

Cabinet



Wednesday, 22 February 2023 at 5.30 p.m.

Council Chamber - Town Hall, Whitechapel

Agenda

Mayor Lutfur Rahman

Cabinet Members

| | |
|-----------------------------------|---|
| Councillor Maium Talukdar | (Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor)) |
| Councillor Kabir Ahmed | (Cabinet Member for Regeneration, Inclusive Development and Housebuilding) |
| Councillor Ohid Ahmed | (Cabinet Member for Safer Communities) |
| Councillor Saied Ahmed | (Cabinet Member for Resources and the Cost of Living) |
| Councillor Suluk Ahmed | (Cabinet Member for Equalities and Social Inclusion) |
| Councillor Gulam Kibria Choudhury | (Cabinet Member for Health, Wellbeing and Social Care) |
| Councillor Abu Chowdhury | (Cabinet Member for Jobs, Skills and Growth) |
| Councillor Iqbal Hossain | (Cabinet Member for Culture and Recreation) |
| Councillor Kabir Hussain | (Cabinet Member for Environment and the Climate Emergency) |

[The quorum for Cabinet is 3 Members]

Further Information

Reports for consideration, meeting contact details, public participation and more information on Cabinet decision-making is available on the following pages.



Public Information

Viewing or Participating in Cabinet Meetings

The public are welcome to attend meetings of the Cabinet. Procedures relating to Public Engagement are set out in the 'Guide to Cabinet' attached to this agenda. Except where any exempt/restricted documents are being discussed, the public are welcome to view this meeting through the Council's webcast system.

Physical Attendance at the Town Hall is also welcome, however, seating is limited and offered on a first come, first served basis. **Please note** that you may be filmed in the background as part of the Council's filming of the meeting.

Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

Contact for further enquiries:

Joel West, Democratic Services,
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Web: <http://www.towerhamlets.gov.uk>

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A Guide to CABINET

Decision Making at Tower Hamlets

As Tower Hamlets operates the Directly Elected Mayor system, **Mayor Lutfur Rahman** holds Executive powers and takes decisions at Cabinet or through Individual Mayoral Decisions. The Mayor has appointed nine Councillors to advise and support him and they, with him, form the Cabinet. Their details are set out on the front of the agenda.

Which decisions are taken by Cabinet?

Executive decisions are all decisions that aren't specifically reserved for other bodies (such as Development or Licensing Committees). In particular, Executive Key Decisions are taken by the Mayor either at Cabinet or as Individual Mayoral Decisions.

The constitution describes Key Decisions as an executive decision which is likely

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, above £1million; or
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

Upcoming Key Decisions are published on the website on the 'Forthcoming Decisions' page through www.towerhamlets.gov.uk/committee

Published Decisions and Call-Ins

Once the meeting decisions have been published, any 5 Councillors may submit a Call-In to the Service Head, Democratic Services requesting that a decision be reviewed. This halts the decision until it has been reconsidered.

- The decisions will be published on: **Friday, 24 February 2023**
- The deadline for call-ins is: **Friday, 3 March 2023**

Any Call-Ins will be considered at the next meeting of the Overview and Scrutiny Committee. The Committee can reject the call-in or they can agree it and refer the decision back to the Mayor, with their recommendations, for his final consideration.

Public Engagement at Cabinet

The main focus of Cabinet is as a decision-making body. However there is an opportunity for the public to contribute through making submissions that specifically relate to the reports set out on the agenda.

Members of the public may make written submissions in any form (for example; Petitions, letters, written questions) to the Clerk to Cabinet (details on the previous page) by 5 pm the day before the meeting.

Cabinet

Wednesday, 22 February 2023

5.30 p.m.

Pages

PUBLIC QUESTION AND ANSWER SESSION

There will be an opportunity (up to 15 minutes) for members of the public to put questions to the Mayor and Cabinet Members before the Cabinet commences its consideration of the substantive business set out in the agenda.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

9 - 10

Members are reminded to consider the categories of interest, identified in the Code of Conduct for Members to determine; whether they have an interest in any agenda item and any action they should take. For further details, see the attached note from the Monitoring Officer.

Members are also reminded to declare the nature of the interest at the earliest opportunity and the agenda item it relates to. Please note that ultimately it is the Members' responsibility to identify any interests and also update their register of interests form as required by the Code.

If in doubt as to the nature of an interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services.

3. UNRESTRICTED MINUTES

11 - 20

The unrestricted minutes of the Cabinet meeting held on 25 January 2023 are presented for approval.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR



5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to unrestricted business to be considered.

5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

(Under provisions of Section 30, Rule 59 of the Constitution).

6. UNRESTRICTED REPORTS FOR CONSIDERATION

| | | |
|------------|--|----------------|
| 6.1 | Homecare for Adults- recommissioning of services | 21 - 36 |
| | <p>Report Summary: Report responding to the requests for change to the homecare commissioning arrangements in 2022 with preferred revised arrangements, seeking permission to restart the recommissioning and tender process leading to the award of new homecare contracts for adults in 2023.</p> <p>Wards: All Wards Lead Member: Cabinet Member for Health, Wellbeing and Social Care Corporate Priority: Boost culture, business, jobs and leisure</p> | |
| 6.2 | Annual Schools Report 2021-2022 | 37 - 60 |
| | <p>Report Summary: A summary analysis of the 2022 results compared to the pre-pandemic performance in 2019 is provided including for Children in Our Care (CIOC). The report highlights successes, challenges and barriers to further progress. The report also highlights THEP support and interventions in primary and secondary schools to raise achievement through system leadership.</p> <p>Wards: All Wards Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: A council that works for you and listens to you</p> | |



| | | |
|--|--|-----------------|
| 6 .3 | Future of Housing Management Services – Strategic Review and Consultation | 61 - 114 |
| <p>Report Summary: The report sets out the outcomes of consultation with residents and council’s strategic review on the future of housing management services in the London Borough of Tower Hamlets, including Tower Hamlets Homes.</p> | | |
| <p>Wards: All Wards</p> | | |
| <p>Lead Member: Cabinet Member for Regeneration, Inclusive Development and Housebuilding</p> | | |
| <p>Corporate Priority: A council that works for you and listens to you</p> | | |

| | | |
|--|---|------------------|
| 6 .4 | Harriott, Apsley, Pattison (HAP) Houses Regeneration Scheme Update | To Follow |
| <p>Report Summary: In March 2022, planning consent was granted for the redevelopment of Harriott, Apsley and Pattison Houses, known as HAP, for the delivery of 412 new homes and the reprovision of the existing community space. The scheme will provide high quality replacement homes for existing residents, new council homes for families in housing need and new homes for sale to help fund the scheme. This report will provide an update on the progress towards the delivery of the estate regeneration, including decant status and leaseholder buy-backs and seek approval for the preferred delivery model with a developer partner. A further report will be presented to Cabinet in early 2023 to seek approval on the use of Compulsory Purchase Order (CPO) powers to empower the Council to acquire all land and property interests within the site boundary (‘Order Land’) necessary to facilitate the delivery of the scheme and s203 of the Housing and Planning Act 2016.</p> | | |
| <p>Wards: Stepney Green</p> | | |
| <p>Lead Member: Cabinet Member for Regeneration, Inclusive Development and Housebuilding</p> | | |
| <p>Corporate Priority: A council that works for you and listens to you</p> | | |

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT



8. EXCLUSION OF THE PRESS AND PUBLIC

Should the Mayor in Cabinet consider it necessary, it is recommended that the following motion be adopted to allow consideration of any exempt/restricted documents.

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the Press and Public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government, Act 1972”.

EXEMPT/CONFIDENTIAL SECTION (PINK)

The Exempt / Confidential (Pink) Committee papers in the Agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

10 .1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to exempt/confidential business to be considered.

10 .2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

(Under provisions of Section 30, Rule 59 of the Constitution).

11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Next Meeting of Cabinet:

Wednesday, 29 March 2023 at 5.30 p.m. in Council Chamber - Town Hall, Whitechapel



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Agenda Item 2

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Janet Fasan, Director of Legal and Interim Monitoring Officer, Tel: 020 7364 4348.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

| Subject | Prescribed description |
|---|--|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

CABINET, 25/01/2023

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.40 P.M. ON WEDNESDAY, 25 JANUARY 2023

**COUNCIL CHAMBER - TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present in Person:

| | |
|-----------------------------------|---|
| Mayor Lutfur Rahman | |
| Councillor Maium Talukdar | (Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor)) |
| Councillor Kabir Ahmed | (Cabinet Member for Regeneration, Inclusive Development and Housebuilding) |
| Councillor Ohid Ahmed | (Cabinet Member for Safer Communities) |
| Councillor Saied Ahmed | (Cabinet Member for Resources and the Cost of Living) |
| Councillor Suluk Ahmed | (Cabinet Member for Equalities and Social Inclusion) |
| Councillor Gulam Kibria Choudhury | (Cabinet Member for Health, Wellbeing and Social Care) |
| Councillor Abu Chowdhury | (Cabinet Member for Jobs, Skills and Growth) |
| Councillor Iqbal Hossain | (Cabinet Member for Culture and Recreation) |
| Councillor Kabir Hussain | (Cabinet Member for Environment and the Climate Emergency) |

Other Councillors Present in Person:

Councillor Nathalie Bienfait
Councillor Bodrul Choudhury

Officers Present in Person:

| | |
|-------------------|--|
| Will Tuckley | (Chief Executive) |
| James Thomas | (Corporate Director, Children and Culture) |
| Janet Fasan | (Director of Legal & Monitoring Officer) |
| Caroline Holland | (Interim Corporate Director, Resources) |
| Kevin Bartle | (Financial Consultant- formerly Interim Corporate Director, Resources & Section 151 Officer) |
| Dr Somen Banerjee | (Director of Public Health) |
| Katie Cole | (Associate Director of Public Health) |
| Ellie Kershaw | (Acting Director, Growth and Economic Development) |
| Joel West | (Democratic Services Team Leader (Committee)) |

Officers In Attendance Virtually:

| | |
|-----------------|--|
| Nicola Klinger | (Housing Companies Manager) |
| Peter Maskell | (Interim Head of Procurement) |
| Nisar Visram | (Director of Finance, Procurement & Audit) |
| Catherine Grace | (Head of School Admissions) |

1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Ann Sutcliffe, Corporate Director Place for who Ellie Kershaw, Director Growth and Development was deputising.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES**RESOLVED**

That the unrestricted minutes of the Cabinet meeting held on Wednesday 4 January 2023 be approved and signed by the Mayor as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

The Mayor asked attendees to note that item 6.6 - Homecare for Adults was withdrawn as he felt the proposals required further development before a decision is could be reached. He indicated the report was scheduled to come to the next Cabinet meeting.

The Mayor welcomed the Council's new Interim Corporate Director, Resources, Caroline Holland, to her first Cabinet meeting.

Will Tuckley, Chief Executive, asked attendees to note this would be the last Cabinet meeting to be held in Mulberry Place. The Mayor expressed excitement to be holding future meetings in the new town hall at Whitechapel.

5. OVERVIEW & SCRUTINY COMMITTEE**5.1 Chair's Advice of Key Issues or Questions**

There were no Pre-decision Scrutiny Questions.

The Cabinet received and noted the Overview and Scrutiny Committee's Review of Budget Proposals for 2023-24 as a tabled paper. Councillor Musthak Ahmed provided an overview of recent scrutiny activity. The Committee had reviewed the Mayor's budget proposals at meetings on 9 and 23 January. The Committee praised the budget for its ambitious plan to

protect residents in times of hardship, fund key services, and invest in social and economic change. The Committee requested that the Mayor and Cabinet develop a robust financial strategy to ensure long term financial stability and recommended increasing the Educational Maintenance Allowance threshold. The Committee also requested that in future years, the Committee is provided with detailed growth and savings pro formas in sufficient time to effectively scrutinise proposals. Councillor Maium Talukdar had presented the Tower Hamlets Partnership Plan and the Committee had discussed ways to improve outcomes for residents and strengthen the partnership.

5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Mayor's Foreword to the Council's Budget Report

This item was considered alongside Item 6.2.

6.2 MTFs and Budget 2023-26 Report

The item was considered alongside Agenda Item 6.1 (Mayor's Foreword to the Council's Budget Report) and the combined minute is presented here.

The Mayor introduced both reports. He stated he was proud of the ambitious budget which he felt would re-direct the Council's focus, reversing service cuts of the previous administration and reinvesting in public services. He noted the Overview and Scrutiny committee had reviewed the budget proposal at its meeting on the 23 January and the Committee's response was tabled, which he welcomed.

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living provided detail of the financial context behind the Mayor's budget, including:

- An overview of the key elements of the General Fund and HRA revenue and capital budgets.
- The key investment in council services including free school meals in both primary and secondary schools, youth services investment, community safety and education initiatives.
- Rebuilding at St George's Leisure Centre.
- Funding for new council homes, improving housing stock and fire and building safety works.

Cllr Ahmed noted that once approved, the budget report would be presented to full Council on 1 March 2023.

Caroline Holland, (Interim Corporate Director, Resources) and Kevin Bartle (former Interim Corporate Director, Resources) provided additional information on the challenges ahead. It was noted that there were significant

additional revenue implications due to six new key priorities. Caroline and Kevin stressed the importance of a sustainable budget and the need to get back into balance by 2025. They noted these points would be re-emphasised in the Chief Finance Officer's statement on the budget when it is presented to Council on 1 March 2023.

Cabinet members discussed how the budget proposals reflected manifesto promises and the commitment to deliver them. They commended the significant investment in infrastructure and front line services, as well as the decision to in-source leisure services. They acknowledged the cost of living crisis and the need to invest to support residents, as well as the financial challenges and the necessity of finding savings. They also spoke of the importance of addressing the housing crisis and investing in police officers and other services to improve residents' lives. Finally, they highlighted the necessity of providing better quality services and facilities for women, girls and hard-to-reach residents.

The Mayor thanked Cabinet members, officers and members of scrutiny for their input and assistance in delivering a budget in a time of exceptional challenge.

RESOLVED

1. To propose a General Fund Revenue Funding Requirement of **£446.205m** for 2023-24 subject to remaining changes arising from the final Local Government Finance Settlement and any other necessary adjustments.
2. To propose to freeze the Tower Hamlets element of Council Tax and to levy a 2% Adult Social Care precept for 2023-24.
3. To propose that the Interim Corporate Director Resources uses £22.3m from reserves in 2023-24 to support the budget as set out in section 3.9.8 of the report given the shortfall emerging as part of the 2023-24 budget setting process.
4. To propose that the Interim Corporate Director Resources be authorised to make any changes required to the budget following receipt of the final Local Government Finance Settlement (LGFS) in consultation with the Mayor and Cabinet Member for Resources and the Cost of Living.
5. To authorise the Corporate Director Resources to continue the Council's participation in the 8 Authority Pool for Business Rates with seven other London Local Authorities for 2023-24, subject to due diligence.
6. To note the latest draft position of the Council's reserves, subject to final audit of the statements of accounts.
7. To propose the 2023-24 Housing Revenue Account budget as set out in Appendix 7 to be referred to Full Council for approval. Additionally this

will be reviewed during 2023-24 with a view to reducing in year expenditure where possible and finding further efficiencies.

8. To propose the HRA housing rent and service charge increases as outlined in section 3.11 of the report. This includes increasing housing rents for existing tenanted properties and shared-ownership properties by 7% for 2023-24 and for new build properties by CPI +1% for 2023-24 (as per paragraph 3.11.19 of the report).
9. To propose the 2023-24 Management Fee payable to Tower Hamlets Homes (THH) of £35.530m as set out in paragraph 3.11.38 of the report. Additionally this will be reviewed during 2023-24 in partnership with THH with a view to reducing in year expenditure where possible and finding further efficiencies.
10. To note that under the Management Agreement between the Council and THH, THH manages delegated HRA income and expenditure budgets on behalf of the Council. In 2023-24, THH will manage delegated income budgets totalling £110.216m and delegated expenditure budgets totalling £43.307m. Additionally this will be reviewed by the Mayor and Cabinet Member during 2023-24 with a view to reducing in year expenditure where possible and finding further efficiencies.
11. To propose the 2023-24 Schools Budget.
12. To propose that the National Schools Funding Formula (NSFF) adopted by Tower Hamlets originally in 2019-20 continues for 2023-24. The only changes included are increases to the factor values in line with the NSFF.
13. To propose that the Minimum Funding Guarantee (the mechanism that guarantees schools a minimum uplift in per-pupil funding) is set as close to 0.5% as affordable, the maximum allowed after consideration for growth and factor changes in School allocations.
14. To propose that the structure of the Early Years Funding Formula remains unchanged except that the two year old hourly rates will increase in line with the Early Years National Funding Formula.
15. To note that the Local Council Tax Reduction Scheme will remain unchanged for 2023-24.
16. To propose the three-year General Fund Capital Programme 2023-26 as set out in Appendix 8A to the report, totalling £238.637m.
17. To propose the three-year Housing Revenue Account Capital Programme 2023-26 as set out in Appendix 8D to the report, totalling £389.625m.
18. To approve the revised 2022-23 General Fund and HRA Capital Programme budgets as set out in Appendix 8A and 8D to the report, totalling £111.867m and £74.458m respectively.

19. To approve the budget allocation growth and reductions to schemes in the General Fund capital programme as detailed in Appendix 8C to the report, subject to sign off through the capital governance process and agreement to proceed given by the Corporate Director of Place in consultation with the Mayor, Cabinet Member for Resources and the Cost of Living and the Corporate Director of Resources, and agree that schemes funded by future capital receipts, s106 and/or CIL will not go ahead until such funds have been received by the Council.
20. To approve the increased capital budget provision for St Georges Leisure Centre in the programme, with an additional request of £14m to meet the required total funding requirement of £55.16m for the rebuild.
21. To approve delegated authority to the Corporate Director of Place in consultation with the Corporate Director of Resources to take any steps required to deliver the capital programme including but not limited to going out to tender, appointing consultants and contractors in accordance with the Procurement Procedures, acquiring land interests and appropriating land from the General Fund to the Housing Revenue Account (HRA) for the delivery of new council homes, subject to approved budget and in consultation with the Mayor and the Cabinet Member.
22. To note the administration's six key priority projects, as detailed from paragraph 3.12.34 of the report onwards.
23. To note the Equalities Implications as set out in Section 4 of the report.

6.3 Determination of School Admission Arrangements for 2024/25

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) introduced the report that presented admission arrangements for Tower Hamlets Community Schools and those schools for whom the Local Authority acts as the admission authority.

James Thomas, Corporate Director, Children and Culture and Catherine Grace, Head of School Admissions and Place Planning presented the key changes from the previous admissions arrangements. James and Catherine explained that the proposals represented a fairer way of allocating school places.

The Cabinet discussed the consultation and noted that responses were broadly in favour of the changes. In response to questions from Cabinet members, James noted that the changes would help siblings attend the same school, and that the low consultation response rate was likely due to people not feeling strongly about the proposals.

The Mayor welcomed the report and approved the recommendations as set out.

RESOLVED

1. To agree the Local Authority Relevant Area (geographical area) for admissions purposes.
2. To agree the admission policy for admission to Community Nursery Schools/Classes in 2024/25, as set out in Appendix A to the report.
3. To agree the admission policy for admission to Community Primary Schools in 2024/25, as set out in Appendix B to the report.
4. To agree the admission policy for admission to Community Secondary Schools in 2024/25 as set out in Appendix C to the report.
5. To agree the schemes for co-ordinating admissions to the Reception Year and Year 7 for 2024/25, as set out in Appendix F to the report.
6. To agree the scheme for co-ordinating 'In-Year' Admissions for 2024/25, as set out in Appendix G to the report.
7. To agree the planned admission number (PAN) for each school in Tower Hamlets in 2024/25, as set out in Appendix H to the report.
8. To note the specific equalities considerations as set out in Paragraph 4.1 of the report.

6.4 Estates Parking – Roll out of Traffic Management Orders and Permit Allocations Policy

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report which set out proposals for consultation on introducing individual numbered bays within the delivery of the Traffic Management Orders programme on LBTH estate land and amended permit allocations policy for parking on estate land.

Councillor Ahmed explained that:

- Parking enforcement was hampered due to legislation. The report proposed to expediate the process of getting TMOs across the borough.
- The introduction of the courtyard system under the previous administration had failed. The new policy proposed to retain individualised spaces: those who purchase bays would be able to park in them, with enforcement action taken for those parked illegally.

Councillor Ahmed also provided details of consultation and the priority criteria of the proposed new policy.

Nicola Klinger (Housing Companies Manager) provided further detail on the proposal to introduce an additional tier to permit allocations from those with an address in the relevant ward and from the borough, if there is capacity.

The Mayor welcomed the report and agreed the recommendations as set out.

RESOLVED

1. To agree the following revisions to the implementation of Traffic Management Orders on LBTH estates, subject to resident consultation:
 - That individually numbered bays will be introduced on all off street car parking places under Section 32 and 35 of the Road Traffic Regulations Act 1984 (RTRA).
 - That estate roads that meet the definition of a highway under Section 45 of the Road Traffic Amendment Act will comply with the requirement that generic resident bays are provided.
2. To authorise the Divisional Director of Public Realm to undertake consultation under the provisions of the Road Traffic Regulations Act 1984 and Section 105 of the Housing Act 1985 as set out in sections 3.18 – 3.26 of the report.
3. To approve the Non-Residential Assets Policy set out in Appendix 1 to the report which has been amended to add a fourth and fifth tier to the qualifying criteria for access to parking spaces as summarised in 3.49 of the report.

6.5 Baby Feeding and Wellbeing Service

Councillor Gulam Kibria Choudhury, Cabinet Member for Health, Wellbeing and Social Care introduced the report that sought approval to insource the Baby Feeding and Wellbeing Service.

Dr Somen Banerjee, (Director of Public Health) and Katie Cole, (Associate Director of Public Health) explained the importance of good nutrition in early years, and the opportunity that this proposal provides to secure more integrated support. It was noted that the service already contributed to some of the highest breastfeeding rates in the country and other boroughs and councils had contacted LBTH for information on how to set up similar services.

Further to questions from Cabinet, Somen and Katie

- explained the rationale for the proposal to retain specialist training services and the potential to move towards an in-house volunteer network in the future; and
- explained the challenges of delivering the service in a culturally diverse area where language barriers can be an issue.

The Mayor welcomed the report as a further move toward securing better quality services for residents through insourcing. He agreed the recommendations as set out in the report.

RESOLVED

1. To approve the insourcing of the Baby Feeding and Wellbeing Service into the Council. This service would sit within the Early Help and Children & Family Service, in the Children and Culture Directorate. A smaller element of the existing service (specialist training and volunteer peer support network) would continue to be subcontracted to a specialist external organisation identified through an RFQ procurement process.

6.6 Homecare for Adults- recommissioning of services

This report was withdrawn.

6.7 Contracts Forward Plan 2022/23 - Quarter 3

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that set out a forward plan of supply and service contracts over £1m in value, or capital works contracts over £5m.

The Mayor noted and agreed the reasons for urgency included in the report.

Caroline Holland, (Interim Corporate Director, Resources) and Peter Maskell, (Interim Head of Procurement) provided further details on the report and contracts therein.

The Cabinet discussed the importance of Social Value in the procurement process and the possibility of increasing the Social Value weighting to 10%. The Mayor agreed to amend the recommendations to reflect a 10% Social Value weighting for all contracts in the report and going forward. He believed this would provide local people with job and training opportunities and support local small and medium businesses in the supply chain. Caroline and Peter asked the Mayor to note the proposal may require some further discussion on the details of implementation with the Mayor and Lead Member.

The Mayor thanked officers for their work and welcomed the report with amended recommendations.

