

Cabinet

Wednesday, 9 March 2022 at 5.30 p.m.

**Council Chamber, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG**

Supplemental Agenda - Record of Corporate Director's Actions

Cabinet

Wednesday, 9 March 2022


5.30 p.m.

Pages

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

7.1	Record of Corporate Director's Actions	3 - 11
Report Summary:		
This report sets out, for noting by Cabinet, the Corporate Director's Actions taken under Rule 10 (section 50 Record of Corporate Director's Actions (RCDA) - Waiving of Procurement Procedures) in Part C – Codes and Protocols of the Council's constitution.		
The section states that Corporate Director's Actions in respect of contracts over £100,000 must be reported to Cabinet for noting and this report fulfils this requirement.		



<p>Cabinet</p> <p>9 March 2022</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Kevin Bartle, Interim Corporate Director - Resources (Section 151 Officer)</p>	<p>Classification: Unrestricted</p>
<p>Record of Corporate Director's Actions</p>	

Lead Member	Councillor Candida Ronald, Cabinet Member for Resources and the Voluntary Sector
Originating Officer(s)	Kevin Bartle, Interim Corporate Director – Resources (Section 151 Officer)
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	No
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	3. A dynamic outcomes-based Council using digital innovation and partnership working to respond to the changing needs of our borough.

Reasons for Urgency

This report was not published five working days prior to the cabinet meeting due to an administrative error. As this is the final meeting of Cabinet scheduled in 2021-22, the report must be noted at this meeting as it records officer decisions taken in the current administration.

Executive Summary

This report sets out, for noting by Cabinet, the Corporate Director's Actions taken under Rule 10 (section 50 Record of Corporate Director's Actions (RCDA) - Waiving of Procurement Procedures) in Part C – Codes and Protocols of the Council's constitution.

The section states that Corporate Director's Actions in respect of contracts over £100,000 must be reported to Cabinet for noting and this report fulfils this requirement.

Recommendations:

The Cabinet is recommended to:

1. Note the Record of Corporate Directors' Actions set out in Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 The Council's constitution requires that Corporate Director's Actions in respect of contracts over £100,000 must be reported to Cabinet for noting.
- 1.2 The regular reporting of Corporate Director's Actions should assist in ensuring that Members are able to scrutinise officer decisions.

2. ALTERNATIVE OPTIONS

- 2.1 The Council is bound by its constitution to report to Cabinet financial decisions taken under Corporate Director's Actions.
- 2.2 If the Council were to deviate from those requirements, there would need to be a good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that Members are kept informed about decisions made under the delegated authority threshold and to ensure that these decisions are in accordance with Financial Regulations.

3. DETAILS OF REPORT

- 3.1 Section 50 of the Council's constitution "Record of Corporate Director's Actions (RCDA) - Waiving of Procurement Procedures" states that:
- 3.2 Procurement Procedures may be waived by a Corporate Director in liaison with the Head of Procurement and the Director of Legal, where the total value of the contract does not exceed the value of £189,330 (this is cumulative where there are a series of RCDAs in a period of 12 months), after considering a written report (RCDA) by the appropriate officer, that the waiver is justified because:
 - a) The nature of the market for the works to be carried out or the supplies or services to be provided has been investigated and has demonstrated that only a single source of supply is available, or
 - b. On balancing the risk and circumstances, it is clearly in the Council's interest to do so; or
 - c. The contract is for works, supplies or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen – e.g. to protect life or property when no existing contractual arrangement is in place, or if the purchase is needed to urgently comply with an order of Civil or Criminal Court; or

- d. The purchase is from a supplier where there is an existing obligation to the Council (e.g. under a warranty to contribute to the cost).
- e. Variations of contracts that do not fall within the exceptions listed in section 24.3

3.3 A detailed record of the Corporate Director's Actions are shown in Appendix 1.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 The comments of the Chief Financial Officer have been included on each individual decision. There are no further financial implications arising from this report.

5. LEGAL COMMENTS

5.1 The report sets out individual Corporate Directors' Decisions for noting by Cabinet, as required by the Constitution. Therefore, the nature of this report is to comply with the Constitution.

5.2 Internal guidelines have been published setting out the process by which Records of Corporate Directors' Decisions are completed. These specify that the proposed decision must be in accordance with the Council's Financial Regulations and its Procurement Procedures.

5.3 The specific legal implications of each of these decisions has been considered and commented upon at the time each decision was made.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Record of Corporate Director's Actions (RCDA)

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

- Nisar Visram, Director of Finance, Procurement & Audit
- Shakil Rahman, Senior Accountant
- Abdul Miah, Accountant

Appendix 1: Record of Corporate Director's Actions (RCDA)

