

Merton Council

Cabinet Agenda

Membership

Councillors:

Ross Garrod
Eleanor Stringer
Stephen Alambritis MBE
Billy Christie
Caroline Cooper-Marbiah
Brenda Fraser
Natasha Irons
Andrew Judge
Sally Kenny
Peter McCabe

Date: Monday 27 June 2022

Time: 7.15 pm

Venue: Council Chamber, Merton Civic Centre, London Road, Morden SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact democratic.services@merton.gov.uk or telephone [020 8545 3357](tel:02085453357).

All Press contacts: communications@merton.gov.uk, 020 8545 3181

Cabinet Agenda

27 June 2022

- | | | |
|----|---|-----------|
| 1 | Apologies for absence | |
| 2 | Declarations of pecuniary interest | |
| 3 | Minutes of the previous meetings | 1 - 10 |
| | <i>To approve the minutes of the following meetings:</i> | |
| | - 17 March 2022 (Special Meeting) | |
| | - 17 March 2022 (Special Meeting Exempt Minutes) | |
| | - 21 March 2022 | |
| | - 21 March 2022 (Exempt Minute) | |
| 4 | Extension of contract for temporary accommodation services | 11 - 16 |
| 5 | Contract Award - School Cleaning and Ancillary Services | 17 - 22 |
| 6 | Supported Living Services for Adults with a Learning Disability | 23 - 30 |
| 7 | Outturn 2021/22 Report | To Follow |
| 8 | Exclusion of the public | |
| | To RESOLVE that the public are excluded from the meeting during consideration of the following report(s) on the grounds that it is (they are) exempt from disclosure for the reasons stated in the report(s). | |
| 9 | CHAS Shareholder Approval | 31 - 36 |
| 10 | Exempt Minutes - 17 and 21 March 2022 | 37 - 40 |
| 11 | Contract Award - School Cleaning and Ancillary Services | 41 - 48 |
| 12 | Supported Living Services for Adults with Learning Disabilities - Restricted Appendix | 49 - 58 |

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

CABINET

17 MARCH 2022

(5.17 pm - 5.48 pm)

PRESENT Councillors Councillor Mark Allison (in the Chair),
Councillor Eleanor Stringer and Councillor Martin Whelton

ALSO PRESENT Hannah Doody (Chief Executive), Mark Humphries (Assistant Director, Infrastructure and Technology), Louise Round (Managing Director South London Legal Partnership), Dheeraj Chibber (Assistant Director – Children’s Social Care and Youth Inclusion), Octavia Lamb (Research and Policy Officer – Labour Group) and Amy Dumitrescu (Democracy Services Manager)

ATTENDING REMOTELY Councillor Agatha Akyigyina, Councillor Natasha Irons, Councillor Brenda Fraser and Councillor Rebecca Lanning
Chris Lee (Director Environment and Regeneration), John Morgan (Interim Director Community and Housing), Matt Burrows (Head of Communications) and Ellis Kelly (Head of Accountancy)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors Pritchard and Skeete.
Councillors Akyigyina, Fraser, Irons and Lanning attended remotely.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 EXCLUSION OF THE PUBLIC (Agenda Item 3)

RESOLVED: That the public were excluded from the meeting during consideration of the following report on the grounds that it is exempt from disclosure for the reasons stated in the report.

4 AWARD OF CONTRACTS FOR ENERGY SUPPLY (Agenda Item 4)

RESOLVED: That the recommendations within the report were agreed.

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CABINET

21 MARCH 2022

(7.15 pm - 8.13 pm)

PRESENT Councillors Councillor Mark Allison (in the Chair),
Councillor Owen Pritchard, Councillor Martin Whelton and
Councillor Brenda Fraser

ALSO PRESENT Councillor Peter Southgate

Chris Lee (Director of Environment and Regeneration), Louise
Round (Managing Director South London Legal Partnership),
Keith Burns (Interim Assistant Director Commissioning) and Amy
Dumitrescu (Democracy Services Manager)

ATTENDING
REMOTELY

Councillor Agatha Akyigyina, Councillor Natasha Irons,
Councillor Rebecca Lanning, Councillor Marsie Skeete and
Councillor Eleanor Stringer

ALSO
ATTENDING
REMOTELY

Councillor Nick McLean

Hannah Doody (Chief Executive), Jane McSherry (Director
Children, Schools and Families), James McGinlay (Assistant
Director Sustainable Communities), Tom Procter (Head of
Contracts and School Organisation), Ellis Kelly (Head of
Accountancy), Tara Butler (Deputy Head of Future Merton),
Peter Clifton (Interim Head of Safer Merton), Matt Burrows
(Interim Head of Communications and Customer Experience)
and Octavia Lamb (Policy and Research Officer – Labour Group)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies were received. Councillors Akyigyina, Irons, Lanning, Skeete and Stringer attended remotely.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETINGS (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 7 February, the minutes of the meeting held on 21 February and the exempt minutes of the meeting held on 21 February are agreed as an accurate record.

4 MERTON HATE CRIME STRATEGY 2022-26 (Agenda Item 4)

The Chair announced that Items 9 and 10 would be taken first and the remaining items would follow in agenda order, with Items 14 onwards taken in private session. For the purposes of the minutes all items are minuted in agenda order.

The Leader of the Council presented the report on behalf of the Cabinet Member for Partnerships, Public Safety and Tackling Crime, thanking the Cabinet Member and officers for their work. Discussions had taken place with the Hate Crime Strategy Group and the report proposed updating the strategy to cover the 2022-2026 period. The report had been updated to reflect the public engagement in 2021 as part of the YourMerton process and the Leader thanked the residents who had engaged with that process.

The Cabinet Member for Culture, Leisure and Skills spoke to thank the officers and Cabinet Member for their work.

RESOLVED:

- A. That Cabinet reviewed and signed off Merton's Hate Crime Strategy 2022-26.
- B. That Cabinet noted the content of the report in terms of work being undertaken on the hate crime agenda and consider how this work can be supported going forwards.

