

Rough Sleeping Initiative Fund – targeted support for people who are rough sleeping and begging. Request for approval to provide funds to Change Grow Live (Leeds Street Outreach)

Date: 21st July 2021

Report of: Head of Commissioning

Report to: Director of Communities, Housing and Environment

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- In 2018/19 an opportunity arose to fund some additional targeted work with people who are rough sleeping and/ or begging, as a result of a bid for funding the city made to the Ministry of Housing Communities and Local Government (MHCLG) for Rough Sleeping Initiative Funding, in 2019/20 and 20/21 MHCLG confirmed further funding and in each year a portion of this funding was allocated to Change Grow Live (Leeds Street Outreach) to strengthen the contribution the team is able to make to the Leeds Street Support Team.
- MHCLG have confirmed further funding for 2021/22 in recognition of the work that Leeds is doing to tackle rough sleeping and begging. This report recommends that a portion of this funding continues to be allocated to Change Grow Live.
- The proposal in this report directly contributes to the Best Council Plan's overarching vision of tackling poverty and reducing inequalities. It addresses the Best Council Plan's priorities of reducing health inequalities and improving the health of the poorest the fastest; minimising homelessness through a greater focus on prevention; keeping people safe from harm, protecting the most vulnerable.

Recommendations

- a) The Director of Communities, Housing and Environment is recommended to approve the allocation of £220,000 as a grant (payable in instalments) to CGL to employ six Assertive Street Outreach Workers (four already in post and two to be recruited); and a further £4,095 to CGL to provide needs led additional weekend outreach support work for a 9 month period. Responsibility for implementation of this decision is the Integrated Commissioning Team, Adults and Health.

Why is the proposal being put forward?

1. The Government has set ambitious targets to half rough sleeping numbers from the 2017 baseline by 2022 and to end rough sleeping by 2027. For Leeds this means reducing rough sleeping numbers to 14 by 2022.
2. An opportunity arose in 2018/19, 2019/20 and again in 2020/21 to fund additional targeted activity following receipt of funding support from the Ministry of Housing Communities and Local Government (MHCLG) via the Rough Sleeping Initiative. This funding has now been made available again in 2021/22.
3. People who are rough sleeping are vulnerable individuals, affected by their life experiences and/ or circumstances. In September 2018 Safer Leeds established a multi-agency Street Support Team (led by Safer Leeds and including staff from CGL Street Outreach Team, Forward Leeds, Beacon, West Yorkshire Police, LASBAT, Leeds Housing Options, City Centre Liaison, Bevan Health Care and Adult Social Care) through funds awarded from the MHCLG Rough Sleeping Initiative to focus efforts on tackling the issues of rough sleeping and begging.
4. The Rough Sleeping Initiative funds made available for 2018/19 funded two additional workers for Street Outreach to ensure that service users who have been rough sleeping and/ or begging are supported. In recognition of the work being done in Leeds the MHCLG provided funding to continue this work in 2019/20, 2020/21 and included provision for a further two posts, and has again awarded funding for 2021/22. This will include two additional outreach workers to support those people who are at risk of rough sleeping and begging making a total of six outreach workers for this year.
5. As CGL is already delivering directly related services and have the necessary infrastructure, they are considered uniquely placed and suitably experienced to do this work. Having workers placed with CGL will mean that there is more capacity in the service to provide intensive support for people with the most chaotic lifestyles.
6. The posts will work closely with the Police, Leeds Housing Options, Forward Leeds, and other relevant services and will add value to and work within pathways to current services.
7. In 2021/22 funding has also been made available from Rough Sleeping Initiative funding to provide up to 9 weekends of additional support outreach on a needs led basis over the next 9 months.
8. Funding has been received to cover the period 1 April 2021 through to 31 March 2022 and it is recommended that funding is therefore allocated for this period. Funding allocated to CGL will be £220,000 for outreach workers and a further £4,095 for additional needs led weekend support, a total of £224,095.
9. Outcomes anticipated from this additional work will include individuals moving into supported or more permanent accommodation, engagement with drug and alcohol and health services and improved health and wellbeing.

What impact will this proposal have?

Wards Affected: All

Have ward members been consulted? Yes No

10. This funding will significantly increase the capacity of the Street Outreach team to support some of the most complex and vulnerable individuals within Leeds. The posts will add value to and work within pathways to current services. There will be a tasking led approach for those found rough sleeping and begging and identification of a key worker for each, facilitated by improved information sharing protocols.
11. An Equality, Diversity, Cohesion and Integration Screening has been completed in relation to this decision and there are no issues to be addressed

What consultation and engagement has taken place?

12. Discussion has taken place with a range of stakeholders about the bid to MHCLG and the allocation of funds received. This has included a discussion about how best to invest the funds.
13. The Executive Member for Communities was consulted in February 2021.

What are the resource implications?

