

MAYOR'S EXECUTIVE DECISION MAKING

Tuesday, 1 December 2020

Mayor's Decision Log No. 197

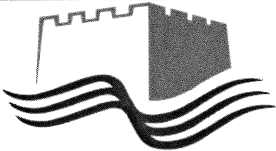
1. **CHRISTMAS PROVISION FOR FREE SCHOOL MEALS ELIGIBLE
CHILDREN (Pages 3 - 12)**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Matthew Mannion, Committee Manager, Democratic Services

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Agenda Item 1

Individual Mayoral Decision Proforma Decision Log No: 197	 TOWER HAMLETS
Report of: Ann Sutcliffe, Director for Place	Classification: Unrestricted
Christmas provision for free school meals eligible children	

Is this a Key Decision?	Yes
Decision Notice Publication Date:	25 November 2020
General Exception or Urgency Notice published?	Special urgency notice published 25 November 2020
Reason for seeking an Individual Mayoral Decision:	The council received notification of funding mid November. The project has to be ready to be delivered by 14 December, including liaison with partners, purchase of items and delivery. This leaves insufficient time to pursue the usual decision channels.

EXECUTIVE SUMMARY

The government has provided funding in the form of the covid winter fund which is intended to help households in hardship between December and March.

Members would like to use part of this funding to provide support to children in receipt of free school meals across the Christmas and February half term holidays.

In order to do so, we will need to purchase vouchers from a range of supermarkets to be distributed via the schools.

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; statutory and risk implications; Background Documents; **and other relevant matters are set out in the attached report.**

DECISION

Recommendations:

The Mayor is recommended to:

1. Agree that vouchers should be utilised to support eligible families of free school meals and other families with school aged children assessed as being in need over Christmas
2. Authorise the purchase of sufficient vouchers from a range of supermarkets that ensure borough coverage
3. Delegate authority to the Corporate Director Children and Culture to make decisions about how any government funds allocated for the purposes of supporting families during the school holidays are spent over the next 12 months.
4. Delegate authority to the Corporate Director Children and Culture and the Corporate Director Place to execute any agreements necessary to give effect to recommendations 1 and 2.

APPROVALS

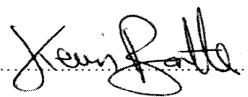
1. Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Mayor. I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.

Signed  Date 25 November 2020

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 25 November 2020

3. Monitoring Officer or his/her deputy

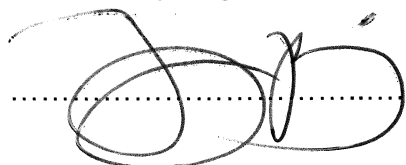
I have been consulted on the content of the attached report which includes my comments.


I confirm that this decision is urgent and subject to the 'Special Urgency' provision of the Access to Information Procedure Rules.


Signed Date 25/11/2020

4. Mayor

I agree the decision proposed in the recommendations above for the reasons set out in paragraph 3 in the attached report.

Signed  Date 30/11/20

Individual Mayoral Decision 30 November 2020	 TOWER HAMLETS
Report of: Ann Sutcliffe, Director for Place	Classification: Unrestricted
Christmas provision for free school meals eligible children	

Lead Member	Councillor Bustin, Cabinet Member for Planning and Social Inclusion (job share)
Originating Officer(s)	Ellie Kershaw, Tackling Poverty Programme Manager
Wards affected	All wards
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	25 November – Special Urgency Notice
Strategic Plan Priority / Outcome	1. People are aspirational, independent and have equal access to opportunities; 2. A borough that our residents are proud of and love to live in;

Executive Summary

The government has provided funding in the form of the covid winter fund which is intended to help households in hardship between December and March.

Members would like to use part of this funding to provide support to children in receipt of free school meals across the Christmas and February half term holidays.

In order to do so, we will need to purchase vouchers from a range of supermarkets to be distributed via the schools.

Recommendations:

The Mayor is recommended to:

1. Agree that vouchers should be utilised to support eligible families of free school meals and other families with school aged children assessed as being in need over Christmas
2. Authorise the purchase of sufficient vouchers from a range of supermarkets that ensure borough coverage
3. Delegate to the Corporate Director Children's Services the power to make decisions about how any government funds allocated for the purposes of supporting families during the school holidays are spent over the next 12 months.
4. Delegate to the Corporate Director Place and Children's Services the power to authorise the execution of any agreements necessary to give effect to recommendations 1 and 2.

1 REASONS FOR THE DECISIONS

- 1.1 The council has received a grant from the Covid Winter fund which is aimed at assisting households through the pandemic. One of the ways we wish to support households is through a form of assistance with food over the period of the Christmas holidays.
- 1.2 Various options have been discussed and vouchers were agreed as the best option for this period, both because there is very little time to deliver a food distribution project and because the council is closed the second week of the school holidays making food distribution extremely difficult.
- 1.3 The council does not have any appropriate contracts set up to purchase vouchers and therefore authorisation is required for officers to be able to do so.

2 ALTERNATIVE OPTIONS

- 2.1 The council could choose not to offer any support over the holidays. As we know that many families are suffering from the economic impacts of the pandemic, there is a risk that doing nothing would lead to children not eating through the holiday period. It is also likely that families would approach for support from the Resident Support Scheme instead having a financial impact on this scheme. For these reasons, this option is not recommended.
- 2.2 The council could provide food to households instead of vouchers. Whilst this has the advantage of ensuring families receive healthy food, the logistics involved in distribution for both the council and the schools mean that this is not a viable option for this holiday.
- 2.3 The council could determine whether a supermarket could deliver food boxes to households. This would raise potential issues of data sharing as well as being admin heavy for the council and schools. For these reasons, this option

is not recommended.