5 UPDATE FOLLOWING THE COUNCIL MOTION ON 21ST APRIL 2021 IN RELATION TO THE SAFETY OF WOMEN AND GIRLS IN MERTON
(Agenda Item 5)

The Leader of the Council presented the report on behalf of the Cabinet Member for Partnerships, Public Safety and Tackling Crime, which provided an update following a motion agreed at the Extraordinary Council meeting in April 2021. A task group had been established and first met in June 2021 which focused on a number of areas. The Leader thanked officers for their work on the report.

The Director of Environment and Regeneration noted that it was a work in progress and there was more work to be done and continuing to be undertaken.

RESOLVED:

- A. That Cabinet noted the work undertaken and to be undertaken to help improve the safety of women and girls in Merton
- B. That Cabinet reviewed and agreed the recommendation that Merton Council sign up to the Mayor's Night Safety Charter

6 COMPULSORY PURCHASE ORDERS FOR ESTATE REGENERATION:
EASTFIELDS PHASE 1, HIGH PATH PHASE 2 AND 3 AND RAVENSBURY
PHASE 2, 3 AND 4 (Agenda Item 6)

The Cabinet Member for Housing, Regeneration and the Climate Emergency presented the report, which followed the Cabinet decisions in 2018 to agree in principle to use Compulsory Purchase Orders to support implementation of the Merton Estates Regeneration Programme and that further CPOs would be required once conditions had been met. It was noted that these conditions had now been met

and voluntary acquisition had not been successful and therefore the report sought to make three CPOs which could be utilised if required.

The Leader thanked officers for their work.

RESOLVED:

- A That Cabinet resolved to make three Compulsory Purchase Orders (the **2022 CPOs**) for the acquisition of land, interests and rights (other than those already in the ownership of Clarion Housing Group) over the Order Land shown shaded pink and blue on the Plans attached as Appendix 1 and described more fully in section 3 of each of the draft Statements of Reasons attached as Appendix 2.
- B That Cabinet agreed that the 2022 CPOs shall be, entitled:
- I. "The London Borough of Merton (High Path No1) Compulsory Purchase Order 2022";
 - II. "The London Borough of Merton (Eastfields No1) Compulsory Purchase Order 2022"; and
 - III. "The London Borough of Merton (Ravensbury No1) Compulsory Purchase Order 2022".
- C That Cabinet agreed that there is a compelling case in the public interest to justify the making of the 2022 CPOs to include specific interests that must be acquired to facilitate the redevelopment of the High Path Estate, the Eastfields Estate and Ravensbury Estate (the **Estates**) as part of the Merton Estates Regeneration Programme, for the reasons detailed in this Report and the draft Statements of Reasons.
- D That Cabinet delegated to the Director of Environment and Regeneration the power to effect the making, confirming and implementation of the 2022 CPOs and to take all necessary steps to give effect to the 2022 CPOs in respect of the Order Land, but not limited to, the following procedural steps:
- I. making such amendments and additions to the draft Statements of Reasons as deemed necessary to properly reflect the Council's position regarding the proposed 2022 CPOs so as to properly present the Council's case;
 - II. making such amendments and additions to the Plans attached at Appendix 1 as deemed necessary to properly

- enable construction of phases 2 and 3 of High Path, phase 1 of Eastfields and phases 2 to 4 of Ravensbury;
- III. making the 2022 CPOs, the publication and service of any press, site and individual notices and other correspondence for such making;
 - IV. monitoring of negotiated agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the 2022 CPOs, including where appropriate seeking exclusion of land or new rights from the 2022 CPOs;
 - V. seeking confirmation of the 2022 CPOs by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981), including the preparation and presentation of the Council's case at any Public Inquiry which may be necessary;
 - VI. publication and service of notices of confirmation of the 2022 CPOs and thereafter to execute and serve any General Vesting Declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;
 - VII. acquiring title to and / or taking possession of the Order Land;
 - VIII. transferring the title of the acquired land to Clarion Housing Group;
 - IX. paying all costs associated with making the 2022 CPO, including the compensation payable to owners , noting that those costs will be reimbursed to the Council by Clarion;
 - X. referral and conduct of disputes, relating to compulsory purchase compensation, at the Upper Tribunal (Lands Chamber); and
 - XI. dealing with any matter relating to the implementation of the CPO Indemnity Agreement dated 7 February 2019 (and any subsequent amendments) including all financial checks with Clarion Housing Group and approval of the budget in relation thereto, and to agree amendments as necessary with Clarion Housing Group.

- E That Cabinet agreed that the public interest in enabling the development of the Eastfields, High Path and Ravensbury Estates to proceed outweighs the interference with relevant rights under the European Convention on Human Rights as discussed at section 22 of this report.

Cabinet also noted:

- F It has been considered that compulsory acquisition would be necessary so that Merton Estates Regeneration Programme, can be delivered and achieve the following:
- Comprehensive regeneration of two housing estates (Eastfield and High Path) and partial regeneration of another (Ravensbury) (together the **Estates**);
 - a significant contribution towards the Council's target for new homes over the coming years;
 - the replacement of poor quality and outdated housing stock with modern, high quality accommodation;
 - creation of new and distinct character neighbourhoods with public spaces, amenities and commercial and retail opportunities; and
 - economic and employment benefits for the Council.

7 REPURPOSING THE HIGH STREET - FINAL RECOMMENDATIONS
(Agenda Item 7)

The Leader noted that this was the last meeting for Councillor Peter Southgate and paid tribute to his work.

At the invitation of the Chair, Councillor Southgate spoke to present the report and gave an overview of the recommendations within it, following a task group established in 2020 and recognising the changed role of high streets as a result of the Covid19 pandemic. Councillor Southgate thanked the Cabinet Member and the Scrutiny team for their work.

The Deputy Leader and Cabinet Member for Finance, Performance, Recovery and the Local Economy responded to thank Councillor Southgate for his work and for the report.

RESOLVED:

- A. That Cabinet considered the report and noted the recommendations (attached in Appendix A) arising from the scrutiny review of the Re-purposing the High Street.

B. That Cabinet agreed to consider implementation of an action plan to be drawn up by officers working with relevant local partner organisations and Cabinet Member(s) to be designated by Cabinet.

