

## Rough Sleeping Accommodation Programme (RSAP2) – Request for approval to provide grant funds to St George's Crypt for Support Work in move on accommodation

Date: 29<sup>th</sup> November 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**

- The Rough Sleeping Accommodation Programme 2 (RSAP2) 2021/22 - 2023/24 is a Government grant programme. It aims to provide move-on homes and accompanying support services for individuals who have previously been rough sleeping who are ready to move into accommodation with visiting support. Bids were invited for accommodation and support or support only schemes. A bid was made for support only, in partnership with St George's Crypt.
- The Department for Levelling Up, Housing and Communities (DLUHC) has confirmed that a bid to RSAP Round 2 for revenue grant to strengthen the move on options in the city for people who have previously been rough sleeping has been successful. The bid was made in partnership with St George's Crypt. This report seeks authority to accept the RSAP 2 grant and to grant funds to St George's Crypt. The funding will be used to enable support to be provided to ensure that tenants have the support they need and are able to sustain independent living. An element of the bid was also for funding for support at a scheme that is currently being developed with Clarion Housing.
- Clarion are committed to providing 9 units of accommodation in the city for individuals who have previously been rough sleeping or at risk of rough sleeping. Clarion and St George's Crypt are working together on this scheme. In addition, St George's Crypt will provide 6 units allocated to eligible individuals under the RSAP criteria. The RSAP revenue grant will be used to fund a team of 3 support workers employed by St George's Crypt working across both schemes. Associated costs will also be covered.
- The proposal in this report directly contributes to the Best Council Plan's overarching vision of tackling poverty and reducing inequalities by aiming to improve the health of the poorest the fastest; minimising homelessness through a greater focus on prevention; keeping people safe from harm and protecting the most vulnerable.

## **Recommendations**

- a) The Director of Communities, Housing and Environment is recommended to approve that the grant from DLUHC for RSAP2 of £397,686 up to the end of March 24 is accepted and allocated in instalments to St George's Crypt by way of a Grant Agreement as outlined in the bid for Support Work in move on accommodation to be delivered until 31.3.2024.
- b) 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 halve rough sleeping numbers from the 2017 baseline by 2022 and to end rough sleeping by 2027.
2. The Rough Sleeping Accommodation Programme (RSAP) 2021/22 - 2023/24 aims to provide move-on homes and accompanying support services for individuals who have previously been rough sleeping and who are ready to move into accommodation with floating support.
3. The DLUHC has confirmed that a joint bid to RSAP2 in partnership with St George's Crypt for funding to strengthen the move on options in the city for people who were previously rough sleeping has been successful. The grant will provide support services to two schemes of accommodation in the city – one a scheme with Clarion and the other a St George's Crypt scheme. 3 support workers will be appointed and work across the schemes.
4. The Clarion scheme will offer 9 units of move on accommodation for an eligible cohort of people who were previously rough sleeping or at risk of rough sleeping. The scheme is for people who are ready to move from a fully supported environment into one with 9 to 5 visiting support, Monday to Friday. There will be an opportunity to engage in training and education with a view to gaining employment and to move into more permanent housing.
5. The accommodation will be situated in Kirkstall and is part of a large development site that has been acquired to build new accommodation over the coming years. 9 of the units will be used for accommodation and 1 for a training room/office.
6. The long-term vision for this partnership is that the clients living in the units will be offered work and permanent accommodation. The vision around employment is central to this scheme so the support workers will be working with clients on key skills, job preparedness and supporting people into employment. A key aim of the identification and allocation process for this scheme will be around suitability, desire and capability for employment.
7. The units will be purchased and refurbished by Clarion who will agree a management agreement separately with St George's Crypt to ensure the scheme is operational by February/ March next year.
8. The other 6 units are owned and run by St George's Crypt who have made these units available to the RSAP scheme. The support workers will ensure that the residents have the help they need to achieve independent living.

9. As St George's Crypt is already delivering directly related services and have the necessary infrastructure, they are suitably experienced to do the support work with this client group. This was demonstrated as part of the bid for the grant funding.
10. Funding of £397,686 as a grant (payable in instalments up to end of March 24) will be allocated to St George's Crypt to employ three Support Workers who will provide visiting support to individuals accommodated in the 9 Clarion units and the 6 St George's Crypt units. The support posts will work closely with Leeds Housing Options, Forward Leeds, Engage, Beacon and other relevant services and will add value to, and work within pathways to current services.
11. Outcomes anticipated will include individuals who have previously been rough sleeping, now living independently through improving their personal and social skills and enabling them to build their resilience to sustain their tenancy, be job ready and live positively within the community.

#### **What impact will this proposal have?**

**Wards Affected:** All

Have ward members been consulted? ☐ Yes ☒ No

12. This funding will significantly increase the capacity of the move on options for those individuals who have a history of rough sleeping in Leeds.
13. 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?**

14. Discussion has taken place with a range of stakeholders about the bid to DLUHC and the allocation of funds received. This has included a discussion about how best to invest the funds.
15. The Executive Member for Environment and Housing has been consulted regarding the bid made to RSAP2 and this scheme.

#### **What are the resource implications?**

16. The cost of the posts will be met by the grant from the DLUHC Rough Sleeping Accommodation Programme budget. This grant will be injected into the Communities, Housing and Environment revenue budget.
17. The funding is for three 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.
18. 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 grant.

## **What are the legal implications?**

19. 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.
20. As the Council would be entering into a grant arrangement with St George's Crypt, 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.
21. 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".
22. 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".
23. It is unlikely that the grant payments proposed will fall foul of the subsidy control rules.
24. Funding from which any grant payment is made must be designated as "grant" money.
25. Awarding the grant directly 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 very low as the bid to DLUHC was made in partnership between the Council and St George's Crypt.
26. 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.
27. 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?**

28. 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 DLUHC. 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 DLUHC.

29. Risk management is built into the work of St George's Crypt, and the Crypt 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

30. 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. This proposal will also help people to move into work.

### **Options, timescales and measuring success**

#### **a) What other options were considered?**

31. Rough Sleeping Accommodation Programme funding is available to provide move on accommodation opportunities for people who have a history of rough sleeping but are ready to move into a provision with visiting support. Options for possible bids for funding were considered and other bids have been made to other rounds of funding. The bid in partnership with St George's Crypt was considered the best option for RSAP2. Another alternative was to not bid or accept the allocated funding from DLUHC which was not considered an appropriate option as there is a need for new move on accommodation.

#### **b) How will success be measured?**

32. 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. In addition, the Council will provide DLUHC with overarching performance information on numbers of people rough sleeping and updates on how this project is progressing.

#### **c) What is the timetable for implementation?**

33. The three Support Worker posts will be recruited to as soon as possible. All roles will run until 31<sup>st</sup> March 2024.

### **Appendices**

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

### **Background papers**

35. None.