Corporate Director	Procurement Reference	Title	Amount	Contractor's Name and Address	Date Approved by Head of Procurement	Service Contact and Post Title	Justification for Decision
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)313	Communities Driving Change	£160,000	The Young Foundation 18 Victoria Park Square London E2 9PF	16 April 2020	Abigail Knight Public Health Lead Healthy Communities Public Health	<p>The Communities Driving Change programme comprises 4 lots which together cover each locality in the Borough. The original contract term in 2017 was 3+2 years but in the context of the financial position of the Council we decided to just extend by one year at reduced value and then recommitment the whole programme at lower cost. However, the current provider in the south west locality does not intend to continue beyond the end of October 2020. This is because they are scaling right back on all their London programmes because of the serious financial impact on the organisation due to Covid-19.</p> <p>Service delivery needs to continue in the south west locality to achieve equity across all the localities. To not continue the service would deprive a quarter of the borough of continuity of service and service outcomes and the community development programme which has been co-produced with the involvement of residents. The CDC programme has successfully continued through the Covid-19 pandemic and contributed significantly to supporting the most at risk residents who benefit directly from the programme.</p> <p>There is not enough time to re-procure this project and issue a new contract by the end of October 2020. The remaining contract is for 11 months only and is therefore unattractive for new contractors. There is also an obligation to TUPE an existing employee. The remaining three providers have undergone a programme wide learning and development programmes to acquire the methods of delivery and the skills that delivery requires.</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)311	Health E1 Homeless substance misuse	£122,000	East London NHS Foundation Trust 9 Alie Street London E1 8DE	06 August 2020	Sarah Khalifeh Commissioning and Contracts Officer Drug & Alcohol Action Team – Community Safety	<p>The Drug and Alcohol Action Team (DAAT) is requesting a 12 months contract extension of the Reset Homeless Drug & Alcohol Service (Contract ref SSADRS.29 / CLC(R) 62)</p> <p>The DAAT currently commissions a specialist primary care drug and alcohol service – Reset Homeless Drug & Alcohol Service – which operates from Health E1 Homeless Medical Practice. The service caters for individuals with identified substance misuse needs, who are street-homeless or are in unstable accommodation. Reset Homeless Drug & Alcohol Service (RH) sat outside the wider Reset Drug & Alcohol Services re-procurement in 2014 and remained separate to the adult Reset drug and alcohol services re-procurement exercise in 2019.</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(PH)(R)316	COVID19 Contact Tracing Services	£138,443	Tower Hamlets GP Care Group CIC Mile End Hospital Bancroft Road London E1 4DG	08 December 2020	Polly Ashmore Specialist Registrar Public Health	<p>This Record of Corporate Directors Action application is based on two key issues:</p> <p>1. Timeliness. There is a need to commission a local contact tracing service at speed in order to reduce the transmission of Covid-19 in LBTH. This is in line with PHE's request to all London Boroughs to roll out local contact tracing during Autumn 2020. At present, the service is provided under an RFQ contract which is due to end on December 21st. We are therefore under significant time pressure to ensure that this service, requested by central government as part of the pandemic response, remains in place in order to control the spread of Covid-19 during these critical months before a vaccine is widely available. If we do not have a replacement service in place by 22nd December, there will be a gap in local provision of local contact tracing, which is a crucial part of our pandemic response.</p> <p>2. Appropriate provider. We have reviewed options for local contact tracing service provision and made the decision to deliver this programme through primary care. At present, the GP Care Group is providing the LBTH local contact tracing service. An interim report of performance in month 1 shows rates of successful contact tracing completion in line with expectations, and insights gathered from contact tracers have shown the value of using primary care to deliver this service due to: 1) its ability to rapidly escalate clinical or safeguarding concerns using existing systems and protocols; 2) its ability to work across existing networks of staff in all localities across the borough; 3) the capacity to link to existing GP data systems that support validation of contact details to support multiple routes to reaching cases.</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)318	Health E1 Reset Homeless DAAT provision	£122,000	East London NHS Foundation Trust ELFT, Robert Dolan House 9 Alie Street	14 December 2020	Keith Daley Service Manager - Substance Misuse Drug & Alcohol Action Team – Community Safety	<p>The Drug and Alcohol Action Team (DAAT) currently commissions a specialist primary care drug and alcohol service – Reset Homeless Drug & Alcohol Service – which operates from Health E1 Homeless Medical Practice. The service caters for individuals with identified substance misuse needs, who are street-homeless or are in unstable accommodation. Reset Homeless Drug & Alcohol Service (RH) sat outside the wider Reset Drug & Alcohol Services re-procurement in 2014 and remained separate to the adult Reset drug and alcohol services re-procurement exercise in 2019.