8 PROVISION AND MAINTENANCE OF A COMMUNITY EQUIPMENT SERVICE (Agenda Item 8)

The Cabinet Member for Adult Social Care and Public Health presented the report, thanking officers for their work. It was noted that the contract if approved would be awarded on a rolling basis, as well as undertaking a value for money exercise every three years.

The Leader thanked officers for their work.

RESOLVED:

A. That Cabinet approved the award of a collaboration agreement for the provision and maintenance of a Community Equipment Service via an integrated Procurement Hub to London Borough of Croydon on a rolling basis, with the Council able to withdraw from the agreement by giving not less than six (6) months' written notice of its intention to do so to expire on 31st March in any Financial Year.

B. That Adult Social Care carry out an annual review of service quality as well as undertaking a full value for money exercise every 3 years to ensure that the service continues to offer Best Value.

C. That the Director of Community and Housing was given delegated authority, in consultation with the Cabinet Member for Adult Social Care and Health, to agree to the continuation of the collaboration agreement following the completion of each annual review and triennial value for money exercise

9 HOME TO SCHOOL TRANSPORT (Agenda Item 9)

The Deputy Leader and Cabinet Member for Children and Education presented the report, thanking officers for their work and those who had responded to the consultation. It was noted that responses had included that parents wanted education as close to home as possible to ensure that transport options available to them were as broad as possible. The consultation had consulted on a range of options.

RESOLVED:

a) That Cabinet noted the responses and officers' analysis from the consultation on home to school travel that ran from 23 November 2021 to 5 January 2022 and agreed to the following changes to home to school travel arrangements:

b) That Cabinet agreed to increase investment in travel training by £50,000 per year to support opportunities for the independence and well-being of the young person to travel to school/college independently rather than using supported travel from the age 11 where it is appropriate

c) That Cabinet agreed for officers to improve the offer of travel budgets (PTABs), by implementing a more transparent policy, making it easier for families to receive financial recompense and increasing their promotion. This will both improve the take up of this option by parents and the ease of its use, while also being more efficient for the Council

- d) In addition to continuing to meet our statutory requirements for home to school travel for statutory school age children, to continue to support families with children of pre-school age and post 16 students with the most significant needs where it is essential to get their child to school, especially for those with severe and profound learning difficulties
 - e) Not to introduce charging for receiving travel assistance.
 - f) Travel support for post-16 students to in the future be predominantly through independent forms of travel assistance, such as travel training and travel budgets, where this is possible. Organised transport only for those unable to use independent forms of travel or where their educational placement agreed in their EHCP is too far away to be reached independently.
 - g) Officers to continue work to ensure best value for money in providing travel assistance to children, including ensuring the most cost-effective means to procure the taxi market, efficient utilisation of the in-house buses and procured taxis, and more formal reviews with schools to ensure we meet the needs of children as effectively as possible including identifying children who could be supported towards more independent travel.
 - h) For officers in Community and Housing Department, working with Children, Schools and Families, to update their policies in relation to post-19 home to college travel on the basis of the same strategy as above
 - i) To delegate the Director of Children, Schools and Families, in consultation with the Deputy Leader and Cabinet Member for Children and Education, and the Director of Community and Housing in relation to the travel assistance policy for post-19 students, amendments to policy documents in line with the above for supported travel from September 2022
-

10 EXTENSION OF SCHOOL CLEANING CONTRACT (Agenda Item 10)

The Deputy Leader and Cabinet Member for Children and Education presented the report which related to procuring a new school cleaning contract in line with the School year following the previous contract ending on 31 March 2022. The report sought approval to extend the existing contract until the end of the school year with subsequent contract decisions being brought to future Cabinet meetings as required. The Cabinet Member for Children and Education thanked officers for their work.

RESOLVED:

A. That Cabinet agreed that the Council extend its existing contract with Julius Rutherford & Co Limited for provision of the school cleaning service at Merton primary, secondary and special schools and other education buildings up to 31 July 2022

11 FINANCIAL MONITORING REPORT - PERIOD 10 JANUARY 2022 (Agenda Item 11)

The Deputy Leader and Cabinet Member for Finance, Performance, Recovery and the Local Economy presented the report which projected a £6.5million outturn variance. It was noted that there were two further forthcoming months of the year and the report did not include any DSG funding if this was forthcoming in due course. The Cabinet Member thanked the finance team for their ongoing work.

The Leader thanked the Cabinet Member and officers for their work.

RESOLVED:

A. That Cabinet noted the financial reporting data for month 10, January 2022, relating to revenue budgetary control, showing a forecast net adverse variance at year end on net service expenditure of £5.967m, increasing to £6.592m when corporate and funding items are included, a decrease of £684k compared to last month

B. That CMT note the contents of Section 5 and approve the adjustments to the Capital Programme contained in Appendix 5b

That Cabinet noted the contents of Section 5 and Appendix 5b of the report and approve the adjustments to the Capital Programme in the Table below:

	Budget 2021-22	Narrative
<u>Children, Schools and Families</u>		
West Wimbledon - Capital Maintenance	(21,000)	Virement reflecting projected outturn
Wimbledon Park - Capital Maintenance	15,000	Virement reflecting projected outturn
Malmesbury - Capital Maintenance	6,000	Virement reflecting projected outturn
<u>Environment and Regeneration</u>		
Borough Regeneration - Shopfronts - ARG	195,000	Funded by Additional Restrictions Grant
Total	195,000	

12 SELECTIVE LICENSING UPDATE AND EMPTY HOMES (Agenda Item 12)

The Cabinet Member for Housing, Regeneration and the Climate Emergency provided a verbal update to the Cabinet.

The Cabinet Member advised that in terms of Selective Licensing and Article 4, licensing viability modelling and cost modelling was ongoing and a further Cabinet report was expected in due course. Background work was required to be undertaken on Article 4 and work continued to be ongoing on this. The Cabinet Member thanked officers for their work.

The Leader thanked the Cabinet Member and officers for their work and the update was noted by Cabinet.

13 EXCLUSION OF THE PUBLIC (Agenda Item 13)

RESOLVED: That the public were excluded from the meeting during consideration of the following report on the grounds that it was exempt from disclosure for the reasons stated in the report.