RESOLVED

1. To note the contract summary at Appendix 1 to the report and confirm that all contracts set out can proceed to contract award after tender, subject to Social Value accounting for 10% overall weighting in the tender evaluation process where Social Value weighting is applicable;
2. That any contracts in Appendix 1 where, in the opinion of the Corporate Director Resources, the Social Value weighting above presents a significant risk or cannot be achieved can proceed to contract following consultation with the Mayor and Lead Member;

3. To authorise the Director Legal Services (Monitoring Officer) to execute all necessary contract documents in respect of the awards of contracts referred to at resolution 1 above subject to the award decision referred to in resolutions 1 and 2 above;
4. To note the procurement forward plan 2022-2027 schedule detailed in Appendix 2 to the report.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

8. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Nil items.

10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

Nil items.


11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items.

The meeting ended at 7.00 p.m.

Chair, Mayor Lutfur Rahman
Cabinet

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| <p>Cabinet</p> <p>22 February 2023</p> |  <p>TOWER HAMLETS</p> |
| <p>Report of: Somen Banerjee, Acting Corporate Director Health Adults and Communities</p> | <p>Classification: Unrestricted</p> |
| <p>Homecare for adults – recommissioning of services</p> | |

| | |
|--|--|
| Lead Member | Cllr Gulam Kibria Choudhury Cabinet Member for Health, Wellbeing and Social Care |
| Originating Officer(s) | Ben Gladstone, Interim Head of Service- Ageing Well, Integrated Commissioning |
| Wards affected | All |
| Key Decision? | Yes |
| Reason for Key Decision | Homecare services are provided to approximately 2,000 adults across Tower Hamlets and the annual spend is in excess of £31 million p.a. |
| Forward Plan Notice Published | 6 December 2022 |
| Exempt information | N/A |
| Strategic Plan Priority / Outcome | The provision of homecare services to residents living in Tower Hamlets supports the strategic plan priority 4: boost culture, business, jobs, and leisure. Homecare workers are part of local businesses and work in the community. The contracts support local employment opportunities. The contracts also support Priority 5: Invest in public services by ensuring that all care workers employed by commissioned providers are paid at least the London Living Wage. Homecare services support vulnerable adults by providing high quality and financially sustainable services for adults receiving social care to achieve their goals, be connected to others and live as independently as possible. |

Executive Summary

This report responds to the requests for changes to the homecare commissioning, procurement, and contracting arrangements in 2022 with preferred revised arrangements. In addition, it seeks permission to restart the recommissioning and tender process, leading to the award of new homecare contracts for adults in 2023.

Following a review of the contractual basis on which the current tender was based, four principles emerged as follows:

1. A reduction in the proposed length of contract from the previously proposed 9 years (5+1+1+1+1) to a total of 3 +1 years
2. To prohibit the use of an EHCMS for the purposes of logging in/out during care visits
3. An increase in the number of commissioned providers of homecare from the previously proposed maximum of 12 (3 per locality) to 16 providers (4 per locality with the aim of no provider working in more than one locality) However, this will need to be reviewed in the event that not enough providers pass the quality threshold during the tender process.
4. An increase in the guaranteed hours offered to all care workers delivering homecare to Tower Hamlets residents from the current 12 hours to either 16, 24 or 36 hours per week.

The impact of these changes are set out in detail in this report, alongside the preferred revised arrangements.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the impact of the proposed changes as set out in this report.
2. Agree to the recommended solution/s and proposed model of care as set out in this report.
3. Authorise the Corporate Director Health Adults and Communities to restart the recommissioning and tender process, with the award of new homecare contracts in accordance with the published evaluation criteria and in consultation with the Mayor.

1 REASONS FOR THE DECISIONS

- 1.1 The current contracts for the provision of homecare services to adults are due to expire on 31 December 2023 following authorisation from the Mayor in Cabinet on 14 December 2022.
- 1.2 A tender process that commenced in April 2022 was paused in August 2022 and subsequently aborted in November 2022 due to formal requests for a review of the previous administration's methodology for delivering homecare to service users in the Borough by the Mayor. The review has determined that changes to the commissioning and contracting model are required in order for the Council to award contracts that can deliver on the Council's new strategic priorities.
- 1.3 The changes requested were a significant enough departure from the previous advertised methodology and specification to require the previous tender process to be abandoned and a new process to be commenced in line with the law. This also allows homecare providers who were not

interested in the previous opportunity to re-engage with the tender now that the Council's commercial requirements have changed.

- 1.4 To implement the required changes, further work will need to be undertaken to understand the implications of changes and to finalise the details of a preferred model which can then be presented to the market via the tender process. This will need to incorporate further engagement and co-production with service users, care workers and homecare providers. Officers will need to recommence the commissioning and procurement process in early 2023.
- 1.5 The new procurement process is anticipated to take a total of twelve (12) months to complete. This will include a period of pre-tender market analysis and engagement (3 months), the preparation of revised tender documentation including a service specification, contract schedules and agreed price: quality weighting and scoring mechanism (3 months), a two-stage tender process (5 months) and contract award (1 month). In addition, a further period of transition and contract mobilisation will be necessary following contract award. The Corporate Director Health Adults and Communities will report on progress to the Mayor during the procurement process and at least at the end of each section mentioned here.
- 1.6 The Council is committed to protecting the most vulnerable people in the borough and in this case has a legal duty to do so. The recent extension of the existing contracts was necessary to ensure that there is seamless continuity of care services to those people who are reliant on them.

2 ALTERNATIVE OPTIONS

- 2.1 It would be technically and legally possible to spot-purchase any number of providers to deliver homecare in the Borough as an alternative to a framework contract. However, this would present an increased risk to the effective oversight of the quality and safety of homecare provision to vulnerable residents in need of care and support living across the Borough. In addition, each package of care would be subject to the Council's procurement procedures and therefore some form of quotation process with competition would be required each time. This could significantly delay the provision of care in many cases and would be clearly not desirable

3 DETAILS OF THE REPORT

- 3.1 Homecare supports the delivery of Tower Hamlets Adult Social Care Vision and Strategy to promote choice, control and wellbeing focusing on the outcomes that are important to people. It also supports the Tower Hamlets Together Outcomes Framework, so that people's experience of care is positive and joined up to achieve the best health and wellbeing outcomes. The service will enable Service Users who require Council-funded care to continue to live at home to receive ethical, high-quality care and support that promotes individual outcomes, independence, wellbeing, and dignity.

3.2 The overall aims for the service are to achieve:

- **Outcome focused**, high quality services that deliver the best possible outcomes for Service Users.
- **Preventative Support** that enables Service Users to remain as independent as possible or to rebuild their independence and resilience so they can continue living in their own homes in their own communities. This includes the use of technology and equipment that enhance people's independence.
- **Quality of Care** that enables service users to be fully involved and lead as much as possible in designing and agreeing their care and support, facilitated by quality assurance and monitoring systems, alongside workforce development which ensure providers can support services users to achieve their care and support needs.
- **Value for Money** – the Contract delivers better value for money through preventative support and more flexible and innovative support targeting support on what matters to Service Users while valuing the work of staff.

3.3 During the lifetime of the current and future contracts, workforce support and development will be key to ensuring that Tower Hamlets residents continue to receive high quality homecare. Officers will work in partnership with homecare providers on a workforce plan aligning this wherever possible to the NHS North East London Integrated Care System (ICS) so that care workers and their employers can both benefit from improved retention and career development opportunities and there is a clear plan to support their learning and development.

3.4 Homecare for adults is currently commissioned across four localities in Tower Hamlets (North West, South West, North East and South East). These locality areas align with the structure of the Adult Social Care operational teams and the operational teams of our partners in the NHS including the Primary Care Networks (PCNs). This operational model facilitates close partnership working and joint resolution of problems and issues arising during the contract. Across the four localities, there are currently five homecare providers supporting adults with their care and support needs. In addition to this there are a number of 'spot' providers who take on homecare support packages when commissioned providers are unable to. This amounts to approximately 2000 people receiving homecare support at any one time. At Period 6, as reported to CLT, the 2022/23 budget for homecare (including commissioned and spot providers) is £30.74m with a projected overspend of £0.62m. Total expenditure is therefore projected at £31.36m gross. Of this spend, approximately 83% is placed with commissioned providers and 17% is 'spot' provision. A commitment has also been made by the Borough to transitioning back to the provision of free homecare in the longer term.

3.5 The five commissioned providers are:

- Diversity Health and Social Care
- Mi Homecare
- Excel Care
- Care Solutions Bureau

- Apasen Home and Community Services

- 3.6 All of the commissioned providers are currently rated by the Care Quality Commission (CQC) as 'Good'. Officers from the Council also carry out regular monitoring visits and performance monitoring activity to ensure that providers are evidencing that they are consistently providing good quality, safe care to residents. As part of this monitoring framework, service users are asked for their views on the satisfaction with the homecare they are receiving. From the most recent quarterly survey (Q2 July- September 2022), 92% of users reported that "Overall I have a positive experience of the services I am receiving from the homecare agency".
- 3.7 The previous plans for the recommissioning of homecare services for adults in Tower Hamlets commenced in 2021. A homecare programme and project structure were established including an extensive period of consultation, engagement, and coproduction to develop a new outcomes-based service specification and model, the development of revised contract management and monitoring systems, the parallel transition to outcomes-based care and support planning using the IT system Mosaic and revisions to the payments process for providers.
- 3.8 A tender was issued on 29th April 2022 to commence the procurement process. The first phase the procurement resulted in a total of 22 homecare providers being accepted to proceed to the second phase. Due to the changes requested, the tender process was suspended and finally aborted in November 2022.
- 3.9 Following a review of the contractual basis on which the current tender was based four new principles emerged as follows:
- A. A reduction in the proposed length of contract from the previously proposed 9 years (5+1+1+1+1) to 3 + 1 years.
 - B. To prohibit the use of an EHCMS for the purposes of logging in/out during care visits.
 - C. An increase in the number of commissioned providers of homecare from the previously proposed maximum of 12 (3 per locality with providers able to hold contracts in more than one locality) to a total of 16 providers (4 per locality with the aim of no provider working in more than one locality).
 - D. An increase in the guaranteed hours offered to all care workers delivering homecare to Tower Hamlets residents from the current 12 hours to options of 16, 24 and 36 hours per week.

- 4. Impact of proposed changes and preferred revised arrangements**
- A. A reduction in the proposed length of contract from the previously proposed 9 years (5+1+1+1+1) to 3 +1 years**
- 4.1 The proposed change presents no issues from a Procurement Regulations perspective and proposing 3 + 1 year contract term is possible and is likely to be of interest to the majority of potential Service Providers (although potentially less favourable to the large / national suppliers).
- 4.2 A shorter contract length would necessitate a repeated procurement exercise within approximately 24 months of the contract start date. This is because major procurements usually commence 12 months prior to the contract expiry date, while the commissioning work will have to be started prior to the 12-month period.
- 4.3 Evidence from similar commissioning exercises shows that larger providers are likely to be less inclined to bid for a shorter length contract due to their general desire for long term financial planning and the uncertainty of any continuation of business from the council beyond the contract term. Conversely, medium size providers are more likely to bid, as they tend to see the tender as an opportunity to engage in the local market and introduce themselves to the council, showing the quality of their service. Smaller providers may be less likely to bid due to the initial set up costs required to establish a service in the borough.
- 4.4 As mitigation and to inform the tender, a questionnaire has been issued to non-commissioned providers in Tower Hamlets. An area of interest is whether the provider submitted a bid during the previous tender -if not, then why not, and what would make them more likely to submit a bid in the next tender. The results of this questionnaire will be used to inform the market engagement prior to the new tender issued later in 2023.
- 4.5 Additionally, in order to complete a number of developments required in the service specification the contract would likely need to be no less than four years. This will enable, for example, the contract to require an annual rise in take up of guaranteed staff hours. A whole commissioning cycle (including procurement) can take up to two years and therefore a contract length should provide sufficient time before the cycle begins again, allowing time for any in-contract developments to take place and be assessed.

4.6 Recommended solution.

4.7 Implement a contract length of three years initially, allowing for an extension of one year i.e., 3 +1. This will aid market stability, allowing medium size providers to plan for the longer term and encourage a wider range of providers to tender.

B. To prohibit the use of an EHCMS for the purposes of logging in/out during care visits

4.8 All of the current five commissioned providers use an EHCMS which enables not only call logging but also the ability to hold documentation such as service user care and support plans. These systems enable carers to record the tasks they have undertaken and to make comments about the care and condition of the person. Medication is also managed through these systems. Agencies are alerted if a task is not undertaken without a reason recorded and are thus able to immediately act if needed.

4.9 Providers also use these systems for staff rostering, maintaining consistency of care, information when managing a complaint and minimising travel distances between visits.

4.10 There is no legal requirement to use an EHCMS, however nationally, having an electronic system for recording care and visits is increasingly the norm across the industry and there are many systems in the marketplace from which providers can choose. The health and social care regulator, the Care Quality Commission (CQC) has recently released information on how it will be regulating going forward. They will be requiring home care providers to submit much of their data electronically. Home care providers will need to respond in a way that allows them to remain in compliance with CQC guidance.

4.11 Provider's EHCM systems have in the past been connected to payment for hours delivered which helps to ensure the Council is not susceptible to under or overpaying homecare providers. Currently the Council does not use EHCM for payment and will continue with alternative processes to manage this. All successful bidders under the new contracts will need to clearly demonstrate that they have systems or processes in place to monitor hours delivered.

4.12 All successful bidders under the new contracts will need to clearly demonstrate that they can ensure quality and safety of service provision with or without the use of an EHCMS.

4.13 Recommended solution

- 4.14 In the new contract, providers will need to clearly demonstrate that they can meet the quality and safety requirements of service provision with or without the use of an EHCMS as part of the tender process. At the Mayor's request, the use of EHCM for the purposes of logging in and out will be prohibited as this is not a requirement for other service areas, and because care workers provide an invaluable service and the removal of logging in and logging out will not impact on their services provided in the home. If providers have EHCM systems in place, these can be used for the other functions as set out in this paper. The response to this from providers will need to be tested during the procurement process.
- 4.15 All providers will need to evidence within the tender how they would ensure robust systems for quality, monitoring visits, complaints, safeguarding, audit, performance monitoring and information sharing, thus ensuring that companies with and without EHCMS are operating at the same quality and level of standards.

C. An increase in the number of commissioned providers of homecare from the previously proposed maximum of 12 (3 per locality) to a suggested number of 16 providers (4 per locality with the aim of no provider working in more than one locality) , plus two specialist providers in Learning Difficulties/Mental Health.

- 4.16 This change provides additional resilience over the contract term. There will be a substantial level of interest from the bidders and appropriate resources will need to be allocated to the Procurement / Evaluation Process. However, it will be necessary to develop the procurement methodology as this presents a significant change to the current model.
- 4.17 To work effectively with all 16 providers will likely necessitate an increase in resource required for contract management and for monitoring of performance and quality.
- 4.18 Having 16 providers will pose a resource challenge in terms of contract management and performance monitoring, to ensure quality and safety of care for service users. In addition, the impact for both operational teams and brokerage will be significant. Funded homecare in Tower Hamlets is very high volume (one of the highest in the country) and the service users are extremely vulnerable. Many service users are at a similar level to people in care homes, with many 24-hour packages, double-handed care packages, extremely complex medical needs etc. Home care providers who have been working in the Borough for many years report that the needs of most home care service users have grown increasingly complex. There is a need to monitor these services effectively to ensure quality is kept to a high standard. This is staff intensive work which depends on creating close working relationships.

- 4.19 By increasing the number of providers under the revised procurement, there will be a risk that this will lead to a lower quality of care and poorer outcomes for service users. Due to an inability to work in a strategic partnership-based approach with close working across health and social care partners in each locality.
- 4.20 The current contract is locality-based (there are four localities; NE, NW, SE, and SW) and all health and social care services including GPs now work to these geographic boundaries. This place-based approach means that there is a much greater opportunity for the development of relationships and partnerships, which results in improved care and support for homecare service users.
- 4.21 This is exemplified in the multi-disciplinary Safety Huddles and Locality meetings which bring together Social Workers, District Nurses, Occupational Therapists, and homecare providers to work through operational issues and to provide 'wrap around care' for individuals at particular risk.
- 4.22 As mitigation for the increased number of providers, as part of the tender providers will need to sign up to a 'Principle of Locality Working' agreement which will outline their roles and responsibilities as locality partners.

4.23 Recommended solution

- 4.24 The recommended solution is to implement the model outlined below, with a framework contract for 16 providers (4 per locality with the aim of no provider working in more than one locality), plus two specialist providers in Learning Difficulties/Mental Health; and a spot-purchase arrangement via a Dynamic Purchasing System to ensure the opportunity for small/micro, including not-for-profit organisations and existing Small and Medium Sized Enterprises (SMEs), to remain in or to enter the market.
- 4.25 We are committed to building an integrated service model across each locality. To do this, providers will work in a collaborative way and follow these principles:
- Focus on promoting independence and encouraging service users to remain and retain independence by working in an enabling way at all times, thereby reducing the need for care and support
 - Deliver an integrated approach to care by working in a co-ordinated manner with social workers, social care officers and health providers including community nursing, GP's, community therapists, pharmacists, and acute services.
 - Participate in or contribute to multidisciplinary meetings as required with partners from health, social care, and the voluntary sector.

4.26 **Proposed Model**

The proposed model has been designed to support small, medium and large-scale providers in delivering the types of provision needed across the Borough. It allows for the development of small and medium scale providers, building on their strengths and thereby adding a wider array of local voices to the Tower Hamlets homecare market. For service users it increases choice, whether through a council commissioned service or a service user commissioned service via a direct payment. For the Council, the model provides the stability necessary for forecasting, locality working and performance monitoring, whilst also allowing for the flexibility of on-boarding new small and medium providers throughout the lifetime of the contract.

4.27 Therefore it is proposed to award a framework contract to 16 providers, 4 in each locality with a separate lot for 2 cross-locality (NE/NW, SE/SW) Mental Health and Learning Disability providers. For each Locality, the Council will commit to commission a minimum number of guaranteed hours from the Service Providers each year. This will enable the Service Providers to organise and manage their resources.

- 80% of home care packages will be through this minimum hour arrangement.
- 20% of home care packages would remain as spot purchases, by use of an open Dynamic Purchasing System (DPS), to ensure the opportunity for small/micro, including not-for-profit organisations and existing Small and Medium Sized Enterprises (SMEs), to remain in or to enter the market.

4.28 The 20% of homecare spot purchases would cover around 500 people and provide many opportunities for smaller local providers to pick up homecare packages. Under a DPS there is no upper limit to the number of providers allowed subject to them meeting quality and safety criteria to be included in the tender. The Council will actively encourage providers to join the DPS. The 20% figure is intended as a starting point benchmark for a more robust spot purchasing system. Spot purchasing could be allowed to exceed 20% is driven by demand, provided that this does not limit the ability of contracted providers to receive guaranteed hours.

4.29 The above model would enable the Council to work with an increased number of homecare providers. This in turn would allow the Council to meet its market sustainability duty under the Care Act 2014 of 'Promoting diversity and quality in provision of services'.

4.30 The advantage of a DPS is that it is Open i.e. providers can be added to the system throughout the lifetime of the contract. In this way, throughout the life of the contract, smaller providers can be supported to meet the requirements necessary to be added to the system.

4.31 The spot purchase providers would be required to accept the same hourly rates as set out in the tender to enable consistent budget management.

- 4.32 Prices for general, specialist and overnight care will be set within tender documentation, taking into account the recent Fair Cost of Care exercise. Locality and DPS providers will receive the same hourly rate.
- 4.33 All providers will be required to sign up to the Ethical Care Charter (already in place for existing commissioned providers) which sets out the requirements to pay Carers London Living Wage and waiting and travel times.
- 4.34 All providers, including spot purchase providers, will be required to sign up to a locality agreement, covering the principles set out above.
- 4.35 Included in this option will be a separate solution to work with micro providers (small and medium sized homecare providers) to understand the nature of their services, to develop their ability to provide these services and to enable service users and family carers to choose these providers using their personal budget. This solution has been tried and implemented successfully across several Councils using the skills and expertise of a specialist organisations. The Council will support micro providers to upskill so that they can bid for framework contracts at the next commissioning round. By enabling and supporting these smaller providers to offer services to those who wish to manage their own care and support arrangements, the Council will be able to support more homecare organisations to grow sustainability and provide additional employment and support the local economy.
- 4.36 Currently a project (Personalisation / Direct Payments) is underway within the Adult Social Care Transformation Programme, to increase the number of people using Direct Payments. One of its key aims is to encourage and support the homecare providers registered in Tower Hamlets to become part of Tower Hamlets Connect Approved Provider list. Social workers will also be receiving training to ensure that during assessment they promote the benefits of Direct Payments as a first option. Through these activities, the number of people receiving homecare via a Direct Payment will increase.
- 4.37 Through working with small and medium size providers we will be able to increase both the number of services users with homecare via Direct Payments whilst also enabling providers to join the Dynamic Purchasing System.

D. An increase in the minimum guaranteed hours offered to all care workers delivering homecare to Tower Hamlets residents from the current 12 hours to either 16, 24 or 36 hours per week.

- 4.38 Tower Hamlets council is committed to supporting homecare staff. We are a signatory to the Ethical Care Charter, ensuring the recruitment and retention of a more stable workforce through sustainable pay, conditions, and training levels.

- 4.39 Some providers have told us that they would be keen to offer contracts with longer hours to their staff. However, in these cases staff would need to be more flexible with their availability to ensure they meet the guaranteed hours threshold.
- 4.40 Previous evidence from care staff and the providers indicates that increasingly those seeking homecare roles wish to limit their hours and availability to times that fit around their lives e.g., within school hours, so that they can be available to pick up and drop off their children.
- 4.41 Previously, feedback from the five current commissioned homecare providers in Tower Hamlets regarding a 25-hour fixed contract was mixed. Therefore, a survey for homecare workers regarding guaranteed hours has recently been completed and the results are set out below.

4.42 Recommended solutions

4.43 A survey was issued in December 2022 to homecare workers employed by both commissioned and non-commissioned (spot) providers. On the topic of guaranteed minimum hours workers were asked their preferences, recorded from 12 hours to 36 hours per week in bands, in addition to zero hours. The closing date for responses was mid-January 2023. A total of 370 responses were received (18% of the total homecare workforce). The table below outlines care workers responses in answer to the question, what minimum level contract they would prefer.

| Minimum Contract Preference - Hours | 0 | 12 | 18 | 24 | 30 | 36 |
|--|--------------|--------------|--------------|--------------|--------------|------------|
| Percentage | 12.7% | 10.3% | 11.6% | 15.7% | 12.7% | 37% |
| Numbers | 47 | 38 | 43 | 58 | 47 | 137 |

- 4.44 The survey also evidenced that while 55% (204) of respondents were on zero hours contracts, 27.3% (101) of respondents worked between 24 and 36 hours a week on average, with 29% (107) working over 36 hours.
- 4.45 Based on the evidence of these responses, it seems more likely minimum hour contracts of 16, 24 and 36 hours would be more attractive to care workers. This offer could be included in the tender, the service specification and contract Terms and Conditions. This will assist the Council in implementing the recommendations set out in sections 1a. to 1d below.
- 1a. Require providers to offer contracts of up to 16, 24 and 36 hours per week but not to oblige staff to accept this offer. A record would be kept ensuring that this offer was genuine and had been made and whether the care worker had accepted or declined the offer.

- 1b. Agree with providers to make offers based on how many hours of homecare Tower Hamlets have purchased from them, assessed over a six-month period. Following the six-month period, analysis of data will allow the council and provider to understand how many 16, 24 and 36-hour contracts the provider can accept.
- 1c. Set incremental yearly targets for providers to decrease the percentage of staff on zero hours contracts.
- 1d. Set incremental yearly targets for providers to increase the percentage of staff on 16, 24 and 36 hour contracts.