</p> <p>The existing contract was awarded to East London NHS Foundation Trust (ELFT) on 1st January 2017 and will expire on 31st December 2020. This was a direct award to East London NHS Foundation Trust (ELFT), being the Clinical Commissioning Groups commissioned provider of Health E1 Homeless Medical Practice.</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)317	Prostitution Support Programme Extension (HAC5221)	£102,000	Beyond the Streets PO BOX 1676 Southampton SO15 9DA	01 April 2021	Abdul Azad DAIT Co-ordinator Drug Interventions	<p>The Tower Hamlets Prostitution Support Programme is externally funded by MOPAC. The project is funded via London Crime Prevention Funds (LCPF), allocated via the Mayor's Office for Policing and Crime (MOPAC). Funding confirmation for the continuation of the project has been received, which indicates the same level of funding for 1 year post March 2021. Further details of funding post March 2022 for years 2 and 3 will be confirmed next year, (2021).</p> <p>Prostitution has been identified as one of the 9 strands of Violence Against Women & Girls (VAWG) in the VAWG Delivery Action Plan 2019-2024 and in the VAWG strategy in 2019/24 and continues to be a priority area for the Mayor, with objectives related to this in the Tower Hamlets Strategic plan for 2018/21 and the Tower Hamlets Plan 2018-23. The Tower Hamlets substance Misuse Strategy 2020-2025 also places huge emphasis on the need to tackle domestic violence, prostitution and ASB by providing support services such as drug and alcohol treatment, mental health and sexual health clinics.</p> <p>The Tower Hamlets Prostitution Support Programme, (PSP). Provides women involved in on street prostitution with Outreach and Case Management support with a long-term aim of supporting them out of prostitution. The project is committed to working with enforcement agencies to deal with problems relating to ASB and violence against women and girls, (VAWG).</p> <p>Beyond The Streets, (BTS), have been delivering this project in Tower Hamlets since October 2017, and their current contract expires on the 31st March 2021. BTS carry out monthly street counts on women involved in on street prostitution in the borough during their outreach sessions. Last year 2019/2020, 124 women were identified of which 77 were known and 47 were unknown.</p> <p>Although there a number of voluntary sector organisations who have experience of working with sex working women, this project requires a dedicated agency who have a track record of delivering outstanding outcomes for vulnerable women affected by prostitution. A strong partnership and working relationship is also required to be able to work with enforcement agencies such as the Police and other parts of the Criminal Justice System.</p> <p>I am requesting 12 months, (1 year), extension to this project on the same terms and conditions and with the same supplier. Funding for a further 2 years is dependant on MOPAC funding. Although funding cuts are anticipated across all MOPAC funded projects in Tower Hamlets, we will have to wait and see what the level of cuts will be when the decision is made by MOPAC. After that a decision around efficiency savings will be made based on sustainability options for this project.</p> <p>The dynamics around prostitution has changed during covid19 and the lockdown, and to understand this better and taking into account the findings from the off street-prostitution scoping report, (Appendix B). I am requesting that this project and BTS is given an extension of 1 year in line with MOPAC funding agreements and then re-procured so that the changing dynamics around prostitution, and the impacts on the women and can be analysed and taken into consideration when appointing a new service provider. Furthermore, there is likely to be TUPE implications on this contract if a new provider is appointed, this may not be attractive to potential suppliers. The implementation period for a new appointed supplier will also take some time and could consume a huge portion of the 1 year's contract.</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)320	Park Vaccination	£177,180	FACE Events Rich Mix 35-47 Bethnal Green Road London E1 6LA	09 August 2021	Somen Banerjee Director of Public Health Public Health (Covid-19)	<p>The council's Covid-19 response is enabling a rapid expansion in the local vaccination capacity to increase the number of residents who are protected from the virus. This is critical as the number of infections continues to increase exponentially.</p> <p>As part of the Tower Hamlets Together-led surge vaccination plan to deliver a major uplift in the number of vaccines administered in the borough, the council is hosting two, 5-day park-based vaccination pop ups targeted at young people. The objective is to administer 1,000 vaccines per day over the course of these events (10,000 total). Due to the scale of these events, the support an external events management is required to deliver in the urgent timescales to which the surge vaccination plan is operating e.g. completed by the end of July 2021.</p> <p>In line with section 50.1 of the council's procurement rules, an Record of Corporate Director Action is being requested on the basis that:</p> <p>b. On balancing the risk and circumstances it is clearly in the Council's interest to do so; or</p> <p>c. The contract is for works, supplies or services that are required in circumstances of extreme urgency that could not have been foreseen – e.g. to protect life or property when no existing contractual arrangement is in place or if the purchase is needed urgently to comply with an order of Civil or Criminal Court.</p>