14 CHAS 2013 (Agenda Item 14)

The report was discussed and it was

RESOLVED:

That the recommendations within the report were agreed.

Committee: Cabinet

Date: 27 June 2022

Wards: All

Subject: Extension of contract for temporary accommodation services

Lead officer: Elliot Brunton, Interim Head of Housing Needs and Strategy

Lead member: Andrew Judge, Cabinet Member for Housing and Sustainable Development

Contact officer: Elliot Brunton, Interim Head of Housing Needs and Strategy

Recommendations:

- A. That Cabinet approve the extension of the Hall Place Contract into a new lease for a term of 5 years from the date of expiry of the current lease on 4 November 2026.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to seek an extension to the Hall Place contract following negotiations to reduce the contractual rent increase and to enter into a new lease for a term of 5 years from the date of expiry of the current lease on 4 November 2026.

2 DETAILS

- 2.1 The Council's duties to the homeless are contained within Part VII of the Housing Act 1996 (as amended). These duties, in summary, provide a safety net for those persons in the borough at risk of homelessness. Where such people appear to be (a) eligible for assistance (mainly concerned with having settled immigration status); (b) homeless; and (c) in priority need of accommodation (most commonly having responsibility for children or being vulnerable), they are owed what is known as the 'interim' duty. This duty provides them with temporary accommodation pending more detailed enquiries into their application and actions taken by the authority to relieve their homelessness.
- 2.2 Where, on conclusion of those enquiries, officers within the Housing Department are satisfied, on behalf of the Council, that the homeless person is eligible; homeless; is in priority need and did not become intentionally homeless; and has a local connection, then they are owed what is known as the 'full' or the 'main' duty. This is a duty to continue to provide them with suitable temporary accommodation, without limit of time, until the duty is brought to an end in a limited number of prescribed circumstances, most commonly via a reasonable offer of accommodation. This offer is from a registered social landlord or via a private sector Landlord.
- 2.3 Accommodation offered under the Act is required to be suitable for homeless households and this is set out in the Homelessness (Suitability of Accommodation) (England) Order 2012. When securing accommodation in relation to either the "interim" or "main" homeless duty, s208(1) of the

Housing Act states, so far as reasonably practical, the authority must secure this accommodation in its own area. This was reinforced in the Supreme Court judgement handed down in the case of *Nzolameso v Westminster 2015*.

- 2.4 Central government policy has restricted the types of temporary accommodation that can be seen as a suitable in the discharge of these duties. With effect from 1st April 2004, the use of bed and breakfast for families with children was made unlawful over a 6-week period and the use of this accommodation for persons aged 16 or 17 years old is likewise discouraged.
- 2.5 The Council has power to acquire housing accommodation for the purposes of satisfying its duties to provide accommodation for the homeless (s17 of the Housing Act 1985). The properties will be offered either as emergency accommodation in compliance with the “interim duty” under s188 of the 1996 Act or as temporary accommodation under “main duty” under s193 of the Act. In addition, the Council may provide temporary accommodation in certain circumstances to persons to have no recourse to public funds in order to fulfil its duties under the Care Act 2014 and the Children’s Act 1989.

2.6 **Current Supply and arrangements**

The Council has a longstanding professional relationship with the providers of Hall Place, *Room and Studios*. In 2001, the Housing Services division entered into a contract for the provision of temporary accommodation for homeless applicants. In 2016 a 10-year lease, with a 5-year break clause and rent review, was agreed by Cabinet. The existing lease was signed on the 7th November 2016.

Rooms and Studios provide a high-quality service and Hall Place has been given the highest rating under the London-wide ‘Setting the Standard’ inspection regime

Hall Place provides-

- 81 Self-contained rooms
- 24 hour concierge
- Car parking facilities

We were contacted by Rooms & Studios in October 2021 in relation to the review specified in the lease signed in 2016. The lease provides the mechanism for a rent increase based on RPI in order to adjust the existing rent set 5 years ago.

The formula set out in the lease in line with the RPI would have shown an increase from 4th November 2021 of £211,026.95 and the annual rent payable by the Council would have changed from £1,279,200 to 1,490,226.95 (this would have been a 16% increase). Rooms & Studios have also raised that over the past three years they have replaced/renovated all the en-suites at Hall Place, which has been a significant investment in capital alongside the operational budget.

Notwithstanding the formula set out in the lease, officers met with senior representatives from Room & Studios to or order to seek to negotiate an alternative rent increase. Officers were able to broker an agreement for a 50% reduction of the rent increase to £105,513.48 per annum. This would be dependent upon the Council agreeing an extension of the lease for a further 5 years until 2031.

Rooms and Studio's already work with other London authorities and have said that they would have no difficulty in entering into a contract with another Council if Merton will not work with them. This would affect local services including school's (including school placements) health and children and adult social care. Homeless families often have additional needs and vulnerabilities that would impact upon the Council's resources.

There is considerable fluidity in the temporary accommodation market and there is significant competition from other London boroughs requiring such properties.

2.7 Key considerations

The purpose of extending the contract with Rooms and Studios is to ensure that homeless clients continue to be housed in suitable secure accommodation that meets minimum standards. It is recognised that the use of private sector accommodation to house homeless clients is expensive, however due to housing demand pressures and the shortage of social housing the Council is heavily reliant on the private housing sector to source temporary accommodation for those who present as homeless.

The Council has no access to other more cost-effective types of temporary accommodation such as the use of vacant Council housing stock and whilst we have previously made use of 'buy back' properties on the Clarion regeneration sites, no further properties are now being made available.

Whilst it is the case that the Council recently joined *Capital Letters*, which is a pan-London private sector procurement organization, it is the case that, at present, they do not provide temporary accommodation as defined above but rather provide homes that are offered to applicants in full discharge of homeless duties (e.g. bringing those duties to an end), and this includes existing applicants in temporary accommodation.

3 ALTERNATIVE OPTIONS

3.1. Option 1: Do Nothing:

If the Council does not agree the lease extension then according to the terms of the lease we will face a rent increase of £211,026.95 and the annual rent payable by the Council would have changed from £1,279,200 to 1,490,226.95.

