham Borough Council. Once the tender process is complete, the decision to enter into a contract with the successful provider, along with a detailed breakdown of actual costs, will be subject to the council's usual approval requirements.
- 1.5** The council will seek to ensure there is a seamless delivery of services, as service provision transfers from one provider to another. It is estimated that this will be completed in December 2016/January 2017.

2. Reasons for recommendations

- 2.1** There is an evidenced and increasing need for an Assertive Outreach Service to tackle rough sleeping across the county, and particularly in the urban areas of Cheltenham and Gloucester. This is recognised not just by the district authorities, but also by the county's Clinical Commissioning Group and the Policy and Crime Commissioner, all of which are looking to financially support the joint commissioning of this service so as to improve outcomes across county.
- 2.2** Cheltenham Borough Council first sought to plug the gap in service provision for rough sleepers in 2012, when it commissioned Cheltenham Housing Aid Centre (CHAC) to provide an assertive outreach service for the town. This service included supporting those who were rough sleeping, as well as supporting those with complex needs who were at risk of rough sleeping.
- 2.3** Since April 2015, the remaining districts within the county also recognised a gap in service provision for rough sleeping, and as a result it was agreed that a single pot of funding provided by the Department of Communities and Local Government (DCLG) to Cotswold District Council, and to be used for the benefit of the county as a whole, should be used to jointly commission a county-wide assertive outreach service. Cheltenham Borough has also benefited from this service, with the county-wide provider St Mungos working with CHAC to reduce where possible the potential for duplication of services.
- 2.4** Given that Cotswold District Council had received only one-off funding from the DCLG, it remained unclear whether a county-wide service would continue once this funding ran out. Cheltenham Borough Council therefore continued to fund CHAC for the delivery of a local service, but left open the option of ending this contractual arrangement in the event of an appetite emerging from other districts over the future funding of a county-wide service.

- 2.5** Districts are now keen to see the continuation of a county-wide service, and it is proposed that Cheltenham Borough Council joins the other districts in the commissioning of a county-wide service in preference to retaining a local service with CHAC.
- 2.6** It is considered that the delivery of a county-wide assertive outreach service is preferable over the delivery of a Cheltenham-only service for the following reasons:
- 2.6.1** A larger contract covering a wider area and with a wide range of funding partners generates economies of scale, leading to the potential of efficiency savings. By entering into a county-wide joint-commissioning arrangement, this will reduce Cheltenham Borough Councils financial contribution to the delivery of an assertive outreach service by almost a third.
- 2.6.2** A larger contract will lead to greater resilience, with more officers working under the Assertive Outreach Contract (with CHAC only a part-time officer is provided). Whilst the officers will cover a wider area, they will visit known hotspots and carry out night time spot checks to investigate and verify rough sleeping.
- 2.6.3** Rough sleepers do not stay within local authority boundaries, often moving between districts. A county-wide approach will ensure there is no double-counting and will ensure that the needs of the county as a whole, as well as individual districts, are clearly understood and that activities to address these needs can be better coordinated.
- 2.7** The management of this Assertive Outreach Contract will be undertaken by a part-time County Homelessness Coordinator, employed by Cotswold District Council. The Coordinator will also develop partnerships and improve working practices across the districts for the purposes of alleviating homelessness generally, and a small proportion of Partners' funding will support this.
- 2.8** The council's funding will also contribute towards the costs of delivering the county-wide Severe Weather Emergency Protocol. This protocol reflects good practice by ensuring that rough sleepers are able to access emergency accommodation at any time, day or night and regardless of the council's statutory responsibilities towards them, when temperatures are below zero for three or more consecutive nights
- 3. Impact Assessment**
- 3.1** CHAC's assertive outreach work is made up of two main strands: supporting rough sleepers, and working with individuals who have complex needs and who are at risk of becoming rough sleepers.
- 3.2** The majority of CHAC's work is involved in directly supporting rough sleepers, and this will form the basis of the jointly commissioned Assertive Outreach Contract. Gloucestershire County Council's Supporting People commissioners have also confirmed that the scope of their Community Based Support service, currently provided by P3, includes a requirement for the provider to engage with individuals who have complex needs and who are at risk of becoming rough sleepers - thereby meeting the requirements of the second, smaller strand of work undertaken by CHAC.
- 3.3** As a result it is considered that by ending contractual arrangements with CHAC there will be no observable difference to the services available to rough sleepers and those at risk of becoming rough sleepers as a result of their complex needs.
- 4. Alternative options considered**
- 4.1** Given the financial resources available, the council has to make a decision between funding CHAC or entering into joint commissioning arrangements on a county-wide basis for the delivery of similar services. For the reasons detailed in Section 2 above, it is proposed that the council supports the county-wide commissioning of an Assertive Outreach Service.

5. Consultation and feedback

5.1 None.

6. Performance management –monitoring and review

6.1 The delivery of a county-wide Assertive Outreach Service will be reviewed and monitored quarterly by a panel of Officers, including a representative from Cheltenham Borough Council.

Report author	Contact officer: Martin Stacy, Lead Commissioner – Housing Services; martin.stacy@cheltenham.gov.uk, 01242 775214
Appendices	1. Risk Assessment
Background information	

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the council does not jointly commission a county-wide service and instead continues to commission a Cheltenham-only service, then the benefits detailed in section 2 of this report will be lost.	Martin Stacy	20.9.16	1	6	6	Reduce	The recommendation in this report is adopted.	30.9.16	Martin Stacy	
	If after 2 years there is no longer an appetite from some or all of the partners to finance an Assertive Outreach Service, this may lead to either no county-wide service being provided or a county-wide service being provided at a greater financial cost to the remaining participating partners.	Martin Stacy	20.9.16	2	3	6	Reduce	Ensure that all participating partners continue to see the benefit in the commissioning of this service through the robust monitoring of the contract and by focussing on key outcomes.	30.9.18	Martin Stacy	
	If after the retender of the county-wide contract the actual costs exceed the estimated costs, then districts may be asked to provide additional finance.	Martin Stacy	20.9.16	1	3	3	Accept	This service was put out to tender in 2015 by Cotswold District Council, so an appreciation of the market estimate of costs has been established. The tender documentation, once prepared, will detail costs of the service.	30.9.16	Martin Stacy	

								<p>The proposed Partnership Agreement commits the council to spend £15,000/year. Any further financial support will only be made with the express approval of the Cabinet Member for Housing.</p> <p>There is a budget of £22,000 available, so potentially up to £7,000/year additional funding could be provided if necessary.</p>			

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close