Appendix 1: Record of Corporate Director's Actions (RCDA)

Corporate Director	Procurement Reference	Title	Amount	Contractor's Name and Address	Date Approved by Head of Procurement	Service Contact and Post Title	Justification for Decision
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)323	Enhanced Community Vaccination Programme	£189,000	Tower Hamlets GP Care Group CIC Mile End Hospital Bancroft Road London E1 4DG	11 February 2022	Warwick Tomsett Joint Director Joint Director of Integrated Commissioning Integrated Commissioning Integrated Commissioning/Public Health	<p>To mitigate the spread of the Covid-19 virus a major national effort has been underway to vaccinate adults and children over the age of 12 + against the Covid-19 viral infection. In Autumn 2021 the Government agreed an additional booster vaccination would be provided for vulnerable people and in December 2021 this was extended to all adults, plus second doses for children aged 12 +. The identification of the Omicron variant in November 2021 with its significantly increased level of transmissibility made the speedy provision of the booster vaccinations, which offer the best level of protection against Omicron, even more imperative.</p> <p>The Council has supported and aided the national vaccination effort in various ways including providing council buildings to serve as vaccination venues and assisting with a major communications effort to encourage vaccination take up and address vaccine hesitancy in the local community. Since summer 2021 the Council has also been leading the delivery of additional community clinics to supplement those provided directly through primary care and the now defunct mass vaccination centres. The Council has done this through an innovate partnership with Barts Health NHS Trust, delivering clinics in pop up community venues and through a series of park-based events.</p> <p>From late November 2021 Barts has had to scale back its support for this community vaccination programme due to capacity constraints. This has impacted on the ambitious delivery plans for a much expanded, Council-led programme of community vaccination, offering a wider range of venues to residents and targeting more vulnerable and harder to reach cohorts in our population such as rough sleepers and asylum seekers.</p> <p>After discussion at the partnership 'Vaccination & System Pressures Delivery Group' it was agreed with NHS colleagues that the Tower Hamlets GP Care Group (THGPCG) could provide clinical capacity via its 'Roving Vaccination Team' to deliver this enhanced offer, with one of the primary care networks supplying the required vaccines. It is proposed the Council utilise available 'Control Outbreak Management Fund' grant to commission THGPCG to provide:</p> <ul style="list-style-type: none"> -6 static community clinics per week, Monday to Saturday, offering 200 slots per clinic. These would be hosted in a range of community venues in the borough such as 16+ educational establishments and faith settings; -A programme of targeted outreach clinics across 15 settings for vulnerable residents and those unlikely to engage with building based services, such as rough sleepers, hostel users and asylum seekers; -Regular deployment of the vaccination 'bus' to offer small scale pop-up community clinics in target geographies with low vaccine take up (or as a platform for delivering targeted outreach clinics as above) <p>The cost of the programme is estimated at up to £1.2 million over 12 months and this allows for resilience in the arrangement should it need adapting to meet new vaccination requirements arising from an ever-changing pandemic environment. These costs will cover the staff time required to deliver the enhanced programme and will be met from 'Covid Outbreak Management Fund' and 'Protect Grant' resources that the Council has received from Central Government - none of the costs will fall onto other Council budgets. The NHS will continue to directly fund the supply of vaccine.</p> <p>Due to the extreme urgency of the position and the rapid spread of the virus there was insufficient time to procure a contract of this value through the competitive process. The GP Care Group agreed to commence delivery at financial risk, pending approval of a Direct Award for cost from the Council using the COMF.</p> <p>The Direct Award to the GP Care Group will be presented to the Mayor in Cabinet for decision until February 2022, but in the interim an RCDA is being requested to reimburse the costs incurred by GP Care Group over the months of December and January.</p> <p>This request is being made in line with section 50.1 of the Council's procurement rules that state:</p>
Denise Radley Corporate Director, Health, Adults and Community	HAC(R)324	Purchase of Vouchers	£142,250	Love2Reward, Park Retail Limited Valley Road Birkenhead Merseyside CH41 7ED	21 February 2022	Darren Ingram Service Manager Integrated Commissioning	<p>The Council recognises the invaluable role that informal and unpaid carers and volunteers play in supporting our vulnerable residents, particularly during the pandemic. Therefore, the provision of vouchers to carers via the Workforce Recruitment and Retention Fund has been identified as an appropriate use of the grant alongside other initiatives relating to the paid care workforce which the grant will be used for.</p> <p>The allocation of Workforce Recruitment and Retention Fund for adult social care is subject to Grant conditions which must be met by all Local Authorities who intend to use the funds. One of the Grant's conditions is that provided funding is used by 31 March 2022. This means that any unspent funding must be allocated by the Council in a short time period otherwise it will be lost. Therefore, the Council cannot comply with the timescales required by a procurement exercise.</p> <p>The purchase of vouchers from Love2Reward does not fall under the Public Contracts Regulations 2015 regime but under the Concession Contracts Regulations 2016. The threshold set for concession contracts is four million pounds. Therefore, the risk of challenges for waiving the procurement route are very low due to the small value of this Record of Corporate Directors Action. It is also notable that the economic benefit gained by Love2Reward from retailers is only a fraction of the value spent by the Council.</p> <p>Love2Reward vouchers can be used across multiple retailers to the carers benefit and are therefore, capable of distribution promptly, ensuring that the Grant deadline is met and funding not lost. This demonstrates that there is no intention to avoid competition and that there is an extreme urgency to ensure that the Council remains compliant with the Grant conditions.</p>