3.2. **Option 2: Exercise the 5-year break clause with Rooms & Studios for Hall Place**

If the Council decides to exercise the break clause, bringing the lease to an end, this would mean all current residents would need to be decanted in to suitable alternative accommodation. There are considerable difficulties in procuring temporary accommodation within the borough boundaries.

Moving this many households will have an immediate effect on these households and will considerable disruption to their health, employment and educational needs.

Additionally and as highlighted previously, Rooms & Studios would look to offer Hall Place to another authority which would mean bring new demands on local services.

3.3. **Option 3: Agree a 5 year extension to the lease with Rooms & Studios for Hall Place**

This is the recommended option

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None Applicable

5 TIMETABLE

5.1. The rent review was due the 4th November 2021

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. There are currently around 233 homeless households in nightly paid temporary accommodation as of April 2022, of which 73 households are resident at Hall Place, Mitcham. There are around 160 households located in accommodation elsewhere, the majority of which are out of borough. The gross cost of nightly paid accommodation for 2021/22 was £4,945,415. The net cost to the housing service after housing benefit income and client contribution was £561,799.

6.2 Estimated value of contract

The costs of temporary accommodation are funded by rents charged to occupants. Much of this rent is met by housing benefits payments. However, since the implementation of the local housing allowance and the benefit cap, housing benefit subsidy no longer covers the full cost of temporary accommodation.

The negotiated rent increase increase will be funded from the inflation uplift. This has already been recognised and included in 2022/23 budget.

The total projected value of the Hall Place proposed contract would be £1,384,713.48 per year or £6,923,567.40 over the life of a 5-year contract (8% increase of £1,279,200).

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Homelessness legislation, Part VII of the Housing Act 1996 (“the 1996 Act”) as amended by Homelessness Act 2002, and subsequent legislation, Orders and Code of Guidance govern the duties and obligations on housing authorities for prevention of homelessness and for securing that sufficient accommodation will be available for people who become homeless or who are at risk of becoming so.
- 7.2. The terms of a new 5-year lease have been agreed, subject to contract, with the Landlords solicitors. The lease is to be for a term of 5 years from the date of expiry of the existing lease on 4 November 2026 at a base rent of £1,384,713.48 . This rent will be subject to review on the term commencement date in line with RPI increase from 4 November 2021 or to market value, whichever is the higher. The rent in the current lease is to be agreed at £1,384,713.48 as from the review date of 4 November 2021 in consideration of the lease renewal being entered into.

7.3.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 There are no significant factors relevant to this exercise. The service will of course continue to be provided in accordance with the council’s Equalities and Diversity Policy and other relevant policy and legislation

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. There are three main areas of risk associated with the proposed contracts.

1) The risk is that the Council is unable to source a sufficient quantity of suitable properties that meet demand and is unable to meet its legal obligations.

2) The second risk is that the Council sources too much temporary accommodation i.e. you have a block contract with vacant rooms, the costs of which you cannot off-set with client charges.

Currently there is a steady number of homeless households approaching the housing team and a number of larger families living in temporary accommodation in nightly paid accommodation outside of the borough which could be relocated to Hall Place.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- 11.1 None.

12 BACKGROUND PAPERS

- 12.1. None.

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Committee: Cabinet

Date: 27 June 2022

Wards: All Wards

Subject: Contract Award - School Cleaning and Ancillary Services

Lead officer: Jane McSherry - Director of Children, Schools & families

Lead member: Sally Kenny, Cabinet Member for Education and Lifelong Learning

Contact Officer: Murray Davies, murray.davies@merton.gov.uk, 020 8545 3069

Exempt or confidential report

The following paragraph of [Part 4b Section 10 of the constitution](#) applies in respect of information given in the appendix and it is therefore exempt from publication:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information).

Members and officers are advised not to disclose the contents of the Appendix

Recommendations:

Members are asked to approve the recommendation that:

- A. The council award to Bidder F (as detailed in the Confidential Appendix to this report) a contract for provision of the school cleaning and ancillary service at a range of schools and other education buildings within the borough for a period of 3 years from 1 August 2022, with an option to extend for up to two further years at the discretion of the council.
- B. In accordance with Contract Standing Orders (CSO 24.3) that authority be delegated to the Director of Children, Schools and Families to exercise, in consultation with the Cabinet Member for Education and Lifelong Learning, the council's option to grant one or more extensions of the contract term for any period up to two further years beyond the expiry of the initial contract term on 31 July 2025.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to seek the approval of Cabinet for the award of the contract for the provision of school cleaning and ancillary services at a range of schools and educational buildings to Bidder F following a single stage tender process.
- 1.2. This new contract will be for an initial period of 3 years from 1 August 2022, with an option at the discretion of the council to extend the term for a further period or periods of any duration up to a maximum two years in total.
- 1.3. In addition to standard cleaning services the contract with the appointed contractor will include the option for schools to purchase a range of ancillary

services such as the supply of consumables, the provision of hand dryers, waste management and pest control.

2 DETAILS

- 2.1. The council's existing contract for the provision of school cleaning was extended until 31 July 2022 by a decision of Cabinet on 17 March 2022.
- 2.2. In line with requests from schools for the continuation a centrally procured cleaning contract, the council has sought bidders for the provision of school cleaning and related ancillary services on their behalf.
- 2.3. The contract covers over 40 sites – most of these are schools but also included are a number of children centres on school sites and some other education buildings. The new contract includes three of the PFI (Private Finance Initiative) secondary schools now that 'soft' facilities management services were removed from the PFI contract on 1 September 2021.