5 EQUALITIES IMPLICATIONS

- 5.1 As part of the commissioning process, Officers will undertake an Equalities Impact Assessment to assess whether the changes to the service and contractual model could have any adverse impacts on those with protected characteristics. Mitigations will then be identified and acted on to minimise any adverse impact.
- 5.2 The Council is committed to employing a workforce that reflects the diverse communities of the borough regarding ethnicity, language, and culture, and expects homecare providers to demonstrate the same commitment. Currently, there is a large under representation of White British ethnicity in the homecare workforce in comparison to service users and the population of the Borough; 2 % of the workforce are White British when they make up 28% of service users and 22.9% of the Borough residents (2021 Census). There is also an underrepresentation of male carers in the workforce.
- 5.3 Officers will work proactively with homecare providers to target groups that are underrepresented through recruitment, retention, career development and apprenticeship initiatives.

6 OTHER STATUTORY IMPLICATIONS

- 6.1 The new contracts awarded to homecare providers will need to ensure Best Value for the Council whilst ensuring that these contracts are compliant with the UNISON Ethical Care Charter and that all care workers are paid at least the London Living Wage.
- 6.2 It will be important to ensure that all personal data processed and stored by the providers is kept secure and in compliance with the General Data Protection Regulations (GDPR). This will form part of the contract conditions.
- 6.3 Officers will seek evidence of Social Value both during the tender period and subsequently work with homecare providers to ensure this is realised including increasing apprenticeships, employment, and training opportunities for residents of Tower Hamlets. Homecare providers will therefore actively seek to improve local employment and where possible offer opportunities to local individuals. This will include opportunities for Service Users as appropriate to the outcomes they are seeking.

7 COMMENTS OF THE CHIEF FINANCE OFFICER

- 7.1 Homecare services for adults are a significant part of the Adult Social Care budget. The 2022/23 budget for homecare services is projecting an overspend position against the £30.74m budget by £0.62m, with gross expenditure currently projected at £31.36m.
- 7.2 Demand and budget pressures are increasing in this area, with a rise in the number of people assessed as needing care and support and a move towards caring for people in their own home rather than in bed-based care settings e.g., care homes.
- 7.3 The current framework provides for annual inflation increases to providers based largely on London Living Wage, which is due to increase by £0.90 from April 2023 (an 8.14% increase). Further risk pressures will result from the Fair Cost of Care exercise, in addition to the financial risks highlighted in this report. These will be in addition to the existing financial challenges of meeting increasing costs within the available budget envelope and an existing overspend position.
- 7.4 Further financial risks associated with revised retender proposals identified in the report will need to be quantified, along with the impact of the potential mitigations. These will need to be assessed against available budget resources included in the Medium Term Financial Strategy (MTFS) 2023-26, including the ASC Market Sustainability & Improvement Fund and contractual inflation.

8 COMMENTS OF LEGAL SERVICES

- 8.1 The Council has a legal duty to provide this care to people who need it. Acquiring the services of contractors will allow the Council to continue to meet this legal duty. The Council also has the legal power to meet this duty in this manner.
- 8.2 The Council also has a legal duty to ensure that the way in which its legal functions are delivered represent Best Value. Acquiring these services following a tender process where bids are subjected to evaluation based on pre-advertised evaluation criteria will meet both the legal duty to subject the purchases to competition as well as to create the evidence base to demonstrate the achievement of Best Value.
- 8.3 The framework contract period including extension is a maximum of four years. This complies with the requirements of frameworks under the Public Contracts Regulations 2015.
- 8.4 The formation of a Dynamic Purchasing System against which the spot purchase providers may be found on a time for time basis also will assist the Council to achieve Best Value in the delivery of this statutory care function.

The DPS will remain open so that at any point new providers may join the DPS provided they meet certain advertised criteria.

- 8.5 Many of the stakeholders in these services are people who have a protected characteristic for the purposes of the Equality Act. Therefore, any changes will be subject to appropriate measures such as an equality assessment so that the Council can determine the impact of any changes with people who have protected characteristics prior to implementing the changes in a new specification or procurement methodology.

Linked Reports, Appendices and Background Documents

Appendices

None

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

Cabinet Contracts Forward Plan Q4 2021-22


Cabinet Report 14 December 2022 [Homecare for adults- contract extension](#)

Cabinet report 22 September 2021 [AHSCS5019 Domiciliary and Personal Care Contracts Extension](#)

Officer contact details for documents:

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| | |
|--|--|
| Cabinet 22 February 2023 |  TOWER HAMLETS |
| Report of: James Thomas, Corporate Director, Children and Culture | Classification: Unrestricted |
| LA Education Results from Early Years to KS5 2022 | |
| Lead Member | Councillor Mohammed Maium Miah Talukdar, Cabinet Member for Education, Youth and Lifelong Learning |
| Originating Officer(s) | Steve Nyakatawa, Director of Education and Tracy Smith, Executive Director, THEP |
| Wards affected | All wards |
| Key Decision? | No |
| Reason for Key Decision | This report has been reviewed as not meeting the Key Decision criteria. |
| Forward Plan Notice Published | 3 November 2022 |
| Strategic Plan Priority / Outcome | 3. Accelerating education Through a series of learning interventions and financial support, investing in youth services, and increasing opportunities for younger people to go into further education. |

Executive Summary

This report provides an overview of the 2022 education results from Early Years to Key Stage 5 at Local Authority level (at this stage the only validated results are in KS2).

There is no comparison to previous data in the light of DfE advice:

- *We do not recommend making direct comparisons with data from previous years or between schools or colleges.*
- *The KS2/KS4 school data should be used with caution. It reflects a school's results in 2021/22 but cannot provide information about the factors which may have influenced these results. Comparisons with local and national averages should be made cautiously to put an individual school's results into context.*

Recommendations:

The Mayor in Cabinet is asked to note the report and:

1. The recommendations contained within the report for measures to further improve the performance of Tower Hamlets schools.
2. To note the Equalities Impact Assessment / specific equalities considerations as set out in section 9.

1 REASONS FOR THE DECISIONS

N/A

2 ALTERNATIVE OPTIONS

N/A

LA Education Results from Early Years to KS5 2022

1. Background

1.1 This report provides an overview of the 2021-22 education results from Early Years to Key Stage 5 at Local Authority level, and a summary of how the results compare to national averages and London regions / statistical neighbours¹ where known. It highlights the successes and challenges that are barriers to further progress, and priorities for development.

1.2 DfE Statement relating to statutory data 2022

We do not recommend making direct comparisons with data from previous years or between schools or colleges.

The KS2/KS4 school data should be used with caution. It reflects a school's results in 2021/22 but cannot provide information about the factors which may have influenced these results. Comparisons with local and national averages should be made cautiously to put an individual school's results into context.

For KS4 specifically:

- *Several changes were made to exams and grading. These include advanced tice of exam topics and GCSE, AS and A level grading being based around a midpoint between 2021 and pre-pandemic outcomes.*
- *Changes were also made to the way school and college performance measures were calculated. Results achieved between January 2020 and August 2021 by pupils included in this year's measures are not included in the calculations.*

COVID-19 had a significant impact on the education system and this disruption affected schools and pupils differently and because of this, it will make it more difficult to interpret why the results are as they are, using the data alone.

That's why we strongly discourage people from drawing conclusions based on comparisons with performance data from earlier years and based on direct comparisons with other schools' or colleges' performance data. We also advise caution when comparing a school or college's performance with national or local authority averages.

1.3 Highlights detailed in this report include:

1.3.1 Tower Hamlets' schools continue to provide excellent education for the children and young people of the borough. Outcomes are strong in the majority of areas and schools are recognised for their extraordinary support of their families and local communities. This is reflected in the recent achievement of Mayflower Primary School which was ranked the best primary school in the country in The Sunday Times Parent Power League Tables 2023. This follows their success of being named the Sunday Times Primary School of the Year in 2021 and featured in the top three in 2022.

¹ Statistical neighbours are a way of benchmarking the LA's performance against other local authorities that have similar characteristics. Tower Hamlets' statistical neighbours, in order of similarity are: Camden, Newham, Westminster, Islington, Manchester, Hackney, Birmingham. Luton, Hammersmith and Fulham, Haringey.

Mayflower achieved the best Standard Assessment Tests (SATS) results amongst all 1,500 state and independent primary schools surveyed by the Sunday Times across England.

- 1.3.2 97% of schools are Good and Outstanding, which is an improvement in the past year and above the London average. Schools in Tower Hamlets have not only continued to gain excellent judgements from Ofsted inspections but have maintained their position in the light of the more recent framework which is much more rigorous. There are currently 35% schools who are outstanding and a further 5 schools who have been judged to have the potential to move to outstanding. this places Tower Hamlets in the top 5 London Boroughs
- 1.3.3 The progress made between Early years and KS2 is exceptional.
- 1.3.4 Outcomes in Primary schools are excellent; children in primary schools perform well above national levels in nearly every area; this is outstanding performance.
- 1.3.5 The outcomes for children in KS4 are good. Both attainment scores and progress measures are above national outcomes.
- 1.3.6 Outcomes for disadvantaged children are excellent; in Early Years, Phonics, KS1, KS2 and KS4 outcomes are often significantly higher than national data.
- 1.3.7 Outcomes in KS5 are improving and there are examples of very good achievement across different schools. This needs to be more consistent and there needs to be greater improvement across KS5. We need to retain more of our own students and devise strategies to support them with the challenges of the cost-of-living crisis.
- 1.3.8 THE Partnership is commissioned to carry out risk assessment and monitoring of all local authority-maintained schools from Reception to KS4. THEP do not have a commission for KS5 presently. Our work centres on a balance of support and challenge to school leaders to celebrate achievements, identify areas for improvement and signpost the support that may help. THE Partnership also supports schools through leading subject networks to share best practice, through a wide range of professional development that targets areas for improvement, such as oracy and writing in primary schools and academic literacy in secondary schools.

1.4 Key priorities for 2023 - 2024

- 1.4.1 Primary Schools:
 - Continue work on closing any gaps in attainment caused by the pandemic.
 - Continue the focus on language and vocabulary development for all pupils.
 - Strengthening knowledge and skills in reasoning and problem solving in Mathematics

1.4.2 Secondary Schools:

- Narrow the gap in performance between the school's performing least well and those which are excelling.
- Raise attainment and progress, particularly at A Level
- Expand work with Oxbridge admissions tutors to support high potential students' successful applications to Oxbridge and other high-ranking universities.

1.4.3 Commissioning of THEP:

- A key priority is to refresh THEP's commission for 23/24, to lead and drive improvement for KS5. Discussions have already begun with plans to deliver being formalised.

2 Early Years Foundation Stage (EYFS) Results 2021-22

2.1 The following is a summary of the EYFS results at the end of Reception for 2022.

| | Tower Hamlets | National |
|--|---------------|----------|
| Good Level of Development (GLD) | 60.7% | 65.3% |
| Communication | 73.2% | 79.5% |
| Personal, social and emotional | 78.1% | 83.0% |
| Physical | 79.6% | 84.8% |
| Literacy | 63.8% | 68.0% |
| Maths | 71.7% | 75.9% |

Table 1 – EYFS results 2022

2.2 There were changes to the EYFS curriculum in 2021-2022.

2.3 The DfE withdrew the need and funding for LAs to carry out statutory moderation of Reception data in 2022.

2.4 There remain significant differences between the attainment of boys and girls. Boys in the LA attained 53.6% GLD and girls attained 67.5% GLD.

2.5 Outcomes in literacy (reading and writing) were low across the LA. In literacy, the gap between boys and girls has decreased but girls still outperformed boys.

2.6 Disadvantaged children attained 56% GLD compared to 62.1% GLD for non-disadvantaged in the LA.

2.7 Nationally, disadvantaged children attained 49.5% GLD compared to 68.2% GLD for non-disadvantaged.

2.8 Within the LA 12% of the cohort in Reception had SEND support / EHCP – 401 children. These children attained 14.5% GLD compared to 18.8% nationally. Children with no recorded SEND in the LA achieved 68.9% GLD compared to 71% GLD nationally.

2.9 White British (310 children) attained 64.8% GLD, Bangladeshi (1,832 children) attained 60.1% GLD, Black / Mixed Caribbean (66 children) attained 53% GLD and Black / Mixed African (187 children) attained 57.2% GLD.

3 Key Stage 1 Results 2021-22

3.1 Key Stage 1 Year 1 Phonics Screening Check

3.1.1 The following summarises Phonics Screening Check results at the end of Year 1.

| | Tower Hamlets | National |
|-------------------------|---------------|----------|
| Phonics screening check | 75.6% | 75.5% |

Table 2 – KS1 Y1 Phonics screening check 2022

3.1.2 Provisional data suggests that outcomes for the phonics screening check at the end of Year 1 still remain just above national.

3.1.3 The percentage of girls achieving the expected standard was 80% whereas boys attained 71.3%.

3.1.4 Tower Hamlets disadvantaged pupils attained 70.4% compared to 62.4% nationally.

3.1.5 Within the LA 17% of the cohort in Year 1 had SEND support / EHCP – 605 pupils. These children attained 45.6% compared to 38.4% nationally. Children with no recorded SEN in the LA achieved 83.2% compared to 82.1% nationally.

3.1.6 White British (333 children) attained 70.6%, Bangladeshi (1,892 children) attained 76.6%, Black / Mixed Caribbean (73 children) attained 64.4% and Black / Mixed African (230 children) attained 77.8%.

3.2 Key Stage 1 Year 2 Expected Standard

3.2.1 The following is a summary of the Key Stage 1 (Expected standard) results at the end of Year 2.

| | Tower Hamlets | National |
|--|---------------|----------|
| Reading | 68.7% | 66.9% |
| Writing | 62.7% | 57.6% |
| Mathematics | 69.7% | 67.7% |
| Combined (reading, writing and maths) | 57.6% | 53.4% |

Table 3 – End of Key Stage 1 Expected standard 2022

3.2.2 Outcomes at the expected standard in KS1 were above national in all subjects and the combined. As with national, all results have decreased compared to previous years, but these decreases have been slightly less in the LA at the expected standard.

- 3.2.3 Girls outperformed boys in all subjects, including the combined.
- 3.2.4 Disadvantaged pupils in the LA have performed significantly better than national in all subjects. In the combined, 51% of pupils achieved the expected standard compared to 37% nationally.
- 3.2.5 Within the LA 19% of the cohort in Year 2 had SEND support / EHCP – 644 pupils. These children attained 19.9% in the combined at the expected standard compared to 15% nationally. Children with no recorded SEND in the LA achieved 67.4% compared to 61.1% nationally.
- 3.2.6 In the combined measure at the expected standard, White British (308 children) attained 58.4%, Bangladeshi (1,928 children) attained 57.3%, Black / Mixed Caribbean (72 children) attained 47.2% and Black / Mixed African (200 children) attained 55%.

3.3 Key Stage 1 Year 2 Greater Depth

- 3.3.1 The following is a summary of the Key Stage 1 (Greater Depth) results at the end of Year 2.

| | Tower Hamlets | National |
|--|----------------------|-----------------|
| Reading | 17.2% | 18% |
| Writing | 10.1% | 8% |
| Mathematics | 16.6% | 15.6% |
| Combined (reading, writing and maths) | 6.9% | 5.9% |

Table 4 – End of Key Stage 1 Greater depth 2022

- 3.3.2 Outcomes at greater depth in KS1 were above national in all subjects except for reading. However, the gap is closing between LA and national and is now only 0.8%pts.
- 3.3.3 Decreases between the 2019 and 2022 results are similar or slightly less when comparing LA and national.
- 3.3.4 At greater depth, girls outperformed boys in English, but boys outperformed girls in mathematics.
- 3.3.5 Disadvantaged pupils in the LA performed significantly better than national in all subjects. In the combined, 4.7% of pupils achieved the expected standard compared to 2.1% nationally.
- 3.3.6 In the combined measure at greater depth, White British (308 children) attained 7.5%, Bangladeshi (1,928 children) attained 6.4%, Black / Mixed Caribbean (72 children) attained 1.4% and Black / Mixed African (200 children) attained 7.5%.

4 Key Stage 2 Results 2021-22

4.1 Key Stage 2 Year 6 Expected Standard, including for disadvantaged pupils

| | | % achieving expected standard in combined | | % achieving expected standard in reading | | % achieving expected standard in writing | | % achieving expected standard in mathematics | |
|----------------------|--|---|-------|--|-------|--|-------|--|-------|
| | | All | Disad | All | Disad | All | Disad | All | Disad |
| Tower Hamlets | | 67 | 61 | 80 | 76 | 76 | 71 | 78 | 73 |
| National | | 59 | 43 | 75 | 63 | 70 | 55 | 72 | 56 |
| London | | 66 | 53 | 79 | 70 | 75 | 64 | 78 | 66 |
| Inner London | | 66 | 57 | 80 | 73 | 75 | 68 | 77 | 68 |
| Outer London | | 66 | 50 | 79 | 68 | 75 | 62 | 78 | 64 |

Table 5 – End of Key Stage 2 Expected standard 2022 (Disad = Disadvantaged)

- 4.1.1 All outcomes at the expected standard are above national and above or equal to both inner and outer London averages.
- 4.1.2 Outcomes in Tower Hamlets are in the top quintile nationally at the expected standard (150 LAs).
- 4.1.3 Tower Hamlets is in the top half of London boroughs (32 LAs) at the expected standard for all pupils.
- 4.1.4 Outcomes in writing, mathematics and the combined have all decreased compared to previous years, both nationally and locally. However, reading outcomes have slightly improved both locally and nationally.
- 4.1.5 Within the LA, girls outperformed boys in all subjects at the expected standard except mathematics.
- 4.1.6 Disadvantaged pupils performed significantly better than national disadvantaged pupils (61% in the combined at the expected standard compared to 43% nationally). Tower Hamlets disadvantaged pupils' outcomes were also higher than both inner and outer London averages. In all subjects, our disadvantaged pupils performed better than all pupils nationally.
- 4.1.7 Tower Hamlets disadvantaged pupils outperformed all statistical neighbours at the expected standard apart from Newham and Waltham Forest and are 4th highest in England in the combined measure overall.
- 4.1.8 Within the LA 20% of the cohort in Year 6 had SEND support / EHCP – 697 pupils. These children attained 27% in the combined measure at the expected standard compared to 18% nationally. Inner London average was 28%.

4.2 Key Stage 2 Year 6 Higher Standard, including for disadvantaged pupils

| | % achieving higher standard in combined | | % achieving higher standard in reading | | % achieving higher standard in writing | | % achieving higher standard in mathematics | |
|----------------------|---|-------|--|-------|--|-------|--|-------|
| | All | Disad | All | Disad | All | Disad | All | Disad |
| Tower Hamlets | 10 | 7 | 33 | 28 | 16 | 13 | 29 | 22 |
| National | 7 | 3 | 28 | 17 | 13 | 6 | 23 | 12 |
| London | 11 | 5 | 33 | 23 | 17 | 11 | 30 | 18 |
| Inner London | 11 | 6 | 33 | 25 | 18 | 12 | 29 | 19 |
| Outer London | 11 | 5 | 33 | 21 | 17 | 9 | 31 | 17 |

Table 6 – End of Key Stage 2 Higher standard 2022 (Disad = Disadvantaged)

- 4.2.1 Results at the higher standard remain stronger than national in all subjects.
- 4.2.2 At the higher standard girls continue to outperform boys in all subjects except mathematics.
- 4.2.3 For disadvantaged pupils at the higher standard the LA outcomes are significantly above national for similar pupils, particularly in reading (+11%pts) and mathematics (+10%pts).

4.3 Key Stage 2 Year 6 outcomes by ethnic group in Tower Hamlets

| | Expected standard | | | | Higher standard | | | |
|---|-------------------|--------------------|------------------|-------------------|------------------|--------------------|------------------|-------------------|
| | Pupils achieving | % pupils achieving | % boys achieving | % girls achieving | Pupils achieving | % pupils achieving | % boys achieving | % girls achieving |
| All pupils | | 67 | | | | 10 | | |
| Any other ethnic group | 79 | 71 | 66 | 75 | 4 | 4 | 4 | 4 |
| Asian - Any other Asian background | 16 | 64 | 63 | 67 | 3 | 12 | 0 | 33 |
| Asian - Bangladeshi | 1396 | 69 | 65 | 73 | 201 | 10 | 8 | 12 |
| Asian - Chinese | 21 | 88 | 71 | 94 | 7 | 29 | 14 | 35 |
| Asian - Indian | 22 | 92 | 87 | 100 | 5 | 21 | 13 | 33 |
| Asian - Pakistani | 22 | 76 | 80 | 71 | 3 | 10 | 13 | 7 |
| Black - Any other Black background | 20 | 67 | 62 | 71 | 0 | 0 | 0 | 0 |
| Black - Black African | 172 | 68 | 64 | 72 | 26 | 10 | 13 | 8 |
| Black - Black Caribbean | 19 | 50 | 44 | 55 | 1 | 3 | 0 | 5 |
| Mixed - Any other Mixed background | 75 | 60 | 55 | 64 | 15 | 12 | 15 | 10 |

| | Expected standard | | | | Higher standard | | | |
|------------------------------------|-------------------|--------------------|------------------|-------------------|------------------|--------------------|------------------|-------------------|
| | Pupils achieving | % pupils achieving | % boys achieving | % girls achieving | Pupils achieving | % pupils achieving | % boys achieving | % girls achieving |
| Mixed - White and Asian | 25 | 74 | 72 | 75 | 6 | 18 | 17 | 19 |
| Mixed - White and Black African | 18 | 67 | 62 | 71 | 4 | 15 | 23 | 7 |
| Mixed - White and Black Caribbean | 15 | 33 | 29 | 38 | 1 | 2 | 0 | 4 |
| Unclassified | 14 | 50 | 47 | 54 | 2 | 7 | 7 | 8 |
| White - Any other White background | 134 | 75 | 72 | 80 | 21 | 12 | 12 | 12 |
| White - Gypsy/Roma | - | - | c | - | - | - | c | - |
| White - Irish | 6 | 67 | 60 | 75 | 1 | 11 | 20 | 0 |
| White - White British | 161 | 53 | 54 | 53 | 16 | 5 | 7 | 3 |

Table 7 – End of Key Stage 2 Expected and higher standard in combined by ethnicity/gender 2022

5 Overall Primary Performance

5.1 Progress from Key Stage 1 to Key Stage 2

- 5.1.1 Progress between KS1 and KS2 is a value-added measure. There is no 'target' for the progress an individual pupil is expected to make. Any amount of progress a pupil makes contributes towards the school's progress score.
- 5.1.2 The expected progress score for the LA would be 0 points. An average positive score indicates pupils have made better than expected progress. An average negative score indicates pupils have made less than expected progress.

| | Reading | Writing | Maths |
|------|---------|---------|--------|
| 2022 | + 1.26 | + 1.42 | + 1.48 |

Table 8 – Expected progress scores for Tower Hamlets 2022

5.2 THE Partnership actions

- 5.2.1 From observations in schools, moderation and detailed analysis of pupil outcomes, a number of our actions and interventions have impacted on the data in 2022 in the primary phase as identified below.
- 5.2.2 Focused work with schools, and through central training, on developing communication and language work, specifically in EYFS and KS1, as children's use of spoken English had been severely impacted throughout the pandemic. The continued development of the Tower Hamlets Oracy Hub helped support this work.
- 5.2.3 Focused work with schools where there were previous concerns identified through THEP risk assessment procedures in relation to phonics screening check outcomes in Year 1 and continuing to make available The Partnership phonics scheme of work to schools with supporting resources and assessments (now officially recognised by the DfE as a validated programme).

- 5.2.4 Continuing to provide a responsive and agile professional learning programme through central training and in-school support focused on areas to accelerate pupil progress and outcomes. For example, 'Talk for Teaching and Learning: The Dialogic Classroom', 'Working with the lowest 20% - strategies to accelerate progress', 'Planning for gaps – where are your pupils now?', and 'Numberless word problems – developing reasoning and the language of mathematics'.
- 5.2.5 A continued focus on the use of academic language and vocabulary development in English to support writing.
- 5.2.6 Working with school leaders and teachers to forensically track disadvantaged and vulnerable pupils so quality first teaching and intervention can be targeted appropriately and using the recommendations from the Education Endowment Foundation to support school leaders in making the most effective use of funding to support disadvantaged pupils.
- 5.2.7 Continuing to support moderation and providing clear exemplifications of end of year expectations, and expectations for the end of each term in different year groups, continued to help support teacher subject knowledge and raise expectations.