Debbie Jones Corporate Director, Children and Culture	CS(R)311	Social Workers Recruitment Campaign	£164,176	Sanctuary Care, Social Care Personnel and Tripod	16 April 2021	Sam Nair Principal Social Worker Supporting Families	<p>The purpose of this contract is to procure the services of multiple recruitment agencies to hire up to 25 permanent social workers at a cost of up to 12.5% of the annual salary per candidate (payable only if worker stays for more than 3 months at the end of their first year). The maximum value per social worker is not expected to exceed £ 6,625 and the total value of the contract shall not exceed the value of £164,176 (this is cumulative where there are a series of Record of Corporate Directors As in a period of 12 months). The reasons to justify the waiver are as follows:-</p> <ol style="list-style-type: none"> 1.The current circumstances hinders our ability to put the contract to tender and will significantly delay any recruitment activity 2.The urgency to hire permanent workers and displace agency contracts
James Thomas Corporate Director, Children and Culture	CS(R)308	Overnight Short Break	£178,333	Discovery Home The Qalb Short Break Services Ltd 31-33 Spelman Street London E1 5LQ	16 April 2021	Bola Akinfolarin Senior Commissioning Manager Integrated Commissioning	<p>Given the current situation with Covid-19, in order to give our in-house legal service the time and opportunity to provide the necessary legal support, in the form of T&C, as well as to give providers the opportunity to adjust to this new environment, and proactively respond to the tender. We are proposing that this contract be extended for a period of 4 months.</p> <p>This service will also require impute from stakeholders including children and families and this additional time will help us ensure that we get this feedback.</p> <p>The tender process is already underway for these contracts, Cabinet has already approved the AP1, and Tollgate 1 has also already been presented and approved. The process will continue during this extension and we will be in a position to tender at the end of the extension.</p>
James Thomas Corporate Director, Children and Culture	CS(R)314	Young People's Assessment & Support Service	£124,998	One Housing Care & Support 6-7 Whites Row London E1 7NF	16 April 2021	Hilary Cheyne Training & Development Coordinator Children's Integrated Commissioning Team	<p>The Children's Integrated Commissioning Team (CICT) aims to seek approval for the London Borough of Tower Hamlets to extend the Young People's Assessment and Support Service contract with end date of 31/03/2021 for a period of up to 6 months.</p> <p>The request will enable a service remodel to better meet the needs of our young people. Due to the pressure of the COVID-19 pandemic and a rise in the complexity of needs, the Young People's Assessment and Support Service was found to be underperforming. Issues were investigated during Lockdown and CICT worked with the provider and the referral agencies (TH Housing Options Support Service and Children's Services) resulting in an improvement plan. Although this has been very successful, it revealed that the service in the current format is not fit for purpose. Reasons for this include young people requiring a longer period of support than 12 weeks; as well as more movement within the Supported Housing Pathway. CICT could go out to tender for the contract expiration date, but this would not be in the Council's best interest because of the impositions it would result in due to:</p> <ol style="list-style-type: none"> 1.The Pandemic - we anticipate that this will impose limitations in how we can undertake our recommissioning activities so the extension will prevent young people at crisis point being pushed into cycles of homelessness and provide temporary relief through short-term emergency accommodation and support. 2.Timing - for the new tender, time is needed to work with referral agencies (Housing Options and Support Team and Family Support & Protection) to identify and carefully analyse the need and demand. The Lockdown has meant that move on options were paused for Housing Options and Support Team (HOST) and have only recently restarted. It will be unrealistic to complete the review and the procurement, including supplier engagement by the 31/03/2021. 3.Continuity - under the Southwark judgment 2009 and the Children Act 1989, the Local Authority is obliged to provide accommodation and support for homeless 16 and 17-year olds. <p>The Young People's Assessment and Support Service supports a minimum of 12 young people living in furnished, shared accommodation. Two of the bed spaces provide the Borough's only emergency bed/crash pad facility for young people in housing crisis. The primary focus of the service is to assess young people not in care, at risk or who are homeless between the ages of 16 to 21 years of age, whilst working with LBTH to alleviate the need to place young people in bed and breakfast accommodation. The service provides mediation for young people's safe return home where suitable or alternatively a clear pathway into independent permanent accommodation. Further to the COVID-19 pandemic, LBTH has a robust Business Continuity Plan in place with One Housing covering all aspects of the safe management of shared accommodation such as infection control measures, PPE and staffing.</p>