3 DETAILS OF THE REPORT

- 3.1 The council has received notification of a £1.2 million allocation from the Covid Winter Grant. This grant is intended to help households, predominantly those with children, who are suffering hardship which is exacerbated by the pandemic. The funding is to be used between December and March.
- 3.2 Various options have been discussed between Cllrs Bustin and Hassell and a range of officers to determine the best way to support families. Taking into account the proximity to Christmas (and the council closure over the second week of the holidays), it was agreed that for this holiday vouchers would be the most appropriate option.
- 3.3 The last official count we received from DfE showed 15,089 children eligible for free school meals. However, this was in the Spring and is therefore likely to have increased due to the economic impacts of the pandemic. For the purposes of budgeting we have assumed 17,000 children and will be working with schools to confirm the exact number.
- 3.4 Public Health undertook some work to ascertain the cost of a week of healthy lunches. This shows us that it would be reasonable for a voucher of around £25 to be provided to households for each eligible child. This would cost approximately £425,000.
- 3.5 The next stage would be to liaise with schools to determine how many vouchers they require and for which store. We plan to ask schools if they have any other pupils who they believe will be at risk of hunger over the holidays, and if funding allows, to provide vouchers for those children. The reason for this is that families who have newly entered the benefits system may not yet have been processed as being entitled to free school meals despite meeting the eligibility criteria.
- 3.6 Vouchers would then be taken to schools to distribute to the correct families.
- 3.7 This is one of a series of grants that government has allocated throughout the pandemic. If authority was given to the directors for Place and Children's Services for any funding over the next 12 months that is allocated for the purpose of assisting families during school holidays, this would enable the council to move more swiftly in enacting a response.

4 EQUALITIES IMPLICATIONS

- 4.1 The suggestion is that vouchers are distributed to families in need who would be identified mainly through their eligibility for a government scheme. The council has alternative schemes that households without children can apply to for equivalent support.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 Best value: Of the potential options for delivering a project to children over the holidays, this is the least staff intensive. There is a minimal cost difference between the purchase of vouchers and the purchase of appropriate food. This is therefore felt to be the option that provides best value.

- 5.2 Risk management: There is a risk that some households could misuse vouchers, using them to purchase items other than food. However, there is little evidence that this happens and we believe that the risk of children going hungry is the higher risk.
- 5.3 Safeguarding: Provision of vouchers will help to ensure that children are fed and that household stress is not exacerbated over the Christmas period.
- 5.4 Data protection: Data is held by the schools and vouchers would be handed out by them. Therefore, this option has no data protection issues.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 The Department for Work and Pensions is providing additional funding to Local Authorities of £170m in the form of a COVID Winter Grant scheme to support children, families and the most vulnerable over winter. LBTH has been allocated £1.2m of funding for a holiday activities and food programme covering Christmas 2020 and Easter, Summer and Christmas in 2021. The grant will be paid to the Council in early December 2020, ahead of the Christmas break.
- 6.2 The funding will be ring-fenced, with at least 80% earmarked to support with food and bills
- 6.3 It is estimated that there are 17,000 children eligible for free school meals in the Borough and a support package costing £25 per child will be needed to provide food over the Christmas holiday period. This represents a cost of £425k and will be covered by the grant. Due to the proximity to the school holiday, it is recommended that this support takes the form of food vouchers rather than food parcels.
- 6.4 Unless further funding is made available, there will be £775k of remaining grant monies available to cover the main school holidays in 2021 or an average amount of £258k for each holiday programme. This is significantly less than the amount being spent on the food voucher scheme and as a result careful consideration will need to be given to future service provision. Any additional spend over the grant funding will represent a cost pressure to the general fund for which budgetary provision will need to be identified.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal duty to promote and safeguard the welfare of children in need in their area. Section 17 of the Children Act 1989 imposes a duty on the Council to provide a range level of services appropriate to those children in need.
- 7.2 This report seeks approval to purchase food vouchers from selected stores, indicated by the schools, to provide support to vulnerable households and families with children particularly affected by the pandemic during the school holidays. The vouchers purchase will be funded via the COVID Winter Grant

Scheme made available by the Department of Work and Pensions (DWP). The Grant Scheme is ring fenced to support the cost of food, energy and water bills and other associated costs.

- 7.3 Under the Public Contracts Regulations 2015 the vouchers purchase from selected stores constitute and award without competition
- 7.4 However, Regulation 32 of the Public Contracts Regulations 2015 allows contracting authorities to award public contracts without advertising where the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with due to extreme urgency brought about by events unforeseeable by the contracting authority.
- 7.5 The Grant Scheme Letter, issued on 10 November 2020 by the DWP, provides that Local Authorities must be ready to deliver the scheme by early December 2020 and are asked to take immediate actions to administer the Grant. This means that the Council does not have sufficient time to carry out a procurement exercise compliant with the requirements and timescales set out in the regulations, as actions need to be taken as a matter of urgency. Furthermore, the Council could have not predicted the issuing of the Grant by the DWP in any meaningful way.
- 7.6 Therefore, the Council is compliant with the requirements of regulation 32.
- 7.7 Failure to deliver the scheme within the set timeline imposed by DWP will put vulnerable people at risk and put the Council in breach of its statutory duty and the conditions of the Grant.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

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

- None

Officer contact details for documents:

N/A

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