5.3 Key priorities for 2022-23

- 5.3.1 On the basis of progress made so far in the primary phase, THE Partnership's key priorities for 2022-23 are identified below.
- 5.3.2 To continue work on closing any gaps in attainment caused by the pandemic, so pupil outcomes return to those of previous years and reducing the variation of pupil outcomes between schools.
- 5.3.3 Continuing the focus on language and vocabulary development for all pupils and developing the work of the Oracy Hub to have greater impact across our member schools and supporting them to attain the 'Tower Hamlets Oracy Award'.
- 5.3.4 Strengthening knowledge and skills in reasoning and problem solving in Mathematics.
- 5.3.5 Facilitating and sharing practice and latest research across the system and ensuring strong practice is identified and used to support and strengthen learning and teaching.

6 Key Stage 4 Outcomes 2021-22

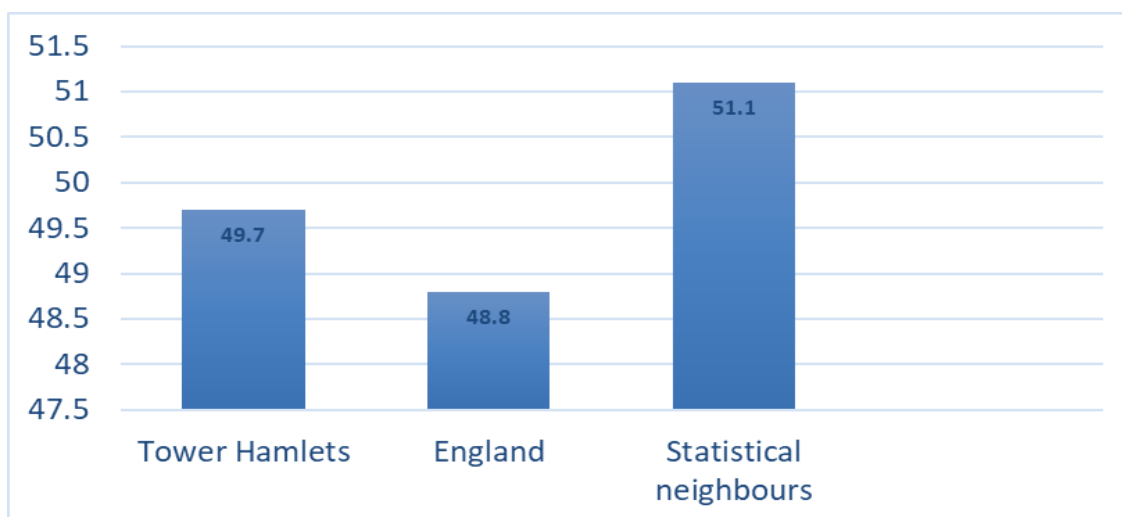
- 6.1 **All Key Stage 4 data is provisional.** The Department for Education website indicates that validated data will not be available until at least February 2023.
- 6.2 It should be noted that, in 2022, examination grade boundaries were set mid-way between those applied in 2019 (pre-pandemic) and those applied in 2021 to ensure students taking public examinations in 2022 were not unduly disadvantaged compared to those whose grades were awarded through teacher assessment during the pandemic.

6.3 Attainment 8 Scores

- 6.3.1 Attainment 8 measures a student's average grade across eight subjects – the same subjects that count towards Progress 8. This measure is designed to encourage schools to offer a broad, well-balanced curriculum. The eight subjects fit into three

groups: English and Maths (double weighted), English Baccalaureate (the highest scores from the sciences, computer science, geography, history and languages) and the Open Group (any remaining GCSEs and other approved academic, arts or vocational qualifications).

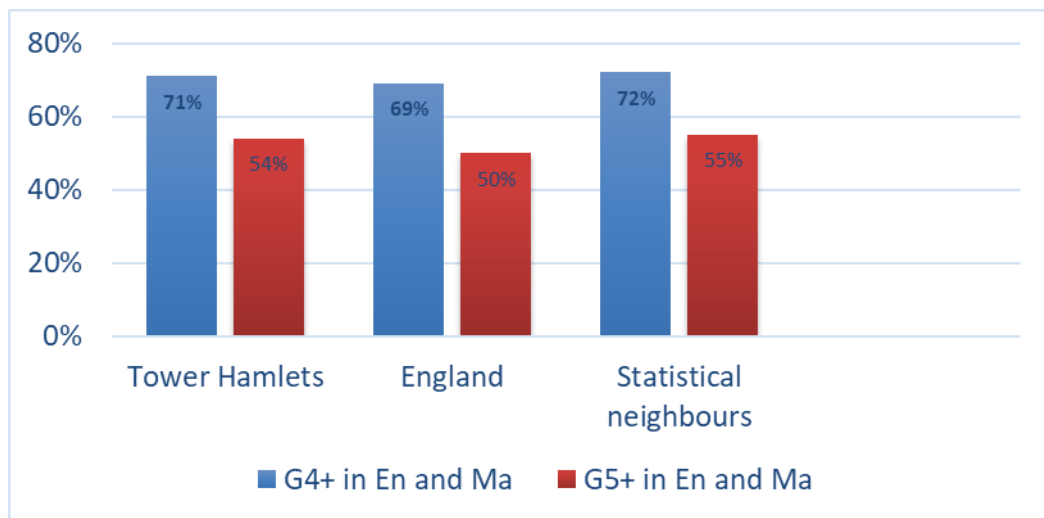
- 6.3.2 A student's Attainment 8 score is calculated by adding up their points for their eight subjects and dividing by 10 to get their Attainment 8 score. Students do not have to take eight subjects, but they score 0 for any unfilled slots.
- 6.3.3 In 2021-22, the average attainment 8 score in Tower Hamlets was 49.7, +0.9 above the England average and -1.4 below the LA's statistical neighbours. This means that in Tower Hamlets, pupils' average GCSE grade across 8 subjects on the scale of 9-1 (with English and mathematics counted double), was 5.0, in England it 4.9, and in the LA's statistical neighbours it was 5.1.
- 6.3.4 These scores reflect attainment that was 7th highest out of 11 statistical neighbours. They place the LA 48th among England's 151 local authorities.



Graph 1 – Attainment 8 Scores 2022

6.4 Outcomes by key subject groups

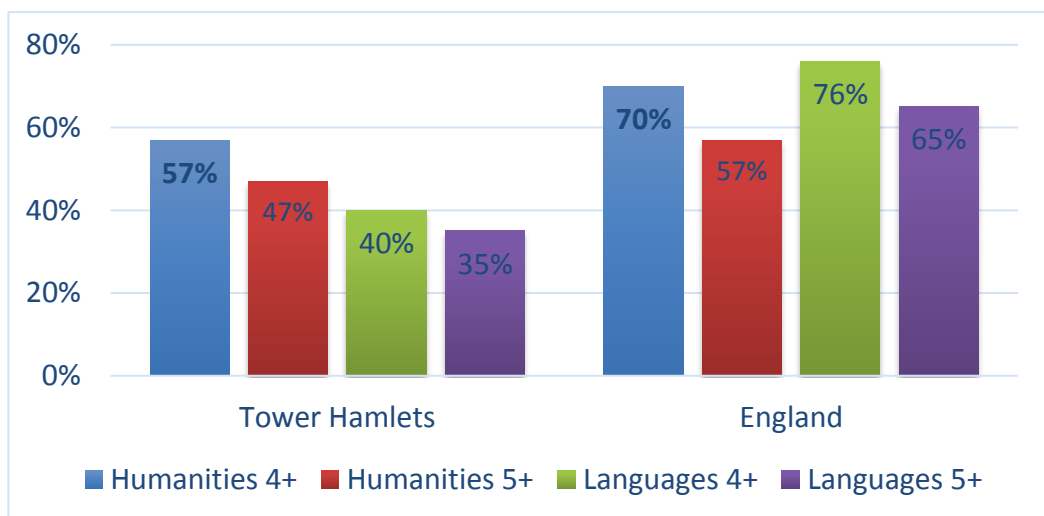
6.4.1 Attainment in English and Mathematics was slightly above the national average and slightly below the average of the LA's statistical neighbours as shown below.



Graph 2 – Attainment at grade 4+ & 5+ in GCSE English & Mathematics 2022

6.4.2 Attainment in Science was similar to England overall. We do not have data to compare this measure with the LA's statistical neighbours.

6.4.3 Attainment was considerably weaker in the EBacc measures for humanities (history or geography only) and languages, as shown below.



Graph 3 – Attainment in Humanities (Geography & History) and Languages 2022

6.5 Progress 8 Scores

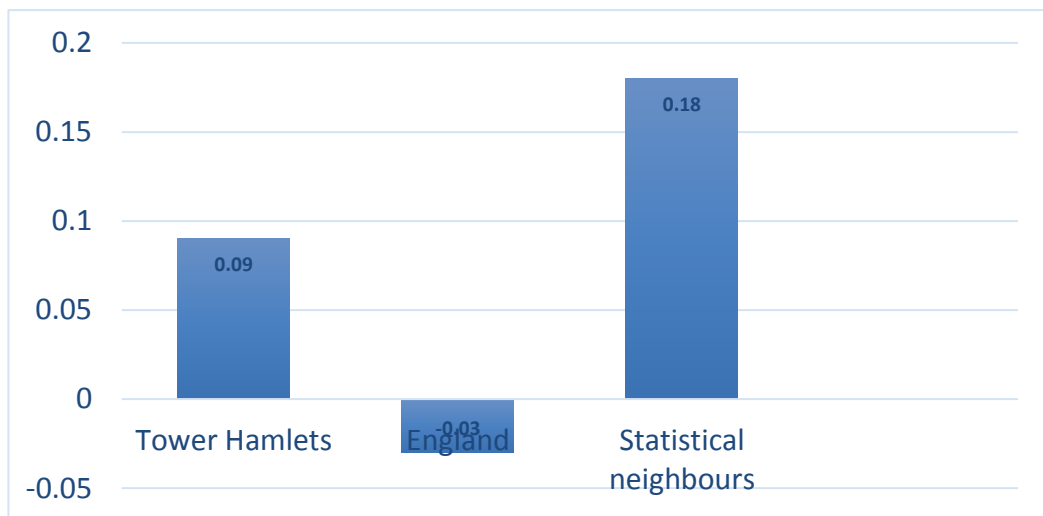
6.5.1 Progress 8 measures a student's progress between Key Stage 2 and Key Stage 4 across eight key subjects. It shows whether students have performed to expectation, based on a value-added measure using Key Stage 2 English and Maths as a baseline. It is checked by getting a sample of Year 11 students to sit English and Maths reference tests in March before their June GCSEs.

6.5.2 A Progress 8 score is calculated for each pupil by comparing their Attainment 8 score with the average Attainment 8 scores of all pupils nationally who had a similar starting point, calculated using assessment results from the end of primary school. The greater the Progress 8 score, the greater the progress made by the pupil compared to the average of pupils with similar prior attainment. A school's Progress 8 score is calculated as the average of its pupils' Progress 8 scores. It gives an indication of whether, as a group, pupils in the school made above or below average progress compared to similar pupils in other schools:

- a score of 0 means pupils in this school on average do as well at key stage 4 as other pupils across England who got similar results at the end of key stage 2;
- a score above 0 means pupils made more progress, on average, than pupils across England who got similar results at the end of key stage 2;
- a score below 0 means pupils made less progress, on average, than pupils across England who got similar results at the end of key stage 2.

6.5.3 The Progress 8 scores in Graph 4 indicate that, on average, Tower Hamlets pupils made more progress between Key Stage 2 and Key Stage 4 than did their peers nationally but less progress on average than their peers in statistically similar boroughs.

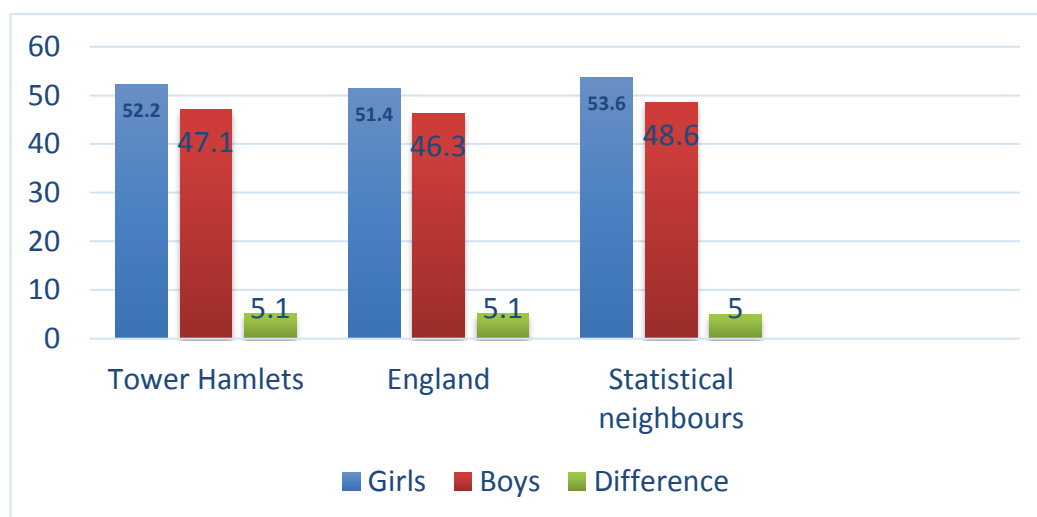
6.5.4 These scores reflect progress that places Tower Hamlets in 6th place compared to its statistical neighbours and 38th among England's 151 local authorities.



Graph 4 – Progress 8 scores 2022

6.6 Attainment and progress by gender

6.6.1 Girls' progress and attainment was higher than boys'. The gap in attainment between boys and girls was 5 points, representing half a GCSE grade across their attainment 8 subjects. This was very similar to the national picture and that of the LA's statistical neighbours. Progress 8 scores reflect a similar picture to the Attainment 8 scores in that, by gender comparison, boys and girls in Tower Hamlets achieved more highly than their peers in England but less well than the average scores in the LA's statistical neighbours.



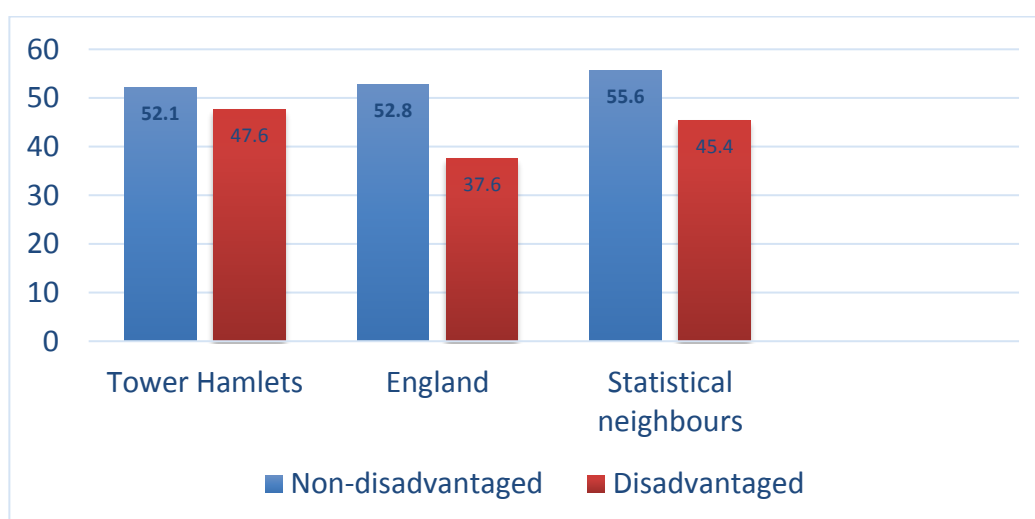
Graph 5 – Attainment 8 scores by gender 2022

6.7 Attainment and progress by disadvantage

6.7.1 In Tower Hamlets, disadvantaged pupils' attainment was higher compared to statistically similar LAs and better compared to disadvantaged pupils in England.

6.7.2 The attainment of disadvantaged pupils placed the LA as 4th highest among its statistical neighbours and 6th highest across the 151 local authorities in England. In terms of progress, disadvantaged pupils' made progress (0.00) that placed the LA 4th among its 11 statistical neighbours (-0.10) and 12th among the 151 LAs in England (-0.55). While non-disadvantaged pupils made good progress with a Progress 8 score of +0.21 and this was better than the England average (+0.15), they made less progress than their peers in similar Local authorities (+0.40).

6.7.3 This is reflected in attainment scores that place the LA 9th among its eleven statistical neighbours and 75th in England overall for non-disadvantaged pupils.



Graph 6 – Attainment 8 scores by disadvantage 2022

6.8 Attainment and progress by ethnicity

6.8.1 It should be noted that the DfE has not yet published data by ethnic sub-group. The initial data release used broad categories: ‘Asian’, ‘Black’, ‘Chinese’, ‘Mixed’, ‘White’. It is not clear whether the validated data, due in February 2023 at the earliest, will divide ethnicities into sub-groups. Hence, the data in Table 8 below compares the achievement of different groups within Tower Hamlets and compares their achievement with students in statistically similar LA’s and England, regardless of ethnicity.

6.8.2 The data shows that Bangladeshi pupils, overwhelmingly the largest ethnic group in the cohort, achieved above the LA average, the average for England and the overall average for the LA’s statistical neighbours (irrespective of ethnicity).

6.8.3 Other groups that achieved well compared to the LA, England and statistical neighbour averages were Any Other White Background, Any Other Ethnic Group, White and Asian, Any Other Asian Background, Indian and Chinese pupils.

6.8.4 The groups that performed least well were White British, Any Other Mixed Background, White and Black Caribbean and White - Irish.

6.9 Progress by prior attainment

6.9.1 Overall, the pupils with the highest prior attainment secured higher attainment 8 scores than middle and low prior attainers as would be expected.

6.9.2 Progress data suggests that the progress of all groups was above the England average but was considerably stronger for low and middle prior attainers than for high prior attainers, as can be seen in Table 9 below.

| | No. of students | Progress 8 score | Attainment 8 score |
|---|-----------------|------------------|--------------------|
| LA average | - | +0.09 | 5.0 |
| Bangladeshi | 1853 | +0.3 | 5.3 |
| Black – African | 254 | -0.1 | 4.9 |
| White – British | 182 | -0.8 | 3.9 |
| Any other white background | 95 | +0.4 | 5.3 |
| Any other mixed background | 64 | -0.3 | 4.8 |
| Any other ethnic group not specified | 57 | +0.4 | 5.3 |
| White and Black Caribbean | 41 | -0.7 | 4.0 |
| Any other Black Background | 33 | 0.0 | 5.0 |
| White and Asian | 32 | +0.3 | 5.2 |
| White and Black African | 29 | 0.0 | 5.2 |
| Any other Asian Background | 24 | +0.4 | 5.5 |
| Indian | 21 | +0.5 | 5.3 |
| Chinese | 16 | +0.7 | 5.9 |
| White – Irish | 8 | -1.0 | 3.7 |

Table 8 – Attainment and progress in Tower Hamlets by ethnicity 2022

| Prior attainment | Progress 8 score |
|------------------|------------------|
| High | 0 |
| Middle | +0.1 |
| Low | +0.1 |

Table 9 – Progress by prior attainment in Tower Hamlets 2022

6.10 Destinations from Key Stage 4 (2020 finishers)

6.10.1 In 2020-21, 93.1% of Tower Hamlets pupils went on to sustained employment or education destinations, slightly lower than the average for England (93.7%) and the LA's statistical neighbours (93.3%)

6.10.2 The majority of pupils (62.6%) progressed to a school sixth form. This is far higher than the average for England (38%) but not unusual in London which has a higher proportion of schools with sixth forms than elsewhere in England. Just under a quarter (23.6%) of pupils progressed to a Further Education College or other FE provider, which is much lower than England (35.9%)

6.10.3 The proportion of Tower Hamlets pupils progressing to an apprenticeship aged 16 (0.2%) was notably lower than England (2.4%).

6.11 THE Partnership Actions

- 6.11.1 Provided tailored support and challenge for schools which are performing less well than others.
- 6.11.2 Strengthened subject networks in English, mathematics, history, geography and languages.
- 6.11.3 Devised and implemented a project to raise attainment in history and geography from Key Stage 1 to the end of Key Stage 3.
- 6.11.4 Widened our corporate expertise by commissioning a wider range of expert consultants to work with schools, including in mathematics, science, languages and geography.

6.12 Key priorities for 2022-23

- 6.12.1 Narrow the gap in performance between the school's performing least well and those which are excelling.
- 6.12.2 Raise attainment and progress, particularly of high prior attainers and those who are not from disadvantaged backgrounds.
- 6.12.3 Strengthen outcomes in languages and in history and geography, including by strengthening students' skills and understanding in academic literacy.
- 6.12.4 Raise the attainment and progress of groups that perform least well and narrow the gap between this group and their peers – (White British, Any Other Mixed Background, White and Black Caribbean and White – Irish).

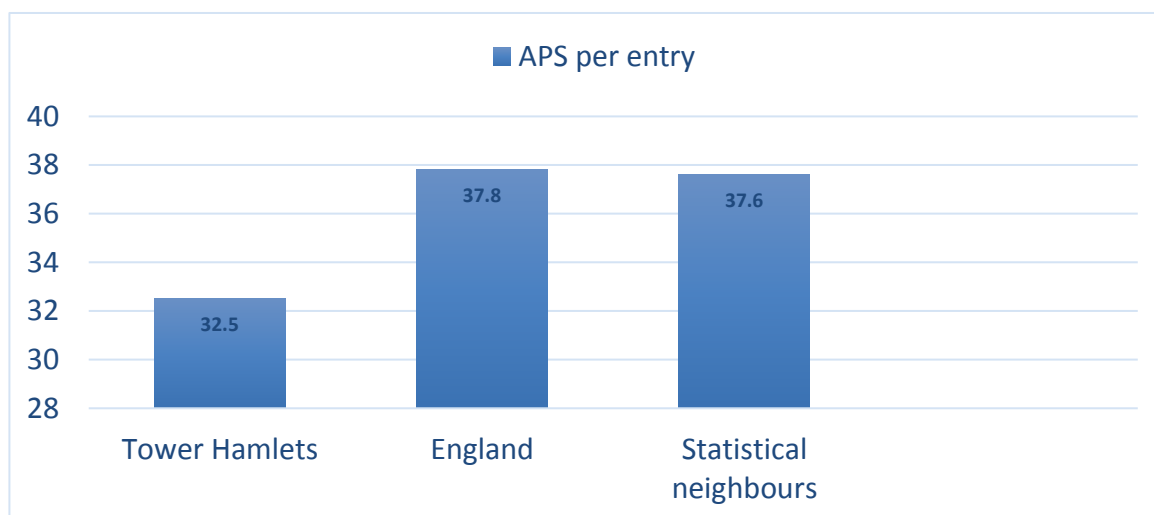
7 Key Stage 5 outcomes 2021-22

7.1 Average Points Scores per entry

- 7.1.1 Average Points Scores (APS) reflect the scores achieved per A level entry as follows:

| Grade | APS |
|--------------|------------|
| A* | 60 |
| A | 50 |
| B | 40 |
| C | 30 |
| D | 20 |
| E | 10 |
| U | 0 |

7.1.2 In 2022, the APS per entry for all students attending Tower Hamlets schools and colleges was 32.5. This means that the average grade achieved per entry was grade C. While the average grade in England and in the LA’s statistical neighbours was also a grade C, the APS was considerably lower in Tower Hamlets than in England and the LA’s statistical neighbours. (It is interesting to note that, unlike at GCSE, the LA’s statistical neighbours’ attainment is slightly below the average for England).