Appendix 1: Record of Corporate Director's Actions (RCDA)

Corporate Director	Procurement Reference	Title	Amount	Contractor's Name and Address	Date Approved by Head of Procurement	Service Contact and Post Title	Justification for Decision
James Thomas Corporate Director, Children and Culture	CS(R)315	EA & Associated Services London Dock School	£138,276	Potter Rapper Partnership 101 St Martin's Lane London WC2N 4AZ	16 April 2021	Babatunde Balogun Senior Capital Client Manager School Building and Development	In November 2016, the Council entered into a contract with PRP following a tendered process to provide EA, cost consultancy and health and safety services for London Dock Secondary School project which was estimated at £25m. PRP were required to provide these services from RIBA stage 1 to 6 for £276,700 and the project was supposed to be delivered in September 2020. However, the revised estimated delivery date of the project is now September 2023 (8 year delay). Between January 2018 and December 2019, additional fees of £138,276 were incurred under the original contract for the various reasons as outlined in the Record of Corporate Directions Action submission.
James Thomas Corporate Director, Children and Culture	CS(R)318	Speech and Language Therapy extension	£180,000	Barts Health Trust The Royal London Hospital 80 Newark Street E1 2ES	14 July 2021	Anthony Harris Commissioning Manager SEND / Commissioning	As part of a system wide review of the commissioning and delivery of therapies across Tower Hamlets, a fully integrated model, commissioned across Tower Hamlets Council, North East London Clinical Commissioning Group is being led by the Children's Integrated Therapies Steering Group. The aim of the group is to produce an children's integrated therapies model, for implementation from April 2022. The requested extension will ensure that commissioning arrangements can be aligned across the two statutory agencies, to promote a more cohesive approach to the design and delivery of services for Towe Hamlets Children Young People's. The approach has been endorsed by the Tower Hamlets Together life course workstream, the Children and Families Executive (previously Born Well, Grow Well) as well as the SEND Improvement Board. The proposed model will ensure the best use of public funds whilst providing a robust framework to meet the needs of children and young people.
Ann Sutcliffe Corporate Director, Place	P(R)91	Food and Household Supplies for Food Banks.	£189,000	His Church Market Rasen Lincolnshire LN8 6HF	24 February 2021	Ellie Kershaw Tackling Poverty Programme Manager Tackling Poverty Team	The Tackling Poverty team has been leading on the response to the adverse impacts of Covid19 including supporting over 37 food providers including schools. In partnership with key local stakeholders the Tackling Poverty Team set up a Voluntary and Community Food Distribution Hub. The Hub was initially located at the Poplar Campus of New City College and then moved to Granby Hall Community Centre in mid-August last year. The team sources donated food from Fair share, Felix Project and City Harvest as well as corporates, and this food is distributed via the Hub to participating food providers on Wednesdays, Thursdays, and Fridays. Recently, we secured donated food and household supplies from His Church Charity (HCC). The donation is supplied: a) As Humanitarian Aid b) As a gift from Jesus Christ c) Not for commercial use or for sale d) For non-sectarian distribution and e) For distribution prior to the expiry of any Use by Date as specified by the manufacturer. The retail value of each pallet of food or household supplies is £1,500, which is waived, and we do not need to pay this cost. However, the donations are subject to £425 payment per pallet towards transport and administration, and this is paid to His Church. The Tackling Poverty Team is requesting approval to secure the above service via an RCDA, as there are no other suppliers offering a similar deal. Purchasing this food at zero cost (save for administration and distribution costs as explained) will enable food providers to increase their capacity and distribute larger volumes of food to meet currently unmet needs for food support. This represents good value for money and there are no other suppliers offering a similar deal. Effectively, we receive over 3x as much food as we would do making a straightforward food purchase.
Ann Sutcliffe Corporate Director, Place	P(R)319	Rough Sleeping Protect and Cold Weather Service	£120,160	St Mungo's 3 Thomas More Square 15 Thomas More Street E1W 1YW	16 April 2021	Kath Dane Housing Options	On 1 December 2020, the Ministry of Housing, Communities and Local Government (MHCLG) awarded the council 'Protect Programme' funding for additional services to rough sleepers. The aim of the Protect Programme is to provide accommodation and support to medically vulnerable/ extremely medically vulnerable and Covid symptomatic /Covid + rough sleepers through this winter. The funding will assist the council in reducing rough sleeping whilst at the same time protect clients from contracting and transmitted Covid-19. The funding is ring fenced for identified rough sleeping services and interventions. The award was based on the requirement that these new services would be delivered by named providers. The MHCLG have requested that the services commence 'straight away' (i.e. December 2020). The Protect Programme award is £197,096. This Record of Corporate Directors Action refers to the salary costs of two floating support workers £58,800, and the management and allocation of a client personalisation fund £11,360 from the Protect Programme award. The MHCLG has awarded the council up to £50,000 under MHCLG Cold Weather Funding 2020/21. The aim of the Cold Weather Fund is to provide emergency supported accommodation for rough sleepers through periods of extreme winter weather and in circumstances where rough sleepers are unable to access generic B&B accommodation or hostel assessment beds. In a co-production exercise with the MHCLG, it has been agreed that St Mungo's are best placed to secure suitable accommodation, provide on-site and dovetail this provision with the street outreach service who support rough sleepers to exit the street. Therefore, this RCDA includes the £50,000 from the Cold Weather fund award. The Cold Weather Fund is to be claimed by the end of March 2021 following verification by the council's Section 151 finance officer.
Ann Sutcliffe Corporate Director, Place	P(R)88	Ford Square and Cavell Street Gardens	£108,835	Levitt Bernstein Associates London Thane Studio 2-4 Thane Villas London N7 7PA	16 April 2021	Edward Riley Property Maintenance Manager Parks	This Record of Corporate Director Action seeks approval for waiving financial regulations for the payment of additional fees to Levitt Bernstein Associates (LBA) for supplementary works and services regarding Ford Square & Cavell Street Gardens Improvements. LBA successfully tendered to be the Principle Designers and Contract Administrator to implement the Ford Square & Cavell Street Gardens Improvements. As the project has evolved other services have been required. These have included structural engineer input and other trees specialist for supporting reports when submitting the planning application. The LBA original order was placed against Purchase Order 8111031 to prepare, plan and provide design services for Ford Square and Cavell Street Gardens in the sum of £54,456.61. However due to several design changes and revisions to the scheme, the fees have increased to £108,835.00 - an increase of £54,379 and these are summarised below in the supplementary duties requested of LBA. Additional surveys and expenses for architectural time on RIBA stages 2,3,4 & 5. Programme prolongation of 52 weeks covering RIBA stages as mentioned above. Additional design options, meetings, and presentations of proposals, it should be noted that the original programme was 19 weeks and the current program is now 104 weeks. Statutory consultations, co-ordination and approvals. Separation and splitting up of the planning applications at RIBA stage 4. Consultation with members of the public including preparation of documents and display materials for nearby schools' events, public display, and attendance at additional public events. Providing information to support community engagement (events at Ford Square Gardens, noticeboards etc.) Responding to planning queries at RIBA Stage 3 design. Design team meetings on site with Transport for London (TfL). Assisting in preparing additional drawings and carrying out site inspection for measured survey onsite for a report on encroachment/boundary breach by neighboring owners. Beyond the original scope of work, LBA were requested to assist appointed Civil Engineers to oversee investigation work in Cavell Street Gardens regarding the position of the boundary wall and foundation over the TfL underground train tunnel, and ensuring that TfL were satisfied with the proposed fencing details and RAMS for the tree removal. We also requested that LBA oversee the soil test and trial pits to ascertain if the land is contaminated and requires removal.

Appendix 1: Record of Corporate Director's Actions (RCDA)