14. The cost of the posts will be met by grant from the MHCLG Rough Sleeping Initiative. This grant has been injected into the Communities, Housing and Environment revenue budget.
15. The funding is for six posts including management costs and on costs. Salaries for posts funded are in line with other similar posts. Payment will be based on actual costs based on submission of financial returns and will not exceed the amount approved in this report.
16. Monitoring processes will be put in place by the Adults and Health Commissioning Team to ensure value for money and quality of delivery for the duration of the post.

What are the legal implications?

17. This is a Significant Operational Decision as the overall value of this decision is less than £500,000 and as such it is not subject to call in. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
18. As the Council would be entering into grant arrangements with CGL, the Council will have no contractual control over enforcement of the terms. The only sanction available with grant payments is for the Council to claw-back grant monies unspent or spent on matters for which the grant wasn't provided.
19. There is a risk of challenge that a grant payment is not a grant. Legally there is some confusion about when a grant can and cannot be used as there is a fine line between a grant (which is not caught by the procurement rules) and a contract for services (which is caught by the procurement rules). Although no longer directly applicable due to the UK's departure from the European Union, the preamble to EU Procurement Directive 2014/24/EU (from which the Public Contracts Regulations 2015 were transposed into English law) is still persuasive and the directive makes it clear at paragraph (4) that "the mere financing, in particular through grants, of an activity, which is frequently linked to the obligation to

reimburse the amounts received where they are not used for the purposes intended, does not usually fall within the scope of the public procurement rules”.

20. As such, unconditional grants are unlikely to meet the definition of a contract set out in the Public Contracts Regulations 2015 (PCR 2015). However, where grants are used with strict qualification criteria and an obligation to pay back money if certain targets are not reached, the position is less straightforward and it is possible that an arrangement referred to as a grant could actually meet the definition of a contract as set out in the PCR 2015. If it does, the PCR 2015 may apply. It is therefore extremely important to ensure that, if providing grants, the process followed does not fall within the definition of a “public contract” as set out in PCR 2015 which states –“contracts for pecuniary interest concluded in writing between one or more economic operators and one or more contracting authorities and having as their object the execution of works, the supply of products or the provision of services”.
21. Grants may be in breach of subsidy control but it is unlikely that the grant payments proposed will fall foul of the subsidy control rules.
22. Funding from which any grant payment is made must be designated as “grant” money.
23. Awarding the grants to the named organisation in this way could leave the Council open to a potential claim from other providers, to whom this grant could be of interest, that it has not been wholly transparent. However the risk of this would appear to be low.
24. As this is a grant it is not subject to the council’s Contracts Procedure Rules or within the Public Contracts Regulations 2015 but good practice and transparency will be observed throughout.
25. There is no overriding legal obstacle preventing the award of the grants and the contents of this report should be noted. In making their final decision, the Director of Communities, Environment and Housing should be satisfied that the course of action chosen represents best value for the Council

What are the key risks and how are they being managed?

26. The grant will be allocated to the recipient listed in this report to deliver the project. As a result should the recipient fail to deliver the project then there is a risk that Leeds City Council could have to repay the grant to MCHCLG. This will be mitigated by payment in instalments, through monitoring of the project by Adults and Health Commissioning Team and through ongoing updates and communication with MHCLG.
27. A risk plan will be produced for the Leeds Street Support Team. This will be reviewed and updated on a regular basis.
28. Risk management is built into the work of CGL and Leeds Street Outreach have the experience and skills to manage risks of working with this vulnerable client group including managing lone working and aggressive and volatile behaviour.

Does this proposal support the council’s 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

29. The proposal directly contributes to the Best Council Plan’s overarching vision of tackling poverty and reducing inequalities. It addresses the Best Council Plan’s priorities of reducing health inequalities and improving the health of the poorest the fastest; minimising homelessness through a greater focus on prevention; keeping people safe from harm, protecting the most vulnerable.

Options, timescales and measuring success

a) What other options were considered?

30. Rough Sleeping Initiative funding is available to provide opportunities for people sleeping rough, and those at risk, to receive support to address their wider needs through prevention, street-based response housing support and specialist support; with a focus on the response to individual need should be optimised by improved join up of services. The alternative was to not accept the allocated funding from MHCLG which was not considered an appropriate option.

b) How will success be measured?

31. Performance monitoring processes will be put in place by the Adults and Health commissioning team to ensure value for money and quality of delivery for the duration of the project. Progress on activity will be reported to the Street Support Partnership. In addition, the Council will provide MHCLG with overarching performance information on numbers of people rough sleeping.

c) What is the timetable for implementation?

32. Four outreach workers are already in place and will be extended; the two additional outreach workers will be recruited as soon as possible. All roles will run until 31st March 2022.

33. The weekend additional outreach support will be used on a needs led basis as the demands of the client group require for up to 9 weekends over the funding period.

Appendices

34. Equality, Diversity, Cohesion and Integration Screening report.

Background papers

35. None.