Graph 7 – Average Points Scores per entry 2022

7.1.3 These scores placed Tower Hamlets in 148th place of 151 for attainment in academic qualifications and 11th of the LA’s 11 statistical neighbours.

7.1.4 The average A level grade per entry in Tower Hamlets schools was also lower than for England and for London as can be seen in Table 10.

| | A* | A*-A | A* - B | A* - C | A* - E |
|----------------------|-----------|-------------|---------------|---------------|---------------|
| Tower Hamlets | 6.9% | 23.1% | 51.1% | 74.4% | 97.2% |
| London | 17.1% | 39% | 64.1% | 82.4% | 98.2% |
| England | 14.5% | 35.9% | 62.2% | 82.1% | 98.4% |

Table 10 – Percentage of entries achieving A level grades A*-E 2022

7.2 Outcomes by gender

7.2.1 Girls’ attainment was slightly higher than boys in line with the national picture and that of the LAs statistical neighbours.

7.3 Outcomes by ethnicity

7.3.1 Data is not yet available on sub-groups such as Bangladeshi and White – British. Data that is available considers the attainment of broader groups, such as ‘Asian’, ‘White’. Initial analysis suggests that Asian students attained more highly than did White – British students but that attainment for all groups was below the average for England and for the LA’s statistical neighbours.

7.4 Outcomes by subject groups (Tower Hamlets Schools only)

7.4.1 Of the major subject areas and at the highest grades, science stood out as the subject with the lowest attainment, as can be seen in Table 11 below.

7.4.2 Beyond these subject clusters, for subjects representing at least 1% of all entries, attainment at the highest grades varied similarly by subject as can be seen in Table 12 below.

| Subject groups | % A level grade A*-B | % of all A level entries |
|----------------|----------------------|--------------------------|
| English | 51% | 7% |
| Maths | 52% | 12% |
| Science | 38% | 19% |
| Humanities | 54% | 8% |
| Arts | 67% | 3% |
| Languages | 69% | 1% |

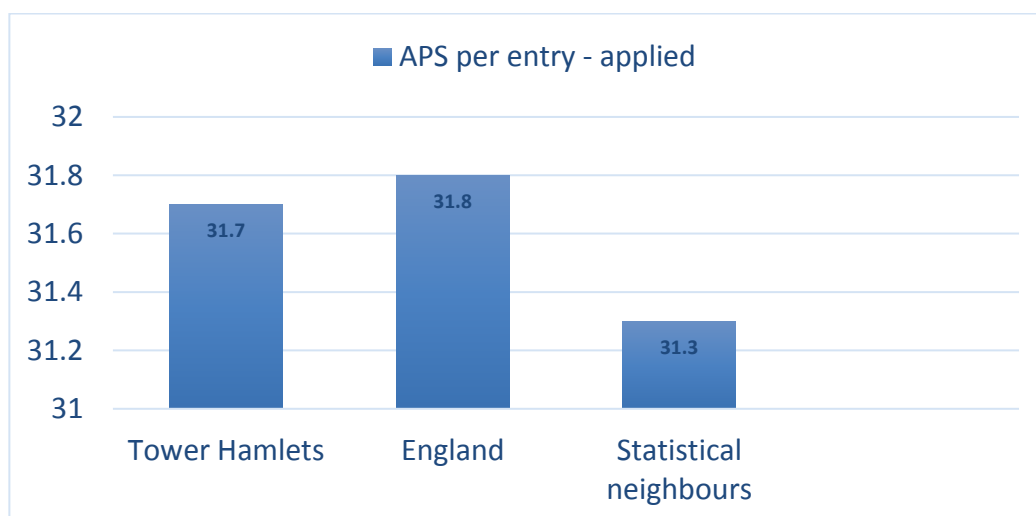
Table 11 – Proportion of A level entries attaining A*-B grades by subject in Tower Hamlets 2022

| Subject | % A level grade A*-B | % of all A level entries |
|-------------------|----------------------|--------------------------|
| Media Studies | 69% | 2% |
| Politics | 67% | 6% |
| Sociology | 66% | 10% |
| Economics | 55% | 9% |
| Law | 55% | 1% |
| Extended Project | 55% | 1% |
| Religious Studies | 54% | 3% |
| Psychology | 54% | 11% |
| Business Studies | 50% | 1% |
| Computer Science | 49% | 2% |

Table 12 – Subjects representing at least 1% of all entries 2022

7.5 Level 3 Applied (Vocational) qualifications

7.5.1 Attainment in applied qualifications compared more favourably with England and with the LA's statistical neighbours as can be seen in Graph 8 below.



Graph 8 – Progress by prior attainment in Tower Hamlets 2022

7.5.2 The LA's overall APS placed it 5th of 11 statistical neighbours and 80th out of 151 LAs.

7.5.3 Girls' attainment was higher than boys' reflecting the national picture.

7.5.4 Again, data is not yet available by ethnic sub-group, but data shows that pupils from Asian backgrounds in Tower Hamlets attained more highly on average than in England and compared to the LA's statistical neighbours. Students from White backgrounds attained less well than their counterparts nationally and, in the LA's, statistical neighbours.

7.6 Destinations from Key Stage 5 (all providers including colleges) in 2021

7.6.1 In Tower Hamlets, 82.1% of students progressed to education, employment and training. This was lower than the national picture, with the figure for England being 85.5%.

7.6.2 Over half progressed to a UK Higher Education Institution. Smaller proportions than seen nationally progressed to a Top Third or Russell Group institution.

7.6.3 Fewer students than nationally progressed to an apprenticeship.

7.6.4 The proportion of students who did not sustain their place at their chosen destination was higher than the national average.

| Destination | Tower Hamlets | England |
|--|---------------|---------|
| Overall education or employment/training destination | 82.1% | 85.5% |
| Further education college or other FE provider | 8.6% | 7.2% |
| Apprenticeships | 2.3% | 4.1% |
| UK Higher Education Institution | 56.6% | 52.3% |
| Top third of HEIs | 15.8% | 17.1% |
| Russell Group | 14.8% | 15.3% |

| Destination | Tower Hamlets | England |
|--|----------------------|----------------|
| Sustained employment or training destination | 13.7% | 19.6% |
| Destination not sustained | 13.4% | 10.5% |

Table 13 – Destinations for KS5 students completing studies in Tower Hamlets in 2021

7.7 THE Partnership Actions

- 7.7.1 Established and strengthened the Post 16 Leadership Forum, including first-hand visits to schools to identify and cascade the most effective practice.
- 7.7.2 Devised events for Headteachers of the strongest performing sixth forms to share strategies for success with other schools.
- 7.7.3 Established a two-year programme to raise attainment in A level biology, chemistry and physics in association with STEM learning.
- 7.7.4 Devised programmes to support the high-quality teaching of A level mathematics in partnership with the London South East+ Maths Hub.
- 7.7.5 Devised and implemented a 'Getting to Oxbridge' event for the most able Year 10 and Year 12 students in Tower Hamlets in partnership with the University of Oxford.

7.8 Key priorities for 2022-23

- 7.8.1 Ensure work to raise attainment in the A level sciences and in mathematics is sustained and has demonstrable impact.
- 7.8.2 Establish A level subject-specific networks led by high quality practitioners to support improvements at subject level.
- 7.8.3 Continue to identify and implement mechanisms to share best post-16 leadership and teaching practice.
- 7.8.4 Expand work with Oxbridge admissions tutors to support high potential students' successful applications to Oxbridge and other high-ranking universities.

8 CONCLUSION

- 8.1 The Local Authority has delegated the majority of its responsibilities for School Improvement to Tower Hamlets Education Partnership and school standards is one of the key performance indicators for judging the success of THE Partnership. The work of THE Partnership in securing the best possible outcomes and life chances for children and young people is diverse and wide ranging, from strategic planning down to operational delivery at a classroom level. It has established itself as an integral part of the educational landscape in Tower Hamlets, working in close alignment with the local authority and other partners.
- 8.2 Performance in primary schools is very strong and by the end of KS4 outcomes are good. Performance at the end of KS5 is less positive, particularly attainment at the higher grades. A key task for THE Partnership is to continue to reduce the variation in outcomes between schools and this will contribute to raising the average outcome for the borough at key stages 4 and 5.
- 8.3 Over recent years there have been a plethora of changes in curriculum, assessment, testing / examinations, and the school inspection framework. An

important part of the work of THE Partnership is to further develop schools' and providers' understanding of new requirements.

- 8.4 Currently 97% of Tower Hamlets schools are good or better with 35% outstanding; this is better than outcomes in England (88% of schools are good or better with 19% outstanding) and London (95% of schools are good or better with 35% outstanding)
- 8.5 The quality of teaching and learning is key to improving standards and THE Partnership actively promotes developments in this aspect of school practice, alongside the use of targeted, evidence-based programmes to close gaps in achievement between identified groups.
- 8.6 Tower Hamlets has a commitment to inclusive schools and THE Partnership supports schools to develop school capacity in supporting vulnerable children and young people including those with SEND.
- 8.7 Whilst the quality of educational provision in schools is the key priority for THEP, the organisation also plays a critical role in working with partners to develop consistently high-quality employment, education, and training pathways for young people of all abilities and interests.
- 8.8 Schools are dynamic organisations and can get into a downward spiral which is difficult to reverse. An important part of the work of THE Partnership is monitoring schools to identify those which may be at risk and these schools are called schools of concern. Schools of concern are provided with more intensive monitoring and support to enable improvements. THE Partnership consultants work with any school that has significantly underachieved to improve standards and close achievement gaps through effective leadership, data analysis and improved teaching and learning strategies.
- 8.9 A key priority for THE Partnership moving forward will be to continue to support schools in addressing gaps in pupils' learning at all key stages arising from the impact of the pandemic.

9 EQUALITIES IMPLICATIONS

- 9.1 The key equality implications are concerned with the ability of all children and young people to access effective and high-quality education provision to enhance their life chances, ensuring every child has every chance. The work of THE Partnership extends to all monitoring the performance of all schools in the borough and supporting those which are members and or maintained schools, which accounts for 97% of schools. Schools of concern have enhanced support and in addition intensive work takes place to address areas of poor performance with regard to subjects as well as and with target groups who are under-attaining in relation to national averages, such as with children on free school meals.

10 OTHER STATUTORY IMPLICATIONS

- 10.1 THE Partnership provides good value for money for the Council through delivering statutory school improvement services through a lean and flexible structure. Its effective operation reduces the risk of school standards deteriorating and thus schools providing poor opportunities for children and young people than is currently the case. Effective schools make a key contribution to keeping children and young people safe and additionally leads to crime reduction.

12 COMMENTS OF THE CHIEF FINANCE OFFICER

- 12.1 There are no direct financial implications in this report which focuses on attainment and outcomes.

13 COMMENTS OF LEGAL SERVICES

- 13.1 Sections 13 and 13A of the Education Act 1996 impose duties on local authorities to ensure that efficient primary, secondary and further education is available to meet the needs of the population of their area, and that these functions are exercised with a view to promoting high standards, ensuring fair access to opportunity and training, and promoting the fulfilment of learning potential for the pupils.
- 13.2 The Public Sector Equality Duty, set out in the Equality Act 2010, requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different groups of people when carrying out their activities.
- 13.3 The matters set out in this report demonstrate the Council's commitment to meeting these duties and comply with the above legislation.

Linked Reports, Appendices and Background Documents

Linked Report


- None.

Appendices

- None.

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

- None.

| | |
|---|---|
| <p>Cabinet</p> <p>22 February 2023</p> |  |
| <p>Report of: Karen Swift, Director of Housing and Regeneration</p> | <p>Classification: Unrestricted</p> |
| <p>Future of Housing Management Services – Strategic Review and Consultation</p> | |

| | |
|--|---|
| Lead Member | Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding |
| Originating Officer(s) | Nicola Klinger, Programme Lead – Housing Management Strategic Review |
| Wards affected | All wards |
| Key Decision? | Yes |
| Forward Plan Notice Published | 03/11/22 |
| Reason for Key Decision | Significant impact on communities living or working in two or more wards |
| Strategic Plan Priority / Outcome | Homes for the future Invest in public services A council that listens and works for everyone |

Executive Summary

The Council is proposing to bring housing management services back in-house, under the direct control of the Council.

The current Management Agreement between Tower Hamlets Homes (THH) and the Council ends on 31 March 2024. The Council must take a decision on whether to end or extend the management agreement no later than six months prior to this date.

Additionally, the Council’s Strategic Plan 2022-26 sets out in **Priority 2: Homes for the future** commitment to consulting residents on the future of housing management services, including Tower Hamlets Homes. The consultation concluded on 18 December 2022, finding that residents were supportive of proposals to bring services back in-house.

Having reviewed the options for the future of housing management services, the Council has assessed that bringing services back in-house (and thereby ending the Management Agreement) will provide an opportunity to join up services, increase accountability to residents and the Regulator of Social Housing (RSH), and enable the Council to take a strategic approach to delivering good quality homes.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the results of the consultation on the future of services for people living in council homes, as set out in 3.6.
2. Authorise the transfer of housing management services back in-house for the reasons set out in the report and authorise the relevant Corporate Directors following consultation with the Mayor to undertake the following:
 - i. Serving notice to terminate the Management Agreement with Tower Hamlets Homes.
 - ii. Approval of organisational structures including amending or adding structures to accommodate staff and services transferring into the Council.
 - iii. Staff consultation and administration of the transfer of staff under TUPE (Transfer of Undertakings Protection of Employment) regulations.
 - iv. Transfer of budgets and financial processes.
 - v. Resolution of contract novation and other legal issues.
 - vi. Establishment of new governance arrangements.
 - vii. Co-production of a tenants and leaseholders' engagement strategy.
 - viii. Such other actions as are reasonably incidental and necessary to allow for the Council's Housing Management function to be delivered "in house" such as the appointment of consultants and other resources to support the move back in house.

1 REASONS FOR THE DECISIONS

- 1.1 The current Management Agreement between Tower Hamlets Homes (THH) and the Council ends on 31 March 2024 (with a possible extension of a further four years). The Council must take a decision on whether to extend the Management Agreement no later than six months prior to this date.
- 1.2 Having reviewed the options for the future of housing management services, the Council has assessed that bringing services back in-house will:
 - provide an opportunity to join up services.
 - increase accountability to residents and the Regulator for Social Housing (RSH).
 - enable the Council to take a strategic approach to delivering good quality and new homes.
- 1.3 Given that no more additional Decent Homes funding is available, the Council did not find a significant reason to justify sustaining an Arms-Length Management Organisation (ALMO) model.
- 1.4 Between 24 October and 18 December 2022, the Council consulted residents on the future of housing management services. A mixed

methods approach was used to collect views on if the Management Agreement with THH should be extended or if services should be brought back in-house under direct control of the Council. 86.21% of tenants and leaseholders agreed with the Council's proposals to bring services back in-house.

2 ALTERNATIVE OPTIONS

- 2.1 The Council could choose to extend the Management Agreement with Tower Hamlets Homes for four years. In this option, there would not be a period of transition or cost associated with bringing services back in-house (at least for the four-year period). The Council would, however, need to be assured that it could provide best value under these arrangements, and that it is able to be directly accountable to residents and the Social Housing Regulator (notwithstanding services being at arms-length) as set out in the Building Safety Act 2022 and Social Housing Regulation Bill. Results from the consultation and strategic review do not demonstrate that this would be the best option to achieve this, or that tenants and leaseholders are of the opinion that this approach is preferred.
- 2.2 The Council could also have chosen to explore potential changes in ownership of its council homes or considered the creation of a new vehicle (for example undertaking a stock transfer or establishing a Registered Provider). It could also have considered entering into a Private Finance Initiative (PFI) contract. However, it was decided in the initial options appraisal (and prior to the consultation) that these were not viable options due to these being against the Council's Strategic Plan and Housing Strategy, including its new build programme.

3 DETAILS OF THE REPORT

3.1 Background

- 3.1.1 Following an assessment of its stock conditions, the Council took a decision in 2007 to set up an Arms-Length Management Organisation (ALMO) which enabled it to lever additional government funding to assist with the delivery of the Decent Homes Standard. In July 2008, Tower Hamlets Homes (THH) was established and delivered the Decent Homes programme of works. This was completed in 2017.
- 3.1.2 THH is wholly owned by the Council. It has its own executive board which manages the day-to-day activities of the company. THH manages c21,000 (11,516 social rented homes and 10,316 leasehold/freehold properties) on behalf of the Council.
- 3.1.3 The Management Agreement defines the relationship between the Council and THH. It sets out the obligations of each party, including the services to be provided by THH and the management fee that they will be paid by the Council for providing them.

- 3.1.4 The original Management Agreement ran for 10 years, expiring in 2018 at which point the agreement was extended until 2020.
- 3.1.5 Following a review by Altair in 2020 and consultation with residents (which found 30% of leaseholders and 54% of tenants were in favour of extending the Management Agreement), the Management Agreement was extended for an additional four years to 2024, with a possible extension of a further four years (to 2028).
- 3.1.6 In May 2022, the Council reviewed the options for providing housing management services to prepare for the current Management Agreement ending on 31 March 2024. The review concluded that the preferred approach would be to bring services back in-house.
- 3.1.7 This is consistent with a nationwide trend of bringing housing management services back in-house following completion of Decent Homes programmes, with 46 ALMOs brought back in-house since 2010.
- 3.1.8 16 of the 20 ALMOs set up in London have been brought back in-house. The four remaining ALMOs are Tower Hamlets Homes, Lewisham Homes, Barnet Homes and Sutton Housing Partnership. A decision was taken in December 2022 to bring Lewisham Homes back in-house by the end of December 2023.
- 3.1.9 Between 24 October and 18 December 2022, the Council ran a consultation on two options for the future of housing services – bringing services back in-house under the direct control of the Council or extending the Management Agreement.

3.2 National policy context

- 3.2.1 In November 2020, the Government published “The Charter for Social Housing Residents” White Paper following on from the Grenfell tragedy in 2017. The reforms set out in the White Paper fundamentally seek to redress and balance the relationship between landlords and social housing tenants; to ensure transparency and accountability which in turn provides assurance that residents in social housing are safe, listened to, live in good quality homes, and have access to redress when things go wrong.
- 3.2.2 The Grenfell tragedy in 2017 has focused discussion around how to ensure buildings are safe and fit for purpose as well as how residents can influence landlords and shape how services are delivered and complain and seek redress when unhappy about issues. These discussions have culminated in the Building Safety Act (2022) and the Fire Safety Act (2021). The Council is the “accountable person” for building safety under the new post-Grenfell regulations. Both pieces of legislation will place extra duties on councils with regards to the homes that it owns.

3.3 The role of the Regulator of Social Housing

- 3.3.1 At present, the Social Housing Regulation Bill is progressing through Parliament and should receive Royal Assent by July 2023. The Bill will

change the role of the Regulator by removing the 'serious detriment' test which currently limits the Regulator to a reactive role as opposed to a proactive role in ensuring consumer standards are met in social housing.

- 3.3.2 Once enacted, the Regulator will be empowered to proactively ensure social landlords are compliant with consumer standards (which are expected to be reviewed and added to) and will seek assurance of compliance through a new inspection regime. As the Council holds over 1,000 units of stock, it is expected that its housing management function will be assessed at least once every 4 years. While the nature of these inspections is unclear (a desktop review or Audit Commission style inspection), it is anticipated that these inspections will commence sometime in 2024.
- 3.3.3 The focus is on ensuring that homes are safe but also that local residents are engaged and involved in decision making and supporting wider neighbourhood development in their areas. The approach is designed to mark a sea change in current delivery methods.
- 3.3.4 In order to ensure oversight of the housing management functions of the Council and therefore assurance to our council tenants of our commitment to provide safe, good quality homes and keep their concerns at the forefront of the delivery of these services, it is prudent at this juncture to return the housing management function back in-house under direct control of the Council.

3.4 **Financial context**

- 3.4.1 The Housing Revenue Account (HRA) is a ringfenced account which means that costs and income must remain within it and any surpluses or deficit cannot be transferred to the general fund. The HRA cannot subsidise or be subsidised by the general fund and must remain in balance.
- 3.4.2 Under the terms of the Management Agreement, THH is responsible for the provision of services to tenants and leaseholders. THH manage repairs and improvements to homes and provides services on estates, such as caretaking and gardening. The Council pays THH to provides these services in the form of a management fee.
- 3.4.3 The management fee paid to THH represents the largest and most significant expenditure item within the HRA, utilising approximately a third of the total income collected in the form of tenant and leaseholder rents and service charges. The proposed 2023 – 24 management fee is £35.5m.
- 3.4.4 In addition to the provision of services to tenants and leaseholders, the HRA funds repairs to homes, major works programmes and building of new homes. THH is responsible for the capital programme relating to the existing stock and manage this outside of the Management Agreement.

3.4.5 There is significant financial pressure on the HRA. High inflation and interest rates resulting from the war in Ukraine and cost of living crisis is placing significant pressure on revenue budgets and requirements to fund improvement works to the existing stock to ensure compliance with standards set out in the Building Safety and Fire Safety Acts. This, along with investment in a new homes programme to meet the local housing demand is placing significant pressure on the capital budgets and the overall delivery of a balanced HRA budget.

3.4.6 THH currently manages its own budgets. By bringing the services back in-house, the Council will gain greater control over how these budgets are spent. It is also expected that there will be budget savings in both the HRA and general fund resulting from in-sourcing THH, and these savings will need to be costed should a decision to in-source be taken.

3.5 **Contribution to strategic outcomes**

3.5.1 The Council's Strategic Plan 2022-26 sets out in **Priority 2: Homes for the future** a commitment to consult with residents on the future of housing management services, including Tower Hamlets Homes. This report sets out the result of the consultation and proposes that housing management services should be brought back in-house, in line with tenants and leaseholders' opinions.

3.5.2 **Strategic Plan Priority 5: Invest in public services** sets out the Council's aim to bring outsourced public services back into public hands and introduce an 'insourcing first' policy. This report proposes that housing management services should be brought back in-house under the direct control of the council.

3.5.3 Further, in keeping with **Priority 8 of the Strategic Plan: A council that listens and works for everyone**, the feedback from the consultation informs the recommendation to seek approval for this decision on the future of housing management services and will be used and feed into the work which will take place to shape and improve housing management services.

3.6 **Consultation methodology and results**

3.6.1 Between 24 October and 18 December 2022, the Council ran an 8-week consultation on the future of services for people living in council homes.

3.6.2 The consultation aimed to test the opinion of stakeholders (predominately council tenants, leaseholders and freeholders) on two options:

- To bring housing management services back in-house under the direct control of the Council
- To extend the Council's management agreement with THH

3.6.3 A mixed method approach was used which included collecting stakeholders' views and feedback via a survey, drop-in events, a dedicated email address,

information webinars and a focus group with THH’s Board. The consultation was extensive, exceeding previous consultations on establishing the ALMO or extending the Management Agreement.