Corporate Director	Procurement Reference	Title	Amount	Contractor's Name and Address	Date Approved by Head of Procurement	Service Contact and Post Title	Justification for Decision
Ann Sutcliffe Corporate Director, Place	P(R)322	Blackwall Goods Yard Advertising Boards	£110,734	Wildtone Outdoor Limited Quadrant House Floor 6 4 Thomas More Square London E1W 1YW	10 September 2021	Dulu Miah Development & Improvement Coordinator Highways & Traffic Management	<p>Due to changes in structure within PLACE, from Clean & Green to Public Realm, some officers are leaving the service without a handover. This has led to some advertising contracts having expired without service knowledge.</p> <p>The Blackwall Goods Yard contract expired in 2017 and has been a rolling contract ever since 2017. The service has become aware of the expired contract and moving forward the service will need to ensure they have a contract in place. This RCDA is to allow the waiver of "normal procurement procedures" so that the Council can continue receiving revenue from the current provider until the service is ready to go to full tender. This proposed interim arrangement will be for two years.</p> <p>Risk.</p> <p>Each contractor is responsible for each of their advertising structure. If This RCDA is not approved the contractor will have to remove their advertising structure which will take several months to complete. Other factors include.</p> <p>Estimation of this process of removing current structure and installing new structure could possibly take up to one year</p> <p>The Council will lose £55,367 ex VAT of revenue</p> <p>The Council will have to go out to full tender and award the contract</p> <p>The awarded new contractor will then have to apply for planning permission</p> <p>Furthermore, Covid has impacted the advertising industry negatively. The service has received a lot of correspondence from its suppliers for payment holidays/payment breaks and contract renegotiations.</p> <p>This new two-year contract will allow the Council to generate revenue whilst the advertising industry recovers from the Covid impact.</p> <p>Service Plans</p> <p>The service wants to allow for Wildstone Advertising to continue using this site for the maximum duration of two years. During this period, the service will go out to tender and allow for a potential new supplier to submit for planning. During the second half of 2018, IT held a competitive process to find the best supplier to migrate the council's email archives from on-premises to Microsoft365 as part of the Smarter Working IT programme. Four suppliers competed and CPS were contracted, subsequently delivering the migrations over the next 18 months. The migration work has now been completed successfully.</p> <p>Unfortunately, the Agency Programme Manager at the time did not follow finance procedures and the contract was procured without going through any formal processes. The contract did not get included on the council's contract register. At the time, it was agreed by the Corporate Director of Resources and the Divisional Director of Finance that a PO could be raised - but that IT should never again put the council at risk through non-adherence to formal procurement rules. A total of £111,365.00 has now been invoiced and paid to CPS. The PO has now been closed - however, there is one final payment outstanding.</p> <p>The terms of the engagement set out milestone payments, of which two have been settled. The one outstanding payment relates to a change control to the original engagement - this change control was submitted to cover delays to the migration works; these delays were incurred during the early stages of the Covid pandemic, caused by the unavailability of key technical resources in Agilisys which led to delays in the deliverables that Agilisys were responsible for.</p> <p>The outstanding payment is for £10,020.00 and after this payment the account will be settled in full and no further invoicing will occur. Note that payment of this invoice is overdue.</p> <p>The council has an existing contract with Allpay Ltd, which expires at the end of a two-year extension on 30 November 2020. This is a framework contract created by the South East Consortium and cannot be extended any further.</p> <p>A review of this contract was included in activities planned for Phase 2 of the Income Collection project, which was initiated following MTFs business case ALL 003 / 17-18 Debt Management & Income Optimisation. The planned scope was:</p> <p>Review of the Allpay contract (due to expire in November 2020) and undertake a new procurement exercise for all card and cash transactions.</p> <p>Review of all transactional costs (to include Capita and Allpay) - across all income schemes/payment channels (e.g. direct/credit cards, online, post office, PayPoint, barcoded invoices, payment cards).</p> <p>This was to be achieved by a three-month engagement of external resource to identify trends in the channels and methods used by residents to make payments to LBTH in order to achieve the best value in transaction costs from the payment services provider(s). The work was scheduled to begin in April 2020 and report in July, to enable a new procurement exercise to replace the Allpay contract by the end of November.</p> <p>Phase 2 of the Income Collection project also includes:</p> <p>A wider restructure of the Recovery Team within Revenues Service, which includes centralising the income collection services transferred across to Revenues Services in Phase 1.</p> <p>Business process redesign of income collection functions for Housing Benefits Overpayments, Parking, and Sundry Debt. The service redesigns will seek to optimise business processes and improve income collection performance.</p> <p>Completion of the transfer of Housing Options and process redesign (which was put on hold in Phase 1)</p> <p>A report on the understanding of the benefits of having a single view of the debtor and the benefits to both customer and the council in the collection and enforcement process .</p>
Kevin Bartle Corporate Director, Resources	R(R)36	Enterprise Valut Migration	£121,385	Corporate Project Solutions Jubilee House Third Avenue Malow SL7 1EY	24 March 2021	Gareth Bedford Head of ICT Portfolio ICT	<p>The council has an existing contract with Allpay Ltd, which expires at the end of a two-year extension on 30 November 2020. This is a framework contract created by the South East Consortium and cannot be extended any further.</p> <p>A review of this contract was included in activities planned for Phase 2 of the Income Collection project, which was initiated following MTFs business case ALL 003 / 17-18 Debt Management & Income Optimisation. The planned scope was:</p> <p>Review of the Allpay contract (due to expire in November 2020) and undertake a new procurement exercise for all card and cash transactions.</p> <p>Review of all transactional costs (to include Capita and Allpay) - across all income schemes/payment channels (e.g. direct/credit cards, online, post office, PayPoint, barcoded invoices, payment cards).</p> <p>This was to be achieved by a three-month engagement of external resource to identify trends in the channels and methods used by residents to make payments to LBTH in order to achieve the best value in transaction costs from the payment services provider(s). The work was scheduled to begin in April 2020 and report in July, to enable a new procurement exercise to replace the Allpay contract by the end of November.</p> <p>Phase 2 of the Income Collection project also includes:</p> <p>A wider restructure of the Recovery Team within Revenues Service, which includes centralising the income collection services transferred across to Revenues Services in Phase 1.</p> <p>Business process redesign of income collection functions for Housing Benefits Overpayments, Parking, and Sundry Debt. The service redesigns will seek to optimise business processes and improve income collection performance.</p> <p>Completion of the transfer of Housing Options and process redesign (which was put on hold in Phase 1)</p> <p>A report on the understanding of the benefits of having a single view of the debtor and the benefits to both customer and the council in the collection and enforcement process .</p>
Kevin Bartle Corporate Director, Resources	R(R)38	ALLPAY	£170,000	Allpay Ltd Whitestone Business Park Whitestone Hereford HR1 3SE	16 April 2021	Michael Alderson Revenue Services	<p>The IT Servicenovated the remaining data centre and connectivity services provided by Colt Technology Services from Agilisysin April 2021.From novation,the IT Service has further terminated Colt services, which included the Welwyn Garden Citydata centre and connectivity circuit lines.Currently, the Council is left with the essential services, which are required until the move to the new Town Hall.The current connectivity is between the Colt Powergate site and the large Council buildings, such as Mulberry Place.This service is continued to be required to ensure a stable transition from Agilisys and the IT infrastructure work required for the new Town Hall move.It is anticipated that the Council will vacate the Mulberry Place site by March 2023. It would not be futile to put out a new link to market as there are significant costs in moving from one provider (procurement, project management, technical, install, de-install) to another and contracts of this nature need to be longer than 18 months term</p> <p>There is also a data rack left at Powergate. It is anticipated that all the data will be moved off this within 18 months in increments. Again going to market on this would not be worthwhile given the short duration and resources required. The above costs includesome contingency for delays and over run.</p>
Kevin Bartle Corporate Director, Resources	R(R)40	Colt Connectivity Service	£104,000	Colt Technology Services Colt House 20 Great Eastern Street London EC2A 3EH	18 November 2021	Khaled Hussein Strategic IT vendor manager IT	<p>The IT Servicenovated the remaining data centre and connectivity services provided by Colt Technology Services from Agilisysin April 2021.From novation,the IT Service has further terminated Colt services, which included the Welwyn Garden Citydata centre and connectivity circuit lines.Currently, the Council is left with the essential services, which are required until the move to the new Town Hall.The current connectivity is between the Colt Powergate site and the large Council buildings, such as Mulberry Place.This service is continued to be required to ensure a stable transition from Agilisys and the IT infrastructure work required for the new Town Hall move.It is anticipated that the Council will vacate the Mulberry Place site by March 2023. It would not be futile to put out a new link to market as there are significant costs in moving from one provider (procurement, project management, technical, install, de-install) to another and contracts of this nature need to be longer than 18 months term</p> <p>There is also a data rack left at Powergate. It is anticipated that all the data will be moved off this within 18 months in increments. Again going to market on this would not be worthwhile given the short duration and resources required. The above costs includesome contingency for delays and over run.</p>