Tender Process

- 2.4. A single stage 'open' procedure, as set out in the Public Contract Regulations 2015 (SI 2015/102) ("PCR 2015"), was used for the purpose of this tender exercise.
- 2.5. In accordance with the requirements of that procedure, potential contractors were requested to bid for the proposed contract following the publication of a Contract Notice in March. The tender opportunity was also advertised to interested bidders via the Contracts Finder website and through the London Tenders Portal - the tender process was conducted electronically using the portal.
- 2.6. Organisations were invited to submit a proposal based on for the cost of the provision of standard cleaning services and optional ancillary services. Along with their pricing, bidders were requested to provide detailed method statements explaining how they would deliver these services. The information requested to support the price proposal required potential contractors to detail the breakdown of their wage and overhead costs.
- 2.7. Bidders were required to submit as part of their tender submission a proposal in regard to adding Social Value. In addition, they were advised of the focus of the council on achieving the commitments under its Climate Emergency Action plan and that they would be expected to detail in their bids how they proposed to assist the council in doing so.
- 2.8. The council stipulated that the contract would be awarded to the bidder whose tender was judged to be the most economically advantageous based on price and quality criteria. As set out in the table below, 60% of the evaluation was based on pricing considerations, 35% on the assessment of qualitative criteria and a further 5% based on proposals in regard to the delivery social value objectives.

Published Award Criteria	Weighting
Qualitative Criteria	35%

Organisational Capacity (12.5%), Quality of Service (15%), Performance Management (7.5%)	
Price	60%
Total Cost (15%), Total Hours v. Benchmark (15%), Hourly Cost (15%), Ratio of Wage Cost to Charge (7.5%), Variation Rates (5%), Ancillary Service Charges (2.5%)	
Social Value	5%
Total Quality, Price & Social Value Scores	100%

Table 1 - Contract Award Criteria

- 2.9. The qualitative criterion was assessed across a range of operational areas to take account of the priorities of schools and the council in relation to the quality of service. The invitation to tender detailed the agreed scoring methodology for potential bidders.
- 2.10. Contractors were also informed that in the event of a tenderer other than the current contractor being awarded this contract, the terms of the Transfer of Undertakings (Protection of Employment) Regulations 2006 were likely to apply (“TUPE Provisions”).
- 2.11. Bidders were advised that the contract would be awarded in accordance with the assessment of bids against the criteria and weightings detailed below.
- 2.12. The return date for tenders was 20 April 2022. A number of potential bidders expressed an interest in Merton’s contract and, by the date set for delivery of tenders, the council received bid responses from five organisations. A sixth organisation only accepted the Council’s Terms and Conditions without submitting any bid documents. They were notified of their exclusion from the process on the grounds of non-compliance.

Tender Evaluation

- 2.13. The evaluation of bids received was undertaken in two parts – an initial review of the bids to check completeness and to review grounds for exclusion, followed by a detailed consideration and scoring of written quality and prices submissions.
- 2.14. The evaluation process was supported and overseen by an officer from the council’s Commercial Services team, acting in a quality assurance role to ensure national procurement legislation and the council’s own procedures were complied with in full, and that the approach of the team to testing and scoring against the evaluation criteria was rational and consistent for all elements of the tender.

- 2.15. Bids were checked for completeness and assessed against the mandatory and discretionary grounds for exclusion and on their turnover and experience of delivering a school cleaning service. One of the five organisations who submitted responses failed to provide a detailed pricing schedule and was, therefore, excluded from further evaluation. They were informed their bid was incomplete and therefore excluded on the grounds of non-compliance. The remaining four bidders all passed these threshold requirements.
- 2.16. The evaluation team assessed each tender and marks were awarded to each bidder. Following a moderation exercise, to arrive at a consensus score for each bidder, final scores based on written submissions were confirmed.
- 2.17. Following the conclusion of this process, the evaluation team determined that Bidder F scored best against the published criteria so it is recommended the council awards the contract to this company.

3 ALTERNATIVE OPTIONS

- 3.1. The making of arrangements for school cleaning is a matter for schools as budgets are delegated to them. It is not essential that there is a borough-wide contract. However, the schools who were consulted have indicated a wish to be part of a council organised contract which avoids the necessity for each school to make their own arrangements. It also allows them to engage with the council to monitor the service to ensure consistency of service across different school sites.
- 3.2. The council's cost in procuring and monitoring the contract are met through a charge of £36,500 per year payable by the contractor – accordingly, the council's management costs are fully covered without placing an extra financial burden on schools or the council.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. School head teachers and business managers have been consulted in relation to the provision of the cleaning and related service. Their specific requirements have been incorporated into the tender documentation.
- 4.2. The Corporate Procurement Team has been consulted at all stages throughout the process to ensure probity existed at all times and to ensure we are able to fulfil our obligations at a later date in the event of a Freedom of Information Enquiry.

5 TIMETABLE

- 5.1. The new contract is due to commence on 1 August 2022.
- 5.2. The award of this contract is subject to observing a 'standstill' period. Accordingly, the contract can be formally awarded to the successful tenderer from 4 July 2022 with daily cleaning commencing in September.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The value of the existing contract in 2021/22 financial year was just over £2.1m

- 6.2. The cost of the new service to schools is detailed out in the Confidential Appendix to this report.
- 6.3. The council is responsible for payment of the costs of cleaning for those educational sites such as children's centres which are included in the contract which amounted to approximately £72,461 in 2021/22.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The service being procured complies with the open procedure in the Public Contract Regulations 2015 and with the Council's own Contract Standing Orders. These require under CSO 19.5 that a ten day standstill to be in place and CSO 19.2 require the contracts once awarded be entered onto the Council's Existing Contracts Register in line with the Local Government Transparency Code 2015 as well as Contracts Finder in accordance with CCS Guidance.
- 7.2. The Council has the power to enter into this contract by virtue of section 1 of the Localism Act, section 111 of the Local Government 1972 Act and section 1 of the Local Government (Contracts) Act 1992.
- 7.3. The Council also has the ability to delegate its powers under the Local Government Act 2000. The recommendation to approve the extension in line with CSO 24.3.2 enables extensions beyond those originally specified by Cabinet.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. The tender documentation submitted by all selected tenderers was assessed against the threshold requirement to ensure bidders comply with current equalities legislation. This will ensure that contracts are awarded to organisations that have an equalities and diversity policy and practices which can impact positively on the delivery of the service.
- 8.2. The council stipulated that bidders should submit tenders on the basis that the contract awarded would require the successful contractor to pay cleaning staff based on existing pay rates but also asked them to indicate the cost of the alternative option of paying its staff the London Living Wage. As this is a delegated service for schools, it is for each school to decide whether to pay the standard charge or to opt to meet the charge including the London Living Wage.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. There are no substantive crime and disorder implications arising from the recommendations contained within this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. All organisations that are awarded contracts must have a health and safety policy and procedures for effective health and safety and risk management.