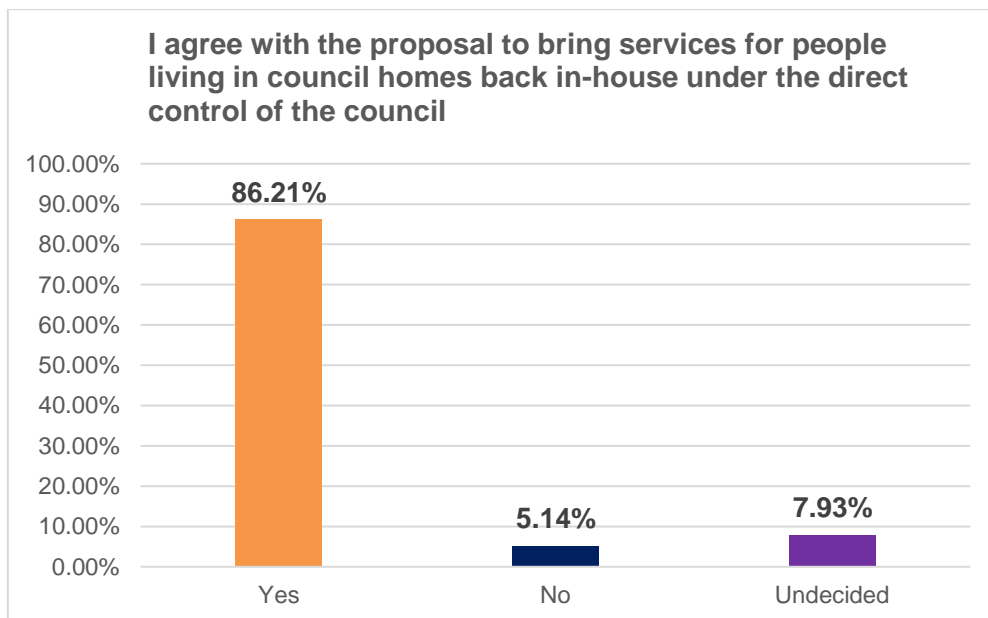
3.6.4 All tenants and leaseholders were posted an information pack, survey with unique reference code and calendar of events. Stakeholders were able to contact the consultation team via a dedicated email address and the survey and information – including in Easy Read and translated versions – were available online, at Idea Stores, at drop-ins and via mail (on request). The consultation was publicised across all Council and THH communications channels (including newsletters, social media and website). A reminder letter was sent to all residents and posters were placed on estates.

3.6.5 Survey responses

3.6.5.1 3,190 people participated in the survey¹. This represents 12% of tenants and leaseholders.

3.6.5.2 86.21% of participants (2,750 participants) agreed that housing management services should be brought back in-house under direct control of the council, with 5.91% of participants (161 participants) disagreeing with this option and 7.93% undecided (253 participants).

Figure 1 - Responses to “I agree with the proposal to bring services for people living in council homes back in-house under the direct control of the council”



3.6.5.3 Though more tenants participated in the survey than leaseholders (64% of participants were tenants while 31% of participants were leaseholders), tenants and leaseholders’ opinions were similar, with 89.42% of tenants

¹ An additional 183 responses were received however these were discounted due to use of an invalid or duplicated unique reference code.

and 85.97% of leaseholders agreeing that services should be brought back in-house.

- 3.6.5.4 92% of residents found the information provided to them useful and easy to understand, while 96% understood that their rent, service charge and tenancy or lease agreement will not be affected due to the proposals.
- 3.6.5.5 There was representation across all protected characteristics in terms of survey participation and responses from all groups followed the general response trend when asked about the proposal to bring services back in-house. A full analysis of survey responses is set out in Appendix 1.
- 3.6.5.6 While the consultation is a “test of opinion” and not a ballot, the results demonstrate that residents overwhelmingly support the return of housing management services to the Council.
- 3.6.5.7 1,444 people completing the survey expressed an interest in being further involved in the future of housing management services. The Council will continue to engage with residents on proposals for the future of housing management services and consider and develop mechanisms by which residents have opportunities to shape and co-produce services.

3.6.6 Response rate

- 3.6.6.1 A 12% response rate is consistent with the average response rate for other local authorities who have recently consulted on bringing their ALMO back in-house (e.g., London Borough of Haringey and Manchester City Council).
- 3.6.6.2 The response rate meets research and statistical principles required to assure the Council that the survey results are reasonably valid and reliable, and that the sample of 3,190 participants are representative of all tenants and leaseholders.
- 3.6.6.3 This is calculated by determining the following:

Table 1 – Population size, confidence interval and confidence level

| | | |
|---------------------|--------|---|
| Population size | 26,796 | Total no. of tenants, leaseholders and freeholders able to complete the survey |
| Confidence interval | 3 | The margin of error used to establish the range of values that a result would fall within if the population was sampled again. The standard value for this is 3. In this case, a confidence interval of 3 would predict that 83-89% (86% plus or minus 3) of participants would support the proposals to bring services back in house if the survey was repeated. |
| Confidence level | 95% | The probability that the set of values (as established by the confidence interval) is also |

| | | |
|--|--|--|
| | | true for the population. 95% is a standard rate for survey data. |
|--|--|--|

- 3.6.6.4 The sample size of survey participants required to ensure that confidence can be gained from any response to a question is 1,026 participants.
- 3.6.6.5 Therefore, it can be concluded the sample size of 3,190 was considerably higher than what is required according to research and statistical principles to be sure that if the survey was repeated the same results would be replicated, with between 83% and 89% of participants supporting proposals to bring services back in-house.
- 3.6.6.6 Further, the confidence interval for a sample of 3,190 (population size 26,750 and confidence level 95%) is 1, meaning that the Council can be reasonably sure that, should the same survey be conducted with tenants and leaseholders, between 85% and 87% would support the proposal to bring services back in-house under the direct control of the Council.

3.6.7 Qualitative responses

- 3.6.7.1 Over 150 people provided qualitative feedback (via drop-ins, information webinars, emails or written response by completing and returning a postal survey) during the consultation. The majority of respondents agreed with the proposal to bring services back in-house. Residents believe that the Council would provide a better service, clearer communication, and better value for money. Residents suggested improvements to resident engagement, response to complaints (quickly and satisfactorily resolving complaints and issues) and accountability. Improved services (especially relating to repairs and responding to issues) and resident engagement were high priorities for residents. A full analysis is detailed in Appendix 1.
- 3.6.7.2 Tenants and Residents Associations (TRAs) were involved in the consultation, providing feedback at drop-in sessions, information webinars and via written responses. A full summary of feedback from TRAs and their members is detailed in Appendix 1.
- 3.6.7.3 A focus group was run with the THH Board. A full summary is detailed in Appendix 1. The Board will continue to work closely with the Council to ensure residents receive the best services and are not negatively impacted by any transition period.

3.7 Strategic Review

- 3.7.1 The strategic review of the future of housing management services sought to establish the best option for providing housing management services within the current local, national, and financial contexts. This included completing a cost-benefit analysis (Appendix 2).

3.7.2 The review found that the best way to deliver housing management services would be to bring them back in-house under the direct control of the Council.

3.7.3 The key findings of the review were that:

- Direct management of services would enable the Council to be more accountable to residents and the Regulator of Social Housing by streamlining governance structures and by the Council directly engaging with its tenants and leaseholders.
- Direct and immediate savings would be generated by removing the costs of running a separate company and directly managing services. This saving will be reinvested into housing management services, improvement of homes and new homes.
- By bringing services back in-house, the Council will have increased control over budgets and expenditure relating to housing management functions. The Council will be better able to scrutinise and, where appropriate, reprioritise expenditure to ensure that savings are made where possible and investment is made where needed.
- There are opportunities to improve the customer journey and experience by joining up services (for example parking services and community safety services). This includes integrating services, co-locating services, cross-training frontline staff and developing joint initiatives. This will be supported by staff moving together to the Whitechapel Town Hall.
- There are opportunities to integrate services (particularly back office and support services) and contracts to remove areas of duplication to create efficiencies.
- An integrated housing management function within the Council would ensure that there is a core function dedicated to housing management (this being a key strength of the ALMO model that could be lost if services were dispersed across the Council).
- Housing services (including housing management, housing supply and homelessness) could be enabled to work together strategically and target areas for improvement.

3.8 Implementation

3.8.1 Implementation of a decision to bring housing management services back in-house will require work to be completed in the following areas:

- Develop and agree proposals on organisational structures for insourcing of services, including potential service integration or restructure projects to commence following a transfer.
- Formally serving notice to terminate the Management Agreement with Tower Hamlets Homes.

- Staff and Trade Union consultation and the transfer of staff under TUPE regulations.
- Review of THH contracts and contract novation or termination where required.
- Transferring budgets, financial processes and Service Level Agreements (SLAs).
- Establishment of governance and resident engagement arrangements
- Winding up of the company (this can occur any period after the transition and must follow of the process set out in the Companies Act, 2006)
- Programme of integration/shared services projects (post-transfer)
- Communication and engagement with staff and residents to continue until the transition has been fully implemented.

3.8.2 Joint Steering Group

3.8.2.1 A Housing Management Joint Steering Group has been established which oversees the programme and where appropriate makes recommendations to stakeholders. Key officers from both THH and LBTH attend the group with key services represented. The programme lead and programme workstreams groups report into the Joint Steering Group and it is the intention that this group continues to steer the programme with input from key stakeholders including Members, THH Board Members, residents and the Corporate Leadership Team.

3.8.3 Tenants and Leaseholders Housing Forum

3.8.3.1 To inform proposals, design of a new operating model and services and to advise on resident engagement and accountability, the Council have set up a Tenants and Leaseholders Housing Forum (TLHF). Officers will work with the TLHF to co-produce engagement strategies, service designs and plans to develop areas important to residents.

3.8.4 Risk Management

3.8.4.1 A full risk register has been developed which is monitored by the programme lead and Joint Steering Group. The key risks during the transition period are a disruption in service delivery and loss of staff and expertise. Mitigations include careful planning of the transition period and analysis of potential impacts on services, ensuring frequent communications and clarity for staff and residents, and an early decision on future organisational structures to ensure planning is effective and any period of uncertainty for staff is minimal. THH and LBTH officers, Members and THH Board Members are committed to fully supporting staff and residents throughout the transition period and following stages.

3.9 Resident engagement

3.9.1 Developing mechanisms to ensure that there are high levels of engagement between residents and the Council is a key focus in designing an in-houses service, including ensuring that residents can scrutinise services and hold

the Council accountable.

3.9.2 Work is being undertaken to:

- Understand how current arrangements between THH and residents can be retained and transferred to the Council.
- Use residents' suggestions and feedback during the consultation and engagement events to strengthen engagement between residents and the Council.
- Provide different ways for residents to engage with the Council at different levels (from receiving a newsletter to participating in governance structures and creating an umbrella organisation for tenant and resident associations).
- Consider examples and case studies from other local authorities and social landlords.
- Develop new mechanisms through which residents and other stakeholders (e.g., Members and independents) can continue to scrutinise and steer services in an in-house model.
- Work directly with tenants and leaseholders through the Tenants and Leaseholders Housing Forum, Residents Panel and TRAs to co-produce a new engagement strategy.

4 EQUALITIES IMPLICATIONS

- 4.1 At this point, a total of three Equality Impact Checklists have been completed before bringing this report to Cabinet. The first was undertaken prior to the consultation commencing and a full Equalities Impact Analysis was completed to ensure that all protected characteristics had an opportunity to respond to the consultation and that the Council mitigated as much as possible any obstacles which may have prevented residents from responding. Two further Equality Impact Checklists have been completed in recognition of the initial impacts of the proposed decision to bring housing management services back in-house – the first for residents and the second for THH staff who will inevitably have concerns regarding the security of their employment. It was assessed that there would be no disbenefit to any group of residents or staff members.
- 4.2 If approval of the recommendations within this report is granted, full Equality Impact Assessments will be undertaken and completed prior to any decisions being made by Cabinet on what the new structure of the integrated housing management service looks like.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,

- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 No other statutory implications have been identified.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report is seeking approval to transfer the housing management services back in-house and terminate the management agreement with THH following a consultation exercise with stakeholders (primarily tenants and leaseholders). One-off base budget growth totalling £261k has been approved, £72k in 2022/23 and the remaining £189k for 2023/24 in order to facilitate the project.
- 6.2 There will be savings from in-sourcing THH. These are likely to be in both the general fund and HRA as a result of service synergies that will arise after the services are brought in-house. At present is not possible to identify the amount of savings and this work will commence should a decision to in-source be approved.
- 6.3 It is not anticipated that growth would be required when the services are brought back in-house and the costs of providing the services directly will be contained within the management fee currently paid to THH. THH staff are already members of the Council's pension scheme and as a result all overheads are already met by the HRA through the existing management fee.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal power to undertake the actions detailed in this report.
- 7.2 Housing Law and the law relating to Best Value required the Council to consult with the relevant stakeholders whilst the decision-making process was at a formative stage. The Council was to then properly consider the results of the consultation prior to making any decision as to the future delivery of the Housing Management Function. This has been completed and the report and decision comply with the relevant law on consultation allowing this decision to be taken.
- 7.3 As regards Best Value the Council has a wide discretion to choose a mode of delivery of its functions which is compliant with the Best Value duty. The details of the future delivery of this legal function given in this report also comply with this legal duty
- 7.4 It is likely that the Transfer Of Undertakings (Protection of Employment) Regulations 2006 will apply to many of the roles within Tower Hamlets

Homes. Therefore, lawful and appropriate consultation in accordance with the regulations will be completed prior to the transfer of the housing management function back to the Council

- 7.5 Many of the contracts (particularly relating to building repair and maintenance) were concluded in the Council's name albeit that the delivery of those contracts was managed by Tower Hamlets Homes Limited. Therefore, these contracts will not need to be changed legally as the Council is already a party to them. However, where the contracting party was Tower Hamlets Homes Limited rather than the Council these contracts will need to be legally transferred to the Council after Tower Hamlets Homes has been dissolved.
- 7.6 The Council will need to undertake the necessary legal formalities in accordance with Companies Law to formally dissolve the company on the assumption that there will be no further requirement for it following the transfer of the duties relating to the housing Management function.

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:

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THE FUTURE OF SERVICES FOR PEOPLE LIVING IN COUNCIL HOMES – CONSULTATION REPORT

1. Summary

- 1.1 The council conducted a consultation on the future of services for people living in council homes between 24 October and 18 December 2022.
- 1.2 86.21% of people who participated in the survey agreed that housing management services should be brought back in-house.
- 1.3 There was a high response rate to the survey with 12% of residents of tenants and leaseholders participating.
- 1.4 Over 150 people provided qualitative feedback via drop-in sessions, webinars, emails and on paper.
- 1.5 People who provided qualitative feedback were generally supportive of the Council's proposals and provided comments and suggestions on what is important in services in the future, resident engagement, the transition period and how services are now.
- 1.6 Tower Hamlets Homes (THH) board members and Tenants and Resident Association (TRA) members also provided feedback, suggestions, and comments in addition to those of residents.
- 1.7 1,444 people are interested in being further involved in the future of services.

2. Purpose

- 2.1 This report sets out the methodology and responses for the consultation on the future of housing management services.

3. Introduction

- 3.1 Between 24 October and 18 December 2022, the Council ran a consultation on the future of housing management services.
- 3.2 The consultation aimed to test the opinion of stakeholders (predominately council tenants, leaseholders, and freeholders) on two options:
 - To bring housing management services back in house under the direct control of the council (preferred option)
 - To extend the council's management agreement with THH

- 3.3 A mixed method approach was used which included collecting stakeholders' views and feedback via a survey, drop-in events, a dedicated email address, information webinars and a focus group with THH's Board.

4. Methodology

4.1 Consultation methodology and design

- 4.1.1 During the consultation methodology and material design process, the project group consulted with a range of stakeholders, both relating to the content of the consultation pack and the way in which the consultation was executed. Benchmarking was also carried out in relation to other local authorities' consultations on bringing back their ALMO.
- 4.1.2 The programme team led a consultation project group which included representatives from THH. The project group were advised by THH engagement officers to inform the method of consulting with residents, leading to a consultation session with the THH Residents' Panel, who played a significant role in shaping the consultation materials. The programme team also consulted with THH when developing the calendar of drop-in sessions, ensuring that there was a good spread of locations around the borough, near estates.
- 4.1.3 Additionally, the Housing & Regeneration Scrutiny Sub-Committee also provided input into the consultation methodology and materials.
- 4.1.4 The programme team contacted Equalities Hub groups, including the Ethnic Minority Hub, the LGBT Forum, the Older People's Reference Group, the Disabled People's Network and the Tower Hamlets Inter-Faith Forum to inform the consultation methodology and materials. Not all these groups responded, however the programme team received advice from the Older People's Reference Group in relation to strategies to include older residents, and also worked with the Disabled People's Network to produce an Easy Read copy of the consultation.

4.2 Consultation pack and survey

- 4.2.1 The consultation pack included a letter from the Mayor, background information about the consultation and why it is happening, FAQs, a calendar of drop-in events and webinars, the survey and a Freepost envelope. It was delivered by post to the correspondence address of every named tenant and leaseholder. Each consultation pack was addressed to the individual by name, and each survey was marked with an individual ID code, to ensure responses were only received by tenants and leaseholders and multiple responses were not counted.
- 4.2.2 Respondents were provided with the option to return the consultation by post or to complete online, and the full consultation pack was also available on the webpage Let's Talk Tower Hamlets. Also available on this

webpage were translated, Easy Read and Large Print copies of the consultation. Where responses were returned by post, they were inputted into the Let's Talk Tower Hamlets system by the programme team and once processed, sealed in an envelope, initialled, and dated. This meant that all the data was held in the same location and could be analysed in totality. The full consultation pack arrived by first class post on the 24 October 2022, the same date that the Let's Talk Tower Hamlets webpage went live. At the mid-point of the consultation, a reminder letter (with the tenants' and leaseholders' unique reference code included in case this had been lost) was sent to all tenants and leaseholders.

4.2.3 The consultation period lasted for eight weeks, with a range of events taking place. The consultation closed on the 18 December 2022, after which no further submissions were accepted.

4.3 Engagement events

4.3.1 During the consultation period, a total of twenty-five engagement events took place. This included twenty-three drop-in sessions and two online information webinars.

4.3.2 Residents were invited to attend and share their views, ask any questions or receive support in participating in the consultation. Idea Store staff were also briefed on how to provide support to residents to participate.

4.3.3 The drop-in sessions were held in local community centres, community hubs and TRA (Tenant and Resident Association) halls, at a range of locations in the borough. Care was also taken to hold these sessions at a range of times, to accommodate residents' working hours or other responsibilities.

4.3.4 Both information webinars took place in the evening. Although the first was mostly to deliver information, the second webinar was an open question and answer session. While communication regarding events was mainly targeted at tenants and leaseholders, attendance was open to all, and the drop-in sessions also received visits from other stakeholders who had an interest in the future of housing management services. Where specific issues were raised by residents at drop-in sessions, these were forwarded on to THH or the relevant council service.

4.4 Dedicated email address

4.4.1 A dedicated email address (talk.housingmanagement@towerhamlets.gov.uk) was set up so that residents could ask for further information or share their views. Approximately half of the 54 emails received were to discuss the consultation and share feedback and suggestions, and these were responded to by the programme team. The other half relating to the consultation were information requests (such as for translated copies of the materials) which the programme team responded to.

4.5 Increasing accessibility and gathering views of those seldom heard

4.5.1 The programme team aimed to ensure that the consultation was accessible to as many participants and groups of people as possible. A full Equality Impact Assessment was undertaken during the design stages to assess impact and access for different groups, and how barriers to participation could be overcome.

4.5.2 The programme team implemented the following measures to mitigate any barriers to participation:

- Consultation pack was translated into the top 5 community languages and available online, in Idea Stores and by post
- Consultation pack was sent out to all tenants and leaseholders by post
- Consultation pack was available online
- Consultation pack was available at Mulberry Place and at Idea Stores within the borough on request
- Engagement officers with proficiency in the top community languages attended pop-up events, webinars, Idea Stores and other engagement events to support participation
- Equalities Hub groups (Ethnic Minority Hub, the LGBT Forum, the Older People's Reference Group, the Disabled People's Network and the Tower Hamlets Inter Faith Forum) were contacted before and during the consultation to promote awareness on how this information can be found in an appropriate language/format, where people could access additional support, and how to participate in the consultation
- Drop-in sessions were held at community centres, community hubs and TRA halls to engage residents who are unable to access the consultation online or who need additional help
- Two online webinars were delivered to inform residents about the consultation and to answer any questions
- An Easy Read and Large Print version of the consultation pack was available online and by post at request
- Significant religious practices/holidays were researched to ensure there was no clash between these and any engagement events
- Events were scheduled at a variety of different dates and times and at range of locations across the borough.

5. Participation and responses

5.1 The following responses were received during the consultation:

- 3,190 people responded to the survey¹ (12% of tenants and leaseholders).
- 104 people attended drop-in sessions and information webinars.
- 54 emails were received to provide feedback on the consultation.
- 1,444 people expressed an interest in being further involved in the future of services for people living in council homes.

5.2 Response rate

- 5.2.1 A 12% response rate is consistent with the average response rate for other local authorities who have recently consulted on bringing their ALMO back in-house (e.g., London Borough of Haringey and Manchester City Council).
- 5.2.2 The response rate meets research and statistical principles required to assure the council that the survey results are reasonably valid and reliable, and that the sample of 3,190 participants are representative of all tenants and leaseholders.
- 5.2.3 This is calculated by determining the population size, confidence interval and confidence level.

Table 1 – Population size, confidence interval and confidence level

| | | |
|---------------------|--------|---|
| Population size | 26,796 | Total no. of tenants, leaseholders and freeholders able to complete the survey |
| Confidence interval | 3 | The margin of error used to establish the range of values that a result would fall within if the population was sampled again. The standard value for this is 3. In this case, a confidence interval of 3 would predict that 83-89% (86% plus or minus 3) of participants would support the proposals to bring services back in house if the survey was repeated. |
| Confidence level | 95% | The probability that the set of values (as established by the confidence interval) is also true for the population. 95% is a standard rate for survey data. |

- 5.2.4 The sample size of survey participants required to ensure that confidence can be gained from any response to a question is: 1,026 participants.
- 5.2.5 Therefore, it can be concluded the sample size of 3,190 was considerably higher than what is required according to research and statistical principles to be sure that if the survey was repeated in the population, that the same results would be replicated if the survey was repeated, with between 83

¹ 183 responses were discounted due to use of either an invalid or duplicated unique reference code

and 89% of participants supporting proposals to bring services back in-house.

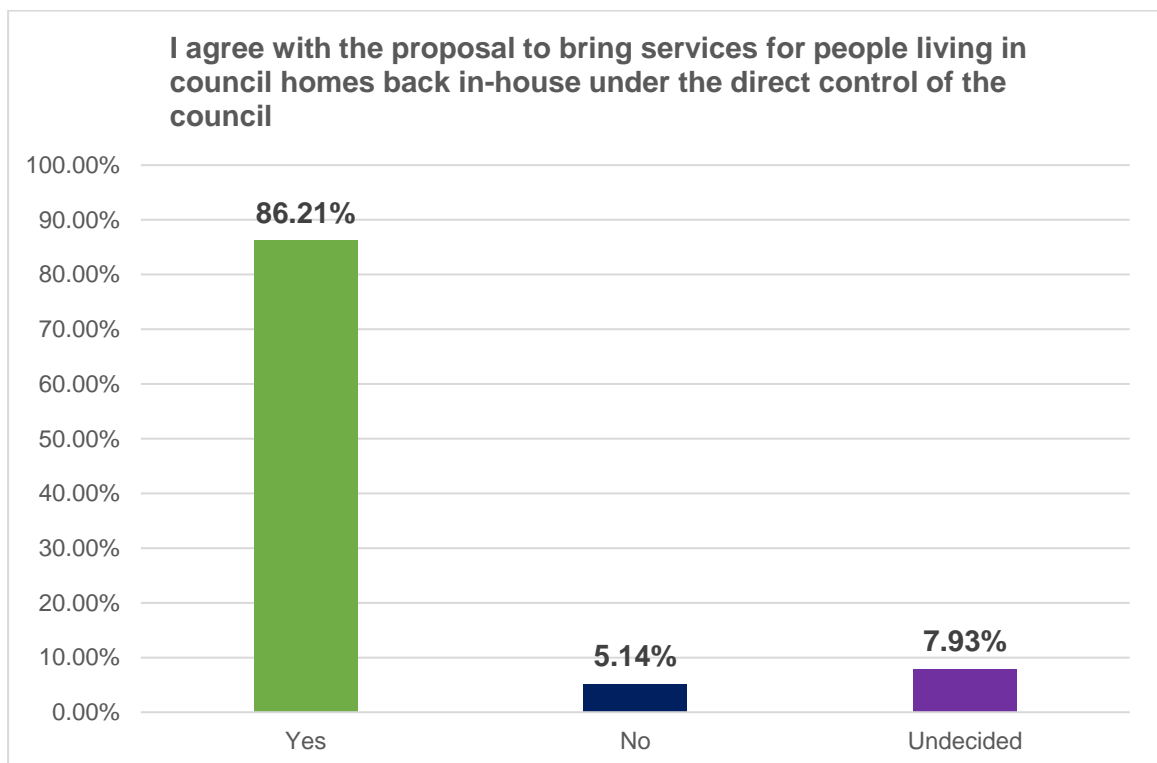
5.2.6 Further, the confidence interval for a sample of 3,190 (population size 26,750 and confidence level 95%) is 1, meaning that the council can be reasonably sure that should the same survey be conducted with tenants and leaseholders, between 85% and 87% would support the proposal to bring services back in-house under the direct control of the council.