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Corporate Director	Procurement Reference	Title	Amount	Contractor's Name and Address	Date Approved by Head of Procurement	Service Contact and Post Title	Justification for Decision
Kevin Bartle Corporate Director, Resources	R(R)41	Internal Audit Services	£152,000	BDO 55 Baker St London W1U 7EU	14 February 2022	Paul Rock Head of Internal Audit, Anti-Fraud and Risk Finance Procurement & Audit	<p>In accordance with the Accounts and Audit Regulations 2015 the Council is required to have effective internal audit arrangements designed to evaluate its risk management, control and governance processes, taking into account public sector internal auditing standards; this includes schools. At present, the internal audit service is provided through a co-sourcing arrangement with around 200 days of the planned internal audit activity undertaken by an external provider sourced through competitive procurement, presently BDO.</p> <p>Early in the 2021/22 financial year a one-year contract for internal audit services was offered via the Council's procurement portal. The contract was awarded to BDO who submitted the lowest price and met the quality criteria. One year was tendered with the intention of tendering a 3 to 5 year contract once the EPSO framework had been let, the framework was delayed an unusable at the time we need support.</p> <p>The specification of the contract was based on us successfully recruiting two internal auditors and an audit apprentice over the summer of 2021 who would be tasked with undertaking general audit and a number of school audits. Unfortunately, the recruitment was delayed and the market for suitably qualified/experienced auditors is poor, an issue which is recognised in the internal audit profession and across London Boroughs.</p> <p>As of January 2022 the two staff we were able to recruit have yet to start their employment and won't do so until February/March 2022, one vacancy remains, one of the Senior Internal Auditors has resigned with their last working day being the 3 February 2022 and the Head of Internal Audit has also resigned, the last working day will be the 25th March.</p> <p>To deliver the plan, including a sample of schools, and meet the statutory obligations the Council needs to source internal audit resources, including a Head of Internal Audit as a matter of urgency.</p> <p>Whilst the Council recognises that when spending public money we must ensure best value and pursue competitive procurement, the timing of these events means that we must act quickly and there is insufficient time to competitively procure.</p> <p>The Council has approached its current external provider (BDO) and confirmed they are available to provide internal audits for 15 schools and fill the role of Head of Internal Audit, Anti-Fraud and Risk on an interim basis for 6 months at a total cost of £152,000.</p> <p>Appointing BDO directly is essential for ensuring the Council can meet its statutory duty for an effective internal audit service. On balancing the risk and circumstances, it is clearly in the Council's best interests to appoint BDO for this activity. The costs will be funded from vacancies that have been carried through the year.</p> <p>The process to recruit a permanent Head of Internal Audit has begun and the future contract for external support to deliver internal audit activity will be competitively tendered.</p>

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