- 10.2. The EU procurement regulations allow a company to challenge a contract decision from a public body, especially on matters of procedure. To mitigate this risk a separate quality assurance role was established for an officer from Commercial Services to monitor the tender procedures.

11 BACKGROUND PAPERS

Contract Standing Orders

Exempt Annex to Report

Committee: Cabinet

Date: 27 June 2022

Wards: All Wards

Subject: Supported Living Services for Adults with Learning Disabilities

Lead officer: John Morgan, Interim Director, Community and Housing

Lead member: Councillor Peter McCabe, Cabinet Member for Health and Social Care

Contact officer: Godfrey Luggya, Commissioning Manager

Exempt or confidential report

The following paragraph of [Part 4b Section 10 of the constitution](#) applies in respect of information within this appendix and it is therefore exempt from publication:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information).

Members and officers are advised not to disclose the contents of the appendix.

Recommendations:

- A. That Cabinet agrees to award a contract for the provision of Supported Living care and support services for Adults with a Learning Disability, living at a total of eighteen (18) flats across three (3) supported living schemes, for a period of three years with the option to extend for a further 2 years and as outlined in the confidential Part B paper.
- B. That Cabinet agrees to delegate to the Director of Community and Housing, in consultation with the Cabinet Member for Health and Social Care, the authority to extend the contract by the further increment of 2 years (as above).

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek the approval of Cabinet to award a contract for the provision of Supported Living care and support services for Adults with Learning Disabilities across three Supported Living Schemes (77-78 Meopham Road, Concord House, and Clifford Avenue).
- 1.2 This report details the commissioning and procurement process undertaken and the decisions taken by the evaluation panel and makes a recommendation that the contract be awarded to the bidder submitting the Most Economically Advantageous Tender.

2 DETAILS

2.1 Currently care and support services are being provided to three Supported Living Schemes (77-78 Meopham Road, Concord House, and Clifford Avenue) for people with a Learning Disability and/or autism. There are a total of 18 flats across the three schemes. Two schemes are within the London Borough of Merton and third is located in London Borough of Sutton, however the tenants at that scheme remain the responsibility of the Council.

Care and Support services are currently being delivered under a 'Block' payment arrangement as opposed to the proposed new model where core (shared) support costs are separated from individualised care and support costs which will be spot purchased as per the eligible assessed needs of the individuals.

The individuals living at the three schemes are tenants and their housing costs are met via Housing Benefit.

Following OPG, DMT and Procurement Board approval to recommission the service under a competitive open tender procedure, it was agreed to procure one supplier to deliver services across the three schemes, with benefits to include:-

- a. Building a long term, stronger and more collaborative relationship.
- b. Enabling the sharing of management/staff across schemes.
- c. Ensuring quality services are being provided through robust contract monitoring
- d. Offering efficiency savings due to economies of scale.

Core support hours afford all customers flexible access to support 24 hours a day as and when required. Core support hours cover minimum staffing necessary to manage risks and meet residents' needs within a scheme. They include waking night, sleep in and adequate management staff cover 24 hours a day including a CQC Registered Manager. Core support also take account of costs associated with running the service, such as cleaning, maintenance, staff training and any rental costs payable to the landlord for the use of staff accommodation.

Core costs will be paid throughout the term of the contract but would be renegotiate with the successful bidder should occupancy across the 3 schemes fall below 10 customers. The provider will be authorised after a specified period to fill any voids by offering them to other local authorities should the Council fail to find suitable customers.

Individualised care and support hours are priced on an hourly rate and cover care and support provided directly to customers from 7am to 10pm. Individualised care and support hours compliment Core (Shared) hours and will be spot purchased in accordance with the assessment of eligible needs to meet the identified outcomes within the individual's care and support plan. It was

agreed that the Council would purchase individualised care and support hours on a spot provision basis (meaning the Council would only pay for actual hours delivered).

It was projected that estimated annual individualised care and support hours depending on each individual's assessed needs as per their care and support plans across the three schemes will be 36,304 hours per annum.

2.2 Following a review of the service specification, the core objectives of the service are as follows:-

- a. Maximise independence irrespective of the customers' present and future level of needs.
- b. To establish a well-managed, sustainable and capable supported living service across three schemes with sufficient supply (including workforce) and diversity of service provision to meet with customers' expectations.
- c. Enable customers to exercise choice and control within the community and in their own homes. Customers shall be supported and encouraged to develop the ability to make choices and the understanding of the responsibilities that accompany these choices.
- d. Avoid unnecessary restricting of a customers' independence to act or care for themselves in all areas of life (physical, social, and emotional) whilst ensuring that all proper support and care is given.
- e. Be sensitive, appropriate, and designed so that it is inclusive of anyone who would be eligible for services.
- f. Meet and respond to changes in local needs and national legislation.
- g. Work with customers, their Social Worker(s), and the Multi-Disciplinary Team to meet their desired outcomes detailed in their individual Care and Support Plans.
- h. Work collaboratively with the Commissioners, Social Workers, Health Professionals and the Multi-Disciplinary Teams and others as defined by the Commissioners from time to time to develop best practice and within this contribute to research projects/initiatives.

2.3 Procurement approach

The tender process was undertaken with Commercial Services in accordance with the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 ('Regulations'),

The tender was managed via the Council's web-based e-tendering system, ProContract, with advice from the Council's legal service as needed.

The tender opportunity was advertised on 21/12/2021 through Find a Tender, Contracts Finder, and the Council's e-tendering system (London Tenders Portal).

Prospective providers were advised of the annual indicative contract value (£1.2M); and probable individualised annual care and support hours (36,304 hours) across the three schemes.

Core costs:- All bidders were required to submit total annual core cost (staff and non-staffing costs) based on residents' needs, which were specified in the specification.