6. Survey results

6.1 Response to the proposal to bring services back in-house.

6.1.2 86.21% of participants agreed that housing management services should be brought back in-house under direct control of the council, with 5.91% of participants disagreeing with this option and 7.93% undecided.

Graph 1: Responses to: I agree with the proposal to bring services for people living in council homes back in-house under the direct control of the council



6.2 Responses from different stakeholder groups

Table 2: Participation of stakeholder groups and their response to the proposal to bring services back in-house

| Stakeholder group | Tenant | Leaseholder | Private tenant of a leaseholder | Other |
|--|--------|-------------|---------------------------------|--------|
| Percentage of participants within stakeholder group | 64.58% | 31.47% | 0.25% | 1.5% |
| Percentage of stakeholder group <u>agreeing</u> with proposal | 89.42% | 85.97% | 83.33% | 86.05% |
| Percentage of stakeholder group <u>disagreeing</u> with proposal | 2.96% | 3.61% | 0% | 9.30% |
| Percentage of stakeholder group <u>undecided</u> | 7.62% | 10.41% | 16.67% | 4.65% |

6.3 Response to statements checking understanding of respondents

6.3.1 91.54% of residents found the information provided to them useful and easy to understand.

6.3.2 95.89% understood that their rent, service charge and tenancy or lease agreement will not be affected as a result of any changes from the proposals discussed in the consultation.

6.4 Protected characteristics and equalities questions

6.4.1 There was representation across all protected characteristics in terms of survey participation. Responses from all groups followed the general response trend when asked about the proposal to bring services back in-house, indicating that there was not any group with protected characteristics which felt differently to the general population about the proposals.

Table 3: Participant responses to equalities questions (percentage of respondents identifying for each group)

| Number of years living in a Tower Hamlets Council home | | | | |
|---|--------------|---------------|-----------|-------------|
| 0 – 6 years | 7 – 10 years | 10 – 15 years | 15+ years | No response |
| 10% | 11% | 12% | 59% | 8% |

| How old are you? | | | | | | | | | | |
|-------------------------|---------|---------|---------|---------|---------|---------|---------|-----|-------------------|-------------|
| 0 – 15 | 16 – 24 | 25 – 34 | 35 – 44 | 45 – 54 | 55 – 64 | 65 – 74 | 75 – 84 | 85+ | Prefer not to say | No response |
| 0% | 1% | 7% | 18% | 23% | 20% | 16% | 8% | 3% | 3% | 3% |

| Are your day-to-day activities limited because of a health problem or disability which has lasted or expected to last, at least 12 months? | | | |
|---|-----|-------------------|-------------|
| Yes | No | Prefer not to say | No response |
| 30% | 55% | 10% | 4% |

| Type of health problem or disability | | | | | | | |
|---|---------------------|---------------------|-------------------------|---|-------------------|-------------------------|-------------|
| Sensory impairment | Physical impairment | Learning disability | Mental health condition | Long-standing illness or health condition | Prefer not to say | Prefer to self-describe | No response |
| 5% | 9% | 3% | 10% | 14% | 15% | 8% | 53% |

| What best describes your gender? | | | | |
|---|-------|-------------------|-------------------------|-------------|
| Man | Woman | Prefer not to say | Prefer to self-describe | No response |
| 46% | 47% | 3% | 0% | 4% |

| Is your gender identity the same as the sex you were assigned at birth? | | | |
|--|----|-------------------|-------------|
| Yes | No | Prefer not to say | No response |
| 89% | 1% | 5% | 5% |

| Which of the following describes your sex? | | | | | |
|---|--------|----------|-------------------|-------------------------|-------------|
| Male | Female | Intersex | Prefer not to say | Prefer to self-describe | No response |
| 45% | 47% | 0% | 4% | 0% | 4% |

| Are you legally married or in a civil partnership? | | | |
|---|-----|-------------------|-------------|
| Yes | No | Prefer not to say | No response |
| 52% | 33% | 9% | 6% |

| Which best describes your current marital, civil partnership or cohabitation status? | |
|---|-----|
| Single | 18% |
| Married | 47% |
| In a registered civil partnership | 0% |
| Separated, but still legally married | 2% |
| Separated, but still in a registered civil partnership | 0% |
| Divorced | 6% |
| Formerly in a registered civil partnership which is now dissolved | 0% |
| Widowed | 8% |
| Surviving partner from a registered civil partnership | 0% |
| Cohabiting with a partner | 3% |
| Prefer not to say | 10% |
| No response | 4% |

| Are you currently pregnant or did you give birth in the last twelve months? | | | |
|--|-----|-------------------|-------------|
| Yes | No | Prefer not to say | No response |
| 1% | 84% | 5% | 9% |

| How would you describe your ethnic group? | | |
|--|--|--------|
| White | British (English, Scottish, Northern Irish, Welsh) | 27.37% |
| | Irish | 1.76% |

| | | |
|---------------------|-----------------------------|-------|
| | Traveller of Irish heritage | 0% |
| | Gypsy/Roma | 0% |
| | Any other White background | 5.8% |
| Mixed | White and Black Caribbean | 0.25% |
| | White and Black African | 0.56% |
| | White and Asian | 0.91% |
| | Any other Mixed background | 0.72% |
| Asian/Asian British | Indian | 1.60% |
| | Pakistani | 0.75% |
| | Bangladeshi | 41.9% |
| | Any other Asian background | 1.07% |
| Black/Black British | Somali | 2.51% |
| | Other African | 3.01% |
| | Caribbean | 1.76% |
| | Any other Black background | 0.41% |
| Other ethnic group | Chinese | 1.13% |
| | Vietnamese | 0.38% |
| | Any other background | 1.03% |
| Prefer not to say | | 3.98% |
| No response | | 4.89% |

| What is your religion or belief? | |
|---|-------|
| No religion or belief | 9% |
| Agnostic | 1% |
| Muslim | 42% |
| Christian | 19% |
| Jewish | 1% |
| Buddhist | 1% |
| Sikh | 0.16% |
| Hindu | 1% |
| Humanist | 0.41% |
| Prefer not to say | 6% |
| Prefer to self-describe | 1% |
| No response | 20% |

| Which of the following describes your sexual orientation? | | | | | |
|--|----------|-----------------------|-------------------|-------------------------|-------------|
| Gay/lesbian | Bisexual | Heterosexual/straight | Prefer not to say | Prefer to self-describe | No response |
| 2% | 1% | 73% | 19% | 1% | 10% |

| Do you have caring or parenting responsibilities? | | | |
|--|-----|-------------------|-------------|
| Yes | No | Prefer not to say | No response |
| 31% | 54% | 8% | 6% |

7 Qualitative analysis – feedback themes

7.1 Feedback, comments and questions provided by respondents (via attendance at drop-in sessions, information webinars, email or through postal surveys) were compiled and analysed. The analysis below sets out the themes found in qualitative responses and comments within these themes.

7.2 **Theme 1: Consultation options – bringing services back in-house or extension of the management agreement**

7.2.1 In terms of the options set out, most people expressed support for housing management services coming back in-house. There was a feeling that this change would improve services and help the council deliver on its objectives. In terms of financial management, some people felt that the council would have more resources than THH and it would be easier for it to manage a budget. Many felt that THH is too expensive and bringing it in-house could result in better value for money. Others identified efficiencies that could be achieved by insourcing, including the potential for the council to integrate services which are currently duplicated between itself and THH. Some also felt that bringing services in-house would provide clarity in terms of governance structures and communication – making it easier to hold the council accountable as the landlord. Bringing THH in-house was also seen to be more democratic as the executive could be elected, whereas THH Board members were seen to be self-appointed.

7.2.2 A minority of residents, however, thought that services should stay with THH, due to THH's expertise. One resident suggested that the council is in a strong negotiating position if THH are not performing. Residents were also keen for any changes to make a difference to their real-life experience, particularly in terms of performance and service delivery. They wanted to see a clear plan for continuous improvement within the council.

7.3 **Theme 2: How services should be provided if they come back in-house**

7.3.1 Residents gave feedback and suggestions on how services should be provided if they are brought in-house. They were strongly against any cuts in funding or staff and felt that rents, service charges, insurance and works charges should not increase. They wanted to see improvements in the performance monitoring and complaints response and suggested a dedicated team for this. Improved accountability and engagement with residents, as well as better communications between council services, would be welcomed. Although residents said it was important for expertise and knowledge of how to deliver services to be retained, there were concerns about a small number of staff currently in THH transferring over and what impact this would have on improving services. They wanted to understand how an in-house service would look within the council framework and if there would be a separate management team for these services.

7.4 Theme 3: Transition period

7.4.1 Residents discussed and gave comments on a potential transition period and said that action should be taken to maintain the same level of service and prevent disruption throughout, learning from other insourcing projects. Improvement of services should also be at the heart of the transition to justify the costs associated with this. There were also concerned that there should not be any delays to external works or decisions regarding major works and other capital expenditure. Finally, some residents highlighted the importance of considering migration/integration of data processing capabilities.

7.5 Theme 4: Consultation methodology

7.5.1 Some residents did not understand why equalities data was being collected. Others felt further information was needed on what performance improvement outcomes would be if services transferred in-house and felt the questionnaire could have been more complex.

7.6 Theme 5: Resident engagement

7.6.1 Residents provided a range of comments and suggestions on engagement and how this could be improved.

7.6.2 Many residents commented on TRAs, feeling they were useful but needed more support, and should be retained if services are brought back in-house. Residents spoke positively about the role of TRAs in attending meetings with police to address local issues and bringing residents from different backgrounds together, among much other valuable work. Although residents felt that THH were broadly supportive of TRAs and positively promoted them, some perceived that THH do not always recognise TRAs without clear explanation or that they recognise TRAs that some residents feel are not properly constituted or managed. There were also concerns that members of governance bodies, like TRAs, were handpicked by THH and there was not sufficient information about the work they had been doing. It was also felt that an umbrella federation of all TRAs coming together to work with the council and do community initiatives, as had existed previously, would be productive.

7.6.3 The Residents Panel was perceived to have been useful when first set up, as it was able to do service reviews, was fully funded, had its own administration, and produced several useful reports. However, residents were not sure what the function of the current Residents Panel was.

7.6.4 Some expressed that they would be interested in attending the Tenants and Leaseholders Housing Forum. Some highlighted it would be better attended and more productive if there was a strategic output, and it was attended by those who are accountable. Residents also felt that it was

crucial for any such initiative to function effectively and achieve objectives over an extended period, to prevent residents from feeling they had wasted their time.

7.6.5 Some residents said the community team had done good work and there was also an appetite for THH to actively support resident-led projects, such as helping people to declutter and improve their homes or delivering more gardening opportunities for the community. However, some residents wanted more clarity around the role of the resident engagement team.

7.6.6 Residents wanted better engagement from THH, including meeting in-person, returning phone calls or emails, responding to complaints and being transparent about governance. They wanted more opportunities to voice their opinions and be consulted on issues directly impacting their estate, including bike holders and the proximity of community centres to their homes, and wanted to be able to impact change where they lived. It was also emphasised that any engagement activity should recognise the fact that some residents face digital exclusion due to age or circumstance.

7.6.7 As well as providing general feedback on the options, how services could be provided if brought in-house, resident engagement and the transition period, residents also gave general comments about the current service, what needs to improve and how this might occur. These themes are summarised below in order of the amount of feedback received on these themes, with the themes with the most comments first.

7.7 Theme 6: Communicating and responding to issues & complaints

7.7.1 In terms of what needed to improve, residents frequently discussed THH's communication and responding to issues and complaints. Residents wanted to see improvement in the way THH engaged with them, feeling that there was not 'follow-up' and staff attitudes sometimes did not appear to recognise the gravity of their situation or demonstrate empathy. Some people said that they were regularly calling the contact number to ask for issues to be resolved, with little progress, and that they felt ignored. There was frustration around the inconsistency of email replies, difficulty in getting information about repairs and reporting them directly to the right person. Residents felt that the complaints system would operate more effectively if THH took ownership directly of answering complaints and ensuring issues were solved, instead of referring the customer to Mears. Some also highlighted the limitations of the online complaints system and expressed concerns that it was not accessible for older people or people without computers. There were also issues raised with staff working in the call centre, with some residents feeling that certain operators lacked customer service skills, while other operators were found to be helpful in resolving issues.

7.8 Theme 7: Repairs

7.8.1 Repairs was a frequent issue discussed by residents; with many highlighting specific problems they had experienced. It was perceived that the repairs service had worsened since the pandemic and some people proposed that a proactive system of monitoring repairs would be useful, with better governance, auditing and accountability. The repairs portal was not easy to use, in need of updating and some residents felt unheard and frustrated. Residents wanted THH staff to follow up on repairs for them, as had previously been the case, instead of being referred to Mears. Many found Mears frustrating to deal with, due to last-minute cancellations and poor communication, repairs not being done to a high enough standard or accidental damage occurring to peoples' homes during the visit. There were also concerns around inefficiency, with multiple visits sometimes being carried out for simple repairs. Residents suggested that where it was not possible to complete a repair in one visit, effective communication from Mears would greatly reduce their frustration at the issue (as they were often left not knowing what the next steps would be and when). Situations where urgent repairs were needed should be resolved as quickly as possible to prevent hazards developing. There was also a feeling that there should be further repairs done in addition to those completed as part of Decent Homes.

7.9 Theme 8: Condition of homes/estate

7.9.1 Residents discussed the conditions of their homes/estates and how this affected them. They suggested that stock management and cyclical works needs regular review. Although some felt their estate was generally satisfactory, others raised ongoing issues. Some residents complained that they were not satisfied with the environment on their estate, feeling that their blocks were not being cleaned thoroughly and fly tipping and rubbish on the street was a common issue and not dealt with swiftly enough. Others wanted replacement and/or better maintenance of trees. There were also reports that some homes had problems with pests, such as mice, cockroaches or bedbugs. Some gates and barriers had been repeatedly broken on estates and residents of one block wanted clarity on when scaffolding would be removed. There had also been issues with windows, water tanks and guttering, and it was important to residents that these were regularly cleaned and maintained. Some estates had mould issues and others suggested their bills would be greatly reduced by improved insulation in their homes. Residents of one estate also said they would feel reassured if a review into fire safety prevention was undertaken. Some suggested that more effort should be made to ensure the blocks were accessible to older people.

7.10 Theme 9: General comments about THH

7.10.1 Resident opinion was mixed on THH, with some feeling that service was poor, while others felt they received a good service. There were also some who felt that some areas are poor but there are positives. Some residents who had lived in their home for a long time recalled that THH had initially improved the service, however this was perceived to have declined during

the pandemic. Residents felt that increased visibility of THH staff on their estates would be helpful while others believed that THH are struggling and do not have enough staff/support. It was felt that because of this, in some customer-facing services, staff have low morale. Generally, residents wanted clarity around management structures within THH, and felt that communication between THH and the council needed improvement.

7.11 Theme 10: Anti-Social Behaviour (ASB) and crime

7.11.1 Residents reported ASB and crime on their estates, including drug dealing/taking especially from cars/Uber vehicles and illegal vehicles (including electric vehicles) that are parked or abandoned on estates. Fly-tipping, graffiti, burglary and intimidating behaviour was also prevalent. It was suggested some of this could be improved by more CCTV and better lighting on estates. There were also concerns around illegal subletting, and its impact on ASB, with some residents reporting that on certain estates, doors and gates were regularly broken to enable people to come and go without a key. Residents wanted a more streamlined customer journey for ASB, recommending that the three avenues for dealing with ASB should be reduced to one and there should be better follow-up to reports made by the ASB telephone line. One resident commented that the ASB team (in THH and Parkguard) is excellent.

7.12 Theme 11: Accountability and transparency

7.12.1 Many residents highlighted the importance of transparency and accountability, particularly in relation to governance, with some feeling that both THH and the council could do more work to improve on this. Some felt that the THH Board, as it was self-appointed, was an issue and there needed to be better ways to hold THH accountable and communicate its decision-making process to residents. This should involve better clarity and accountability on contractors/sub-contractors, and their remit. There should be specific people with responsibilities that residents can talk to and hold accountable. Residents also felt that information around THH budgets should be communicated in as accessible a way as possible, and there should be clear objectives and measurable outcomes for performance, bearing relevance to residents' real-life experience, against which the council can be held accountable. Performance and audit data needs to be clearer and accurate and scrutiny from residents should be included in the new council set up and/or in THH.

7.13 Theme 12: Leaseholder service charge/rents and charges

7.13.1 Especially given the current financial climate, residents wanted reassurance and commitment from the council that their rent, service charge, insurance and council tax would not increase.

7.13.2 Residents suggested that there should be more transparency on leasehold service charges, including a full break-down of how their service charge was calculated and independent information, such as

invoices or contracts to be provided on request. There should be better monitoring of works – several residents expressed concern that residents were being charged for work that had not been undertaken. It was also clear that there was confusion around which groups paid for what, and whether leaseholder service charge subsidised tenants.

- 7.13.3 Leaseholders also wanted reasoning for any increases in service charge, with concerns that it was already very high. They emphasised that building insurance should be used in the first instance, before the decision was made to bill them for repairs.

7.14 Theme 13: Caretakers

- 7.14.1 Many residents complimented caretakers, however others also commented that some caretakers had not been completing all their duties, especially since the pandemic. Furthermore, residents felt that it would be more effective if caretakers were to provide a consistent service and should be trained to take a more active role in spotting and reporting issues on their estates. A small number of residents had negative experiences interacting with caretakers.

7.15 Theme 14: Estate Managers

- 7.15.1 Residents said that they wanted to hear more from their estate office and for estate managers to be a more visible presence on their estates. There were also complaints made about the behaviour of individual estate managers, which impacted the ability of some residents to approach them and raise issues.

7.16 Theme 14: Parking Enforcement

- 7.16.1 Several residents wanted an update on the Traffic Management Orders to be completed on their estates. There was also some concern around the contractor in charge of car parks, with residents feeling that officers should visit the car parks more frequently and ensure a higher level of compliance in ticketing illegally parked vehicles. Other recommendations for improvements around parking included pull-up bollards to help residents secure their space, better lighting in estate car parks, and for gates to be replaced/installed to prevent illegally parked vehicles. It was suggested that these changes could reduce instances of ASB.

7.17 Theme 15: Major Works

- 7.17.1 Some residents felt that major works programme on their estate could have been more effectively project managed.

7.18 Theme 16: Services for people who are disabled or carers

7.18.1 Some people were keen to discuss what work could be undertaken to improve the support given residents with disabilities and those with care roles. This could include work to better tailor services to the needs of individual residents. The Council would also need to consider how disabled residents and carers would be affected during the transition period.

7.19 Tenant & Resident Association (TRA) response to consultation

7.19.1 Many TRA members engaged actively throughout the consultation to advocate for residents, including attending drop-in sessions, webinars and messaging the dedicated email address. Many TRA members supported the Council's proposal for insourcing, but nonetheless had a range of questions and queries. There was some concern about the costs and potential disruption of transition, particularly whether any costs would be passed back to residents in the form of service charges, rent or council tax.

7.19.2 Discussions around THH performance included:

- Concerns with some areas of THH's service delivery, namely ASB, repairs, caretaking, cleaning, communication and working in silos.
- Lack of information packs providing block-specific information for the council's estates which would help any new contractor and their operatives and reduce unnecessary incompletions, repetitive work logs and multiple visits to residents' properties. A full contractor handover from existing to new was also essential.
- A perception that service charges were high and not an accurate reflection of works carried out.
- That there is a lack of engagement with tenants, particularly relating to the complaints process, which is long and rarely followed by the implementation of practical changes.
- There appears to be poor communication between different departments of THH.
- A perception among some that the major works department is struggling to deliver on its projects and that procurement is slow.
- That the online portal, MyTHH, is in need of improvement.

7.19.3 In the event the Council makes the decision to insource THH, TRA members indicated that they would like the opportunity to feed into the process of shaping a new in-house service. They were keen to get further information on what an in-sourced service would look like on a day-to-day basis. TRA members were clear that improvement should be at the heart of any changes.

7.19.4 Suggestions for what a new in-house service might look like included:

- An effective governance regime, with a resident-tailored housing service for continuous improvement.
- Improved arrangements for joining up housing with other council services that are already relied upon by THH, including ASB, Pest Control and Facilities Management.

- The need to maintain the current housing service functions rather than transferring to a corporate call centre. This is because many residents already face issues with online and telephone communications with THH, resulting in cases that are partially resolved or not responded to. Digital exclusion is also a major concern for some residents, particularly the elderly and those who do not have IT facilities and capabilities.
- That there should not be a reduction in the frontline services that THH currently provides (e.g., caretaking, ASB, Neighbourhood Housing Office etc.).
- That funding should continue for Met Police Officers who work on reducing ASB/crime in the borough.

7.19.5 TRA members were also concerned about the impact of insourcing on THH frontline staff and did not want to see any made redundant as part of the transition. They also recognised the potential stress created for THH staff and their families and asked for reassurance that they were being well-supported by THH and LBTH senior management.

7.19.6 Feedback was also provided on the consultation methodology, with TRA members stating that they would have preferred to receive consultation materials in advance, as well as a full list of addresses for each drop-in session venue. Some did not feel that engagement events had been informative enough or well publicised. Others thought the survey should have included more questions relating to housing management functions, as well as the option to provide comments or suggestions.

7.20 Tower Hamlets Homes Board response to the consultation

7.20.1 A focus group session was conducted with Tower Hamlets Homes Board Members. The Board Members wanted to understand better the two service delivery models and evidence of efficiencies that would arise from bringing services back in-house, as well as where any savings would be spent. The Board stressed that the council must consider how to retain expertise especially in delivering new regulations and highlighted that staff retention is important to minimise disruption. The transitional period was a key concern for the board and the length of it (with some board members hoping that it would be a shorter period to minimise risk of disruption) and there were concerns that services may deteriorate. Board members also commented on how to ensure there is scrutiny of services if brought in-house and recommended that if insourcing occurs, the two independent committees scrutinising fire safety, building safety and other standards are retained. The Board felt that a single source contact for residents should be retained and that residents should be able to contact decision-makers as they are now able to. Board members wanted to be involved as plans become more detailed and examine case studies from other local authorities who have brought their ALMO (Arms-Length Management Organisation) back in-house.

8 Conclusion

- 8.1 The 8-week consultation on the future of services for people living in council homes collected views from a large number of stakeholders. A large majority of tenants and leaseholders agreed with the Council's proposal to bring services back in-house (both via survey and qualitative comments). In qualitative feedback, tenants and leaseholders, TRA members and THH Board provided suggestions on the future of services, in areas including service delivery, resident engagement and participation in governance, efficiencies, ensuring a smooth transition.
- 8.2 Stakeholders will continue to be engaged to shape the future of services for people living in council homes.

Appendix 2: Cost-benefit analysis of options

In considering the future of housing management services, an options appraisal and cost-benefit analysis was completed. This was focused on two options:

- Extension of the management agreement with THH
- Bringing housing management services back in-house

Extension of the management agreement with THH

There would not be any direct costs arising from retaining THH and extending the management agreement, however there would be missed opportunities to make both direct and indirect savings. The key benefit of retaining THH is that it is an organisation which is solely concentrated on providing housing management services and therefore the focus strategically and operationally is primarily on this.