Individualised care and support costs:- All bidders were required to submit total annual individualised care and support cost based on specified annual indicative individualised care and support hours (36,304 hrs) and their proposed hourly rate. They were also made aware that the successful bidder would be required to pay their carers at least a London Living Wage rate.

Future price uplifts

Core costs:- All bidders were made aware that the price will be fixed for one year from the contract start date and then increased by percentage year on year change in Consumer Price Index (CPI) for the month of September preceding the anniversary.

Individualised care and support costs:- All bidders were made aware that the price will be fixed for one year from the contract start date and then increased by percentage year on year change in London Living Wage (LLW) for the financial year of the anniversary.

2.4 TUPE

All bidders were advised by the Council that the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") and/or Property lease/rental agreement might apply to this contract. It was however made clear in the invitation to tender that it would be up to bidders to make their own judgement on the potential implications of TUPE and/or Property lease rental agreement and factor it into their bid accordingly.

2.5 Tender evaluation

All bidders were advised in the tender documents provided that the award of any contract would be in accordance with the evaluation criteria specified in the tender documents. The Contract would be awarded on the basis of the offer that is the most economically advantageous to the Authority. The Award Criteria was as follows:

- 44% Quality
- 6% Social Value
- 50% Cost

A total of 22 bids were received. These were evaluated and moderated in accordance with the tender documents and as shown in Part B.

2.6 Evaluation Panel

An Evaluation Panel was established consisting of:

- Lead Contract Monitoring Officer (ASC)
- Brokerage Officer (ASC)
- Commissioning Manager (ASC)
- Commissioning Officer (ASC)
- Moderator: Category Advisor (Commercial Services)

2.7 Quality Evaluation (Method Statements)

During the period 2nd February 2022 and 23rd February 2022 the Evaluation Panel assessed each tender against pre-set evaluation criteria (please refer to Part B: Appendix 1). For details of Moderated scores, please refer to Part B.

3 ALTERNATIVE OPTIONS

3.1 The following alternative options were considered:

3.1.1 Cease to provide a service at all:- The Council has a statutory duty under the Care Act 2014 to provide a service to those assessed to have a need. Therefore, this is not a feasible option as a key objective of both the Council is to encourage and assist all vulnerable adults who meet the Council's assessment criteria to live independently and stay healthy within their own homes. The absence of this service would accelerate the need for customers to be moved into setting of residential care and as a result, would compromise their quality of life and independence.

3.1.2 Extend existing contract:- Current service arrangements are being spot purchased. However, the block model which requires the Council to pay for voids is not value for money.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1 The following key stakeholders were consulted/provided feedback

Supported Living Providers

Residents

ASC Social Care Commissioning Team

South West London Legal Partnership (SLLP)

Procurement Board

Departmental Finance

Commercial Services

5 TIMETABLE

Stage / Activity	Dates
OPG Meeting	06/04/22
DMT Meeting	12/05/22
Procurement Board Meeting	17/05/22
CMT Meeting	31/05/22
LSG Meeting	13/06/22
Cabinet Meeting	27/06/22
Democratic Services	28/06/22 – 07/07/22
Notify bidders of outcome	11/07/22
Standstill period	12/07/22 – 22/07/22
Contracts award	25/07/22
Mobilisation (Lead in period)	26/07/22 – 31/10/22
Contract Start Date	01/11/22

- 5.1 Following award of the contract, the Council will agree with the successful bidder the mobilisation and implementation plan submitted to ensure that the new service commences on 1st November 2022.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

Details of financial implications can be found in Part B.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The services have been procured in a compliant process under the Light Touch Regime and in compliance with CSO 19.
- 7.2 In accordance with CSO 19.2.4 once awarded the contact must be entered on both the Contracts register and Contracts Finder.

- 7.3 The recommendation to delegate the decision to extend by two years is permitted under CSO 27 provided that the contract terms contain the provision for the extension within the contract terms.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 The tender documentation submitted by all selected bidders was assessed against criteria developed to comply with current equalities, diversity and human rights legislation as well as Council Policy with regard to equalities, diversity and human rights.
- 8.2 The successful bidder confirms that they would be able to meet these requirements.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no specific implications affecting this tender.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1 All organisations that are awarded contracts must have a Health and Safety policy that compliments the Council's corporate procedures for effective health and safety and risk management. Tender documentation submitted by all bidders was assessed against criteria developed by the Council's Health and Safety and Emergency Planning Manager to ensure that any bidder who is awarded a contract complies with all statutory regulations in all matters related to the service.
- 10.2 The Council will ensure compliance to the contract specification and contract standards through the use of a robust monitoring procedure that will be developed for this service. This will use at least the following methods:
- The Provider is responsible for managing its performance and for collating all performance data at the required level of frequency as set out in the service specification, which will form part of any monitoring requirements.
 - The Provider must submit the required contract monitoring data (Key Performance Indicators) on a quarterly basis. The quarterly monitoring report will be followed up by a service review meeting, initially on a quarterly basis, but which may also be held at other times as appropriate, and may be initiated by either the commissioners or the provider. If a provider is failing to deliver the service as set out in the contract, the

Contract Monitoring Officer may choose to meet with the provider more frequently and the provider will be required to facilitate this.

- The Authority will carry out quarterly and annual contract management meetings. Contract monitoring may involve analysing Key Performance Indicators and documentation relating to customers and other stakeholders, staff files, insurance documents and any other relevant paperwork.
- The Provider is required to capture data that evidence that the service is delivered in a way that reflects the diversity of the London Borough of Merton's population, and the service is accessible to all who need it.
- The Provider shall inform the Authority when any serious service complaint arises or in the event of any serious incident which may impact on the service. Complaint investigation responses from the provider will be reviewed at contract monitoring meetings.
- The provider must ensure that the views of individuals and stakeholders are routinely sought, collated, evaluated and utilised to support service delivery / development. The outcomes of such feedback must be routinely made available to the Authority.
- The Authority will work with the Provider to develop performance levels that challenge but are achievable and measurable from time to time as may be required to effectively manage performance.

11 APPENDICES - THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- None

12 BACKGROUND PAPERS

12.1 The Council's Contract Standing Orders

12.2 The Council's Procurement Strategy

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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