Bringing housing management services back in-house

There will be some one-off financial costs associated with bringing housing management services back in-house, and officer time will need to be spent on the transition. However, this will be off set by £300K savings per annum, enabling programme costs to be recovered within the first year.

In addition to direct financial costs, bringing services back in-house will create opportunities to generate efficiencies through integrated services and contracts, to shape services with residents focusing improvement on their areas of importance, to increase control of budgets and compliance with regulations, and to develop governance structures and engagement methods which enable residents to be directly involved with their landlord.

Table 1: Bringing housing management services back in-house – cost-benefit analysis

| Type | | Costs | Benefits |
|-------------|----------|--|--|
| Financial | Direct | <ul style="list-style-type: none"> • £172K programme team & consultation costs • Costs associated with transfer of IT, contracts, etc. • Costs associated with transfer of staff (e.g., specialist support, voluntary redundancies) | <ul style="list-style-type: none"> • £300K savings per annum |
| | Indirect | <ul style="list-style-type: none"> • Officer time | <ul style="list-style-type: none"> • Increased ability to control HRA budgets • Savings/efficiencies delivered through |

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| | | | <p>integration of back-office services</p> <ul style="list-style-type: none"> • Savings/efficiencies delivered through integration of contracts • Savings/efficiencies delivered through service integration projects • Streamlining processes to reduce officer time spent |
| Service delivery | Direct | <ul style="list-style-type: none"> • None - no changes to level of service delivery (though risk to service delivery and ensuring it is maintained through transition period) | <ul style="list-style-type: none"> • Opportunity to use consultation feedback/ongoing engagement with residents and new framework introduced by Social Housing Regulation Bill to target areas of improvement |
| | Indirect | None identified | <ul style="list-style-type: none"> • Opportunity to create Housing Improvement Team with strategic & improvement focus across all housing services • Opportunity to repurpose client team to focus on service improvement and performance |
| Regulatory compliance | Direct | None identified | <ul style="list-style-type: none"> • Higher levels of control over services to ensure meeting requirements • Opportunity to develop target operating model and focus improvement plan around new framework of Social Housing Regulation Bill |
| | Indirect | None identified | <ul style="list-style-type: none"> • Closer relationship between council (landlord) and its tenants and leaseholders • Savings can be reinvested to support meeting of regulatory requirements |

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| Customer journey & experience | Direct | None identified | <ul style="list-style-type: none"> • Opportunity to join-up and integrate services to reduce sometimes complex customer journeys (e.g., ASB reporting) |
| | Indirect | None identified | <ul style="list-style-type: none"> • Opportunity to cross-train staff to treat customer holistically and provide multiple solutions with one contact • Resident hub and central location arrangements enabling residents to access council and housing services in one place |
| Resident engagement, governance and accountability | Direct | <ul style="list-style-type: none"> • Loss of resident board members | <ul style="list-style-type: none"> • Direct relationship between Council and residents facilitates closer relationship, engagement and accountability, including clarity on responsibility for services • New tenants & leaseholders engagement strategy with direct dialogue between Council and residents • New governance arrangements with opportunity of developing arrangements that increase resident engagement and accountability |
| | Indirect | None identified | None identified |

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Appendix 3: Equalities Impact Analysis Screening – Residents (Tenants & Leaseholders)

Section 1: Background information

| Name of completing officer | Date of screening |
|---|-------------------|
| Alice Jones, National Management Trainee and Nicola Klinger, Programme Lead – Housing Management Review | 11/01/2023 |
| Service area and Directorate responsible | |
| Housing Management Review Programme - Housing and Regeneration | |
| Approved by (Director / Head of Service) | Date of approval |
| Karen Swift, Director of Housing & Regeneration | 16/01/2023 |

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with ‘protected characteristics’ and those without them
- Fostering good relations between those with ‘protected characteristics’ and those without them

This Equality Impact Analysis provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above. For more information about the Council’s commitment to equality, please visit the Council’s [website](#).

Section 2: Summary of proposal being screened

For the purpose of this document, ‘proposal’ refers to a policy, function, strategy or project

| Name of proposal |
|---|
| Proposal to bring housing management services back in-house, under the direct control of the Council. |

The aims/objectives of the proposal

The Council is proposing to bring housing management services back in-house, under the direct control of the Council.

The current Management Agreement between Tower Hamlets Homes (THH) and the Council ends on 31 March 2024 (with a possible extension of a further four years). The Council must take a decision on whether to extend the management agreement no later than six months prior to this date.

Having reviewed the options for the future of housing management services, the Council has assessed that bringing services back in-house will provide an opportunity to join up services, increase accountability to residents and the Regulator for Social Housing (RSH), and enable the Council to take a strategic approach to delivering good quality homes.

This Equality Impact Analysis screening will look at whether the above proposal is likely to have a disproportionate adverse impact on any residents based on their protected characteristics. It will also explore if there are potential benefits that might be achieved for specific groups as a result of the proposal.

Section 3: Equality Impact Analysis screening

| <p>Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below ?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p> | Yes | No | Comments |
|---|--------------------------|-------------------------------------|---|
| <ul style="list-style-type: none"> ▪ Sex | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>There will be no reduction in housing management services available to residents based on their sex. Where service integration projects are planned and when organisational structures are finalised, a full EIA will be completed.</p> <p>In the consultation response, there was no indication that any group held a different view to the general trend</p> |

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| | | (in agreement for the proposal to insource housing management services) based on their sex. This indicates that no group from this protected characteristic feels that the proposal may disproportionately impact them. |
| <ul style="list-style-type: none"> ▪ Age | <input checked="" type="checkbox"/> | <input type="checkbox"/> <p>People of all ages will continue to receive the same level of service following the insourcing of housing management functions. Where the Council identifies opportunities to integrate services and when organisational structures are finalised, a full EIA will be completed to ensure no age group is disproportionately impacted.</p> <p>There was support for insourcing housing management services across all age groups in the consultation response, indicating that no group felt the changes would negatively impact them.</p> <p>There is a risk of disruption to service delivery during the transfer of services from the ALMO back into the Council. Some older people may be at greater risk of negative impacts, due to their increased vulnerability relative to other groups and existing barriers to accessing services due to mobility issues or digital exclusion. This must be carefully monitored on an ongoing basis, and the relevant mitigations implemented.</p> <p>Once the transfer is complete, however, there could be some benefits for people of all ages, particularly those who access a greater number of Council services, likely children, and older people.</p> <p>Service integration and occupying a shared space in the Whitechapel Town Hall would offer opportunities for closer working between housing</p> |

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| | | | and age-specific services, such as children's services or support for older persons. It will be possible to assess the scope and impact of these changes following the completion of the transfer. |
| <ul style="list-style-type: none"> ▪ Race | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>All residents will continue to receive the same level of service regardless of their race. There may be options for service integration that could impact on residents of different races in different ways, so a full EIA will be completed when organisational structures are finalised and all proposals for service integration projects will be accompanied by a full EIA to ensure there is no direct or indirect discrimination against members of any racial group.</p> <p>In the consultation response, there was a broad representation of participants from different racial groups. There was no specific racial group which indicated a different view to the general trend (support for bringing housing management services back in-house). This indicates that no racial group is opposed to the proposal on the grounds that it would negatively impact them.</p> |
| <ul style="list-style-type: none"> ▪ Religion or Philosophical belief | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>People with religious or philosophical beliefs will not experience a reduction in services due to the transfer. When organisational structures are finalised and if service integration projects are subsequently proposed, a full EIA will be undertaken to ensure that people within this category are accounted for.</p> <p>Residents with a range of religious and philosophical beliefs responded to the consultation. There is broad support for insourcing across religious and philosophical groups. None appeared to think that the proposal would directly or indirectly</p> |

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| | | | discriminate against them due to their beliefs. |
| <ul style="list-style-type: none"> ▪ Sexual Orientation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>There will be no reduction in services for people of any sexual orientation due to the transfer of housing management services back in-house under the direct control of the Council. There may be proposals for integration of services that could have an impact on groups in this category. A full EIA will be completed in every case, as well as when organisational structures are finalised, and any necessary mitigations implemented.</p> <p>In the consultation response, there was no sexual orientation group that was in overall disagreement with the proposal to insource housing management services, indicating that groups within this category do not feel that the proposal will negatively affect them.</p> |
| <ul style="list-style-type: none"> ▪ Gender re-assignment status | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>There will be no reduction in services for anyone due to their gender re-assignment status. Where service integration projects are proposed, a full EIA will be completed by that service, accounting for the challenges people who undergo gender reassignment face when accessing services.</p> <p>People who identified with a status of gender reassignment in their consultation response did not indicate a different view to the general trend (support for the proposal to insource housing management services). This indicates that residents with gender reassignment status do not feel that the proposal will disproportionately adversely impact them.</p> |
| <ul style="list-style-type: none"> ▪ People who have a Disability | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>People with disabilities may access a wide range of council services across their lives. The proposal to insource</p> |

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| <p>(physical, learning difficulties, mental health and medical conditions)</p> | | <p>housing management functions will not cause a reduction in these services. When organisational structures are finalised, an EIA will be completed and any service integration projects will be accompanied by a full EIA to ensure that changes to service delivery will not negatively impact on people with disabilities.</p> <p>In the consultation response, people who stated that their day-to-day activities were limited by a disability or health problem did not indicate a different view to the general trend, which agreed with bringing services back in-house. This was also true across all the categories of disability, with no group who specified that they were living with one or more disability (physical, learning difficulties, mental health, medical conditions or a specified other) responding in overall disagreement with the proposal. This suggests that groups who identify as having a disability do not feel that the proposal will disproportionately negatively affect them.</p> <p>There is a risk of disruption to the delivery of services during the transfer period. This will be heavily monitored and mitigated against, but some people with disabilities may be at a greater risk of being impacted by this due to their increased vulnerability relative to other groups. As there are already barriers for this group to access council services, these mitigations must account for a range of challenges that could be experienced when accessing services.</p> <p>Once the transfer is complete, however, it is anticipated that there could be some long-term benefits for people with disabilities. Service integration and improved</p> |
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| | | | <p>communication resulting from insourcing housing management functions could provide a more streamlined customer journey. These changes might also enable the council to share information and resources to better tailor services to the individual needs of residents with disabilities. The transfer could also make it easier for residents with disabilities to tell the council what they need. Once the transfer is complete and a bedding-in period has passed, the scope and impact of these changes can be fully assessed.</p> |
| <p>▪ Marriage and Civil Partnerships status</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>There will be no reduction in services for residents who are married or in civil partnerships, resulting from the transfer. Where service integration projects are proposed and when organisational structures are finalised, a full EIA will be completed to account for this group.</p> <p>The consultation indicated that residents were broadly in support of the Council's proposal to insource housing management services, regardless of their marriage or civil partnership status. This indicates that a resident's marital or civil partnership status had no significant bearing on how they might respond to the proposal.</p> |
| <p>▪ People who are Pregnant and on Maternity</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Women may access a greater number of council services while pregnant or on maternity. There will be no changes to how they access these services because of the transfer, or any reduction in the services they access. There may be service integration opportunities during the transfer that could impact on women who are pregnant and on maternity. A full EIA would be completed alongside any integration plans and when organisational structures are finalised, to mitigate</p> |

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|--|--------------------------|--|
| | | <p>against adverse impacts on this group.</p> <p>Responses from women who identified that they were pregnant or on maternity did not differ from the general trend. This indicates that this group does not feel that the proposal will have a disproportionate adverse impact on them.</p> <p>Changes made during and following the transfer could make it easier for women who are pregnant or on maternity to access council services. It will be possible for housing to work more closely with other services accessed by this group, to make it easier for residents to get what they need. Following the completion of the transfer and a bedding-in period, it will be possible to assess the extent to which the changes will benefit members of this group.</p> |
| <p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other | <input type="checkbox"/> | <input checked="" type="checkbox"/> <p>There will be no reduction in services for any of the groups in this category resulting from the insourcing of housing management services. Where service integration projects are considered and when organisational structures are finalised, a full EIA will be completed, accounting for the needs of all these groups.</p> <p>Parents and carers will often have to consider how changes to services may impact not only themselves, but also their dependents. Despite this, consultation responses from parents and carers showed broad support for the proposal to insource. This suggests that people from these groups do not feel that they, or those relying on them for care, will be adversely impacted by the transfer. This was also true for those who identified themselves as having a different gender identity. The consultation did not collect data on</p> |

| | | |
|--|--|---|
| | | <p>the socio-economic status of respondents.</p> <p>Once the transfer is complete, however, there may be some benefits for parents and carers, with closer working between housing and the support services they access, for themselves and their dependents, lowering barriers to access.</p> <p>There may also be benefits for people with a lower socio-economic status. As this group is likely to access more council services across their lives, they could benefit from council services being more closely joined-up, with better information and resource sharing. It might also be easier for them to communicate to the council how it could best respond to their needs.</p> |
|--|--|---|

If you have answered **Yes** to one or more of the groups of people listed above, a **full Equality Impact Analysis is required**. The only exceptions to this is if you can 'justify' the discrimination (Section 4). **If there are equality impacts on Council staff please complete the restructure equality impact analysis on the ['Organisational change process' pages of the intranet](#).**

Section 4: Justifying discrimination

| Are all risks of inequalities identified capable of being justified because there is a: | |
|--|-------------------------------------|
| (i) <i>Genuine Reason</i> for implementation | <input type="checkbox"/> |
| (ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i> | <input checked="" type="checkbox"/> |
| (iii) There is a <i>Genuine Occupational Requirement</i> for the Council to implement this activity | <input type="checkbox"/> |

Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.

- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

| Yes | No |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

| Comments |
|--|
| <p>Although this screening tool has identified that a full Equality Impact Analysis should be completed, there will be no reduction in services for people in any group resulting from the insourcing of housing management functions. There is, however, a risk of some service disruption during the transfer. Although extensive monitoring and mitigations will be undertaken, there are certain vulnerable groups, such as those with disabilities or those who are elderly, which may be at a higher risk of suffering negative impacts from any potential service disruption.</p> <p>As the proposal is still at a relatively formative stage, it would be more useful for a full EIA to be completed once there are more detailed proposals on service structures and the target operating model. This will enable the EIA to account for specific risks to disruption for each service, and tailor mitigations accordingly. It will also be possible to identify potential benefits for different protected groups.</p> |

Appendix 4: Equalities Impact Screening – Tower Hamlets Homes staff members

Section 1: Background information

| Name of completing officer | Date of screening |
|--|-------------------|
| Nicola Klinger, Programme Lead – Housing Management Strategic Review | 11/01/2023 |
| Service area and Directorate responsible | |
| Housing Management Review Programme - Housing and Regeneration | |
| Approved by (Director / Head of Service) | Date of approval |
| Karen Swift, Director of Housing and Regeneration | 16/01/2023 |

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with ‘protected characteristics’ and those without them
- Fostering good relations between those with ‘protected characteristics’ and those without them

This Equality Impact Analysis provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above. For more information about the Council’s commitment to equality, please visit the Council’s [website](#).

Section 2: Summary of proposal being screened

| Name of proposal |
|--|
| Proposal to bring housing management services back in-house, under the direct control of the Council |
| The aims/objectives of the proposal |

The Council is proposing to bring housing management services back in-house, under the direct control of the Council.

The current Management Agreement between Tower Hamlets Homes (THH) and the Council ends on 31 March 2024. The Council must take a decision on whether to end or extend the management agreement no later than six months prior to this date.

Additionally, the Council's Strategic Plan 2022-26 sets out that Priority 2 is: Homes for the future and commits to consult residents on the future of housing management services, including Tower Hamlets Homes. The consultation concluded on 18 December, finding that residents were supportive of proposals to bring services back in-house.

Having reviewed the options for the future of housing management services, the Council has assessed that bringing services back in-house (and thereby ending the Management Agreement) will provide an opportunity to join up services, increase accountability to residents and the Regulator for Social Housing (RSH), and enable the Council to take a strategic approach to delivering good quality homes.

If a decision is taken to bring services back in-house, the majority of Tower Hamlets Homes staff will transfer to the Council, under Transfer of Undertakings (Protection of Employment) (TUPE) regulations. This means that for staff that transfer will keep the:

- Same terms and conditions of employment (including pay)
- Same length of service, so that there is continuous employment
- Same holiday entitlement

Changes may be made in the future to harmonise terms and conditions with that of existing LBTH staff, however this will only occur when it effects improvement to transferred staffs' terms and conditions and where this is consented to by staff members and unions.

Subject to proposals, legal advice and staff consultation, a very small number of senior management staff may be offered voluntary redundancy.

Once a proposed detailed model on new structures has been agreed, a full EQIA and staff consultation plan will be completed before a final model is agreed.

A full staff consultation will be conducted prior to the final proposals and the full EQIA will be updated after this.

Section 3: Equality Impact Analysis screening

| <p>Is there a risk that the policy, proposal, or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below ?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p> | Yes | No | Comments |
|--|-------------------------------------|-------------------------------------|---|
| <ul style="list-style-type: none"> ▪ Sex | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>The protection of employment rights and terms of conditions will apply to all employees transferring over, regardless of their sex. All staff will be invited to participate in the consultation on future proposals.</p> <p>Women may positively benefit as after transferring into the council they will be able to access the Women's Network which supports and champions women's issues and wellbeing in the workplace.</p> |
| <ul style="list-style-type: none"> ▪ Age | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>As senior members of staff are more likely to be considered for voluntary redundancy, it is possible that older members of staff are more likely to be affected in this way.</p> <p>Once there is a proposed detailed model on the new structures and legal advice has been attained, a full equalities impact analysis will be completed to understand if there is any negative affect on older groups of staff.</p> <p>For those transferring into the council, the same protection of rights will apply no matter the age of the person, so no negative impact is foreseen in this regard. Staff of all ages will be supported with the transfer and participating fully in the staff consultation.</p> |
| <ul style="list-style-type: none"> ▪ Race | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>All members of the racially diverse workforce at THH will receive the same opportunities to participate in the staff consultation and will have the same protection and transfer rights. There is therefore no risk of disproportionate impact due to a person's race.</p> |

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| | | | Some groups may also benefit due to access (when transferred into the council) to the Race Equality Network - which is the Black, Asian and Multi ethnic staff and friends network, as well as to targeted initiatives to support groups to develop and attain managerial/leadership roles within the workplace (e.g. mentoring support for Black, Asian and minority ethnic groups of staff). |
| <ul style="list-style-type: none"> ▪ Religion or Philosophical belief | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Regardless of religion and philosophical belief, all staff will have the same protection of employment rights and terms and conditions under TUPE regulations. All staff will be invited to participate in the staff consultation and care will be taken to schedule any meetings or events around any religious meetings or holidays (e.g., Friday Prayers).</p> <p>The majority of staff will work in the same building before and after the transfer (having moved to the New Town Hall in March 2023 or remaining in satellite buildings), and therefore will have the same facilities for prayer and reflection.</p> <p>People belonging to certain religions may also benefit by access to staff religious forums (Christian Prayer Group and Tower Hamlets Muslim Staff Forum).</p> |
| <ul style="list-style-type: none"> ▪ Sexual Orientation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>There will be no difference in either TUPE protection or opportunities to participate in staff consultation for groups of different sexual orientation.</p> <p>Staff transferring into the Council may benefit as they will have an opportunity to join the TOWER Pride Network, which is open to all staff, regardless of sexual orientation or gender identity. The forum provides advice and signposting to members and colleagues about the needs of LGBTQIA+ employees as well as confidential support service.</p> |
| <ul style="list-style-type: none"> ▪ Gender re-assignment status | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>The gender re-assignment status of any transferring member of staff will not alter their rights under TUPE or ability to participate in staff consultation, and therefore no negative impact is expected for this group.</p> <p>A benefit from transferring into the council will be the opportunity to join the TOWER Pride Network.</p> |
| <ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health, and medical conditions) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>People with disabilities may need some additional support during the transition period, to help them understand the changes that are going to occur, and their rights under TUPE. Likewise, as the transition may be an unsettling period, people with mental health issues may need additional support. LBTH and THH officers and HR teams will work together to ensure that there is a raft of support available to staff that might be</p> |

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| | | | <p>concerned or need additional information about the transition, and that adjustments are made wherever possible to support those who have learning difficulties.</p> <p>As there will not be any changes to terms and conditions (e.g., taking leave due to medical appointments) or physical environment, it is not expected that people with physical disabilities or medical conditions will be disproportionately adversely impacted.</p> <p>The opportunity to join the N-Able disabilities network once transferred into the Council may have a positive impact on staff with disabilities.</p> |
| <ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>No matter a staff members' marriage and/or civil partnership status, TUPE rights and staff consultation will be consistent. No negative impact on any groups is predicted.</p> |
| <ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>There will not be any changes to people's rights and employment protection in relation to pregnancy or maternity; the TUPE protections will apply in the same way and the same terms and conditions will remain after the transfer (so if someone is planning for maternity leave after the transfer, there will not be any changes in their pay or terms of this). Therefore, people who are pregnant or on maternity leave will not be disproportionately adversely affected due to their membership of these groups.</p> <p>However, people on maternity leave may be limited in their ability to participate in staff consultation events. Where there are people on maternity (or paternity) leave at this time, HR will need to advise on alternative ways to consult for that group of people (e.g., via written correspondence).</p> |
| <p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Parents & Carers</p> <p>As there will not be any changes to terms and conditions (e.g., those relating to flexible working or annual leave), and no change in place of work, it is not expected that parents and carers would be negatively impacted by the transfer and will be able to participate in the staff consultation as fully as any other group.</p> <p>Gender Identities</p> <p>TUPE rights and staff consultation arrangements will apply to all members of staff, and therefore people with different gender identifies will not be disproportionately affected in any way by the proposals.</p> <p>Socio-economic</p> |

| | | |
|--|--|--|
| | | <p>As part of protection of terms and conditions, the pay of staff will be protected when they transfer to the Council (in perpetuity). Staff may benefit by having access to a wider pool of development and job opportunities (e.g., in different areas across the Council).</p> <p>Those members of staff that may be offered voluntary redundancy will be limited to senior management and therefore only impact groups that are paid at a significantly higher grade to the rest of the organisation. Redundancy payment will be offered in accordance with policy and staff will be consulted and supported through any redundancy process.</p> <p>Health & Wellbeing</p> <p>All staff members health and wellbeing may be adversely affected during the initial period of consultation and transfer, given the large change and concerns this may bring staff. Both LBTH & THH senior officers, the programme team and HR will support staff ensuring that timely decisions are taken, staff have comprehensive and transparent information, and that staff are consistently able to access support.</p> |
|--|--|--|

If you have answered **Yes** to one or more of the groups of people listed above, a **full Equality Impact Analysis is required**. The only exceptions to this is if you can 'justify' the discrimination (Section 4). **If there are equality impacts on Council staff please complete the restructure equality impact analysis on the ['Organisational change process' pages of the intranet](#).**

Section 4: Justifying discrimination

| Are all risks of inequalities identified capable of being justified because there is a: | |
|--|-------------------------------------|
| (i) <i>Genuine Reason</i> for implementation | <input type="checkbox"/> |
| (ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i> | <input checked="" type="checkbox"/> |
| (iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity | <input type="checkbox"/> |

Section 5: Conclusion

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

| Yes | No |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments

All staff transferring into the Council will be protected by the TUPE regulations, which protect their terms and conditions, annual leave entitlement and continuous employment status. Therefore, there are few disproportionate impacts on groups in this regard.

Some groups may need additional support to participate in the consultation process and throughout the transition process. The process will be designed with this in mind and adapted in response to staff needs.

There may be a small number of senior managers offered voluntary redundancy, which are likely to be in an older age range due to their experience.

A full EIA will be undertaken once a detailed model on organisational structures has been agreed.

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