

Cabinet



Wednesday, 24 July 2024 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 Musthak Ahmed	(Cabinet Member for Jobs, Enterprise, Skills and Growth)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Shafi Ahmed	(Cabinet Member for Environment and the Climate Emergency)
Councillor Kamrul Hussain	(Cabinet Member for Culture and Recreation)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Safer Communities)
Councillor Abdul Wahid	(Cabinet Member for Customer Service, Equalities and Social Inclusion)

[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.

Contact for further enquiries:

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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.

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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, 26 July 2024**
- The deadline for call-ins is: **Friday, 2 August 2024**

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, 24 July 2024

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

11 - 12

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

13 - 24

The unrestricted minutes of the Cabinet meeting held on 10 July 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	Tower Hamlets Council Strategic Plan: Performance Targets for 2024/25 and Annual Delivery Plan	25 - 36
	<p>Report Summary: Following Cabinet approval of the council's Annual Delivery Plan 2024/25, which sets out in detail how the council will progress the delivery of the Strategic Plan's priorities in this third year of the administration, this report presents the targets set against the performance indicators for the 2024/25 financial year.</p> <p>Wards: All Wards Lead Member: Mayor Corporate Priority: All Priorities</p>	
6.2	Tower Hamlets Local Plan 2038 – Proposed Submission Version	To follow
	<p>Report Summary: This report seeks approval to publish the proposed submission version of the Local Plan and associated documents and undertake the statutory Regulation 19 consultation on those documents.</p> <p>Wards: All Wards Lead Member: Cabinet Member for Regeneration, Inclusive Development and Housebuilding Corporate Priority:</p>	
6.3	Reduction and Recycling Plan Progress Report - Quarter 4, 2023	37 - 84
	<p>Report Summary: Tower Hamlets Reduction and Recycling Plan (RRP) 2023-2025 was approved by Cabinet in September 2023. A report detailing progress of the RRP is due at Cabinet on a quarterly basis. This report provides an update for Quarter 4, 2023-24.</p>	

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Wards: All Wards
Lead Member: Cabinet Member for Environment and the Climate
Emergency
Corporate Priority:

6 .4 Public Space Protection Order - Tackling dog related anti-social behaviour. 85 - 134

Report Summary:

This report presents our proposed approach to tackling dog related anti-social behaviour, seeking approval to go out to public consultation. The consultation results will inform the final approach of the council on this issue, which we intend to submit to Cabinet later in the year.

Wards: All Wards
Lead Member: Cabinet Member for Environment and the Climate
Emergency
Corporate Priority: A clean and green future

6 .5 Contracts Forward Plan – Q1 – FY 2024-2025 To Follow

Report Summary:

This report presents the contracts being procured during quarter one. The report also sets out the Contracts Forward Plan at appendix 2 to this report.

The report asks for confirmation that all contracts can proceed to contract award after tender.

Wards: All Wards
Lead Member: Cabinet Member for Resources and the Cost of Living
Corporate Priority: All Priorities

6 .6 Arrangements for provision of integrated sexual and reproductive health services post 2025. 135 - 156

Report Summary:

To agree future commissioning plans for Integrated Sexual and Reproductive Health (SRH) clinical services, and participation in London-wide provision of the online “e-service” for SRH services, after the existing contracts finish in 2025.

The Council currently participates in North-East London- and London-wide collaborations to provide open access SRH services for preventing STIs and providing contraception. This Key Decision will allow for continued participation in these collaborations and set the direction to collaboratively procure these services in future.

Wards: All Wards
Lead Member: Cabinet Member for Health, Wellbeing and Social Care
Corporate Priority: All Priorities

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6 .7	Strategic Asset Management Plan 2024-29	157 - 220
<p>Report Summary: This item sets out the key principles and intentions which will govern how the council manages its corporate property assets over the coming five years.</p> <p>Wards: All Wards Lead Member: Corporate Priority: All Priorities</p>		

6 .8	Mulberry London Dock Academy School: 8 Virginia Street; London E1W 2AD	To Follow
<p>Report Summary: Approval is sought for the London Borough of Tower Hamlets to enter into main contract with Kier Construction (London) for the construction of Mulberry London Dock Academy School. The contract which incorporates PCSA and Early Works agreements is valued at £66,000,408.</p> <p>The report also notes the Equalities Impact Assessment as set out in Paragraph 5 of this report.</p> <p>Wards: Shadwell Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: Accelerate Education</p>		

6 .9	Conversion to Academy Status: Bishop Challoner RC Secondary, St Anne's and Guardian Angels RC Primary and St Elizabeth RC Primary Schools	221 - 260
<p>Report Summary: Description – or Summary of the Item: (this information will be made public)</p> <p>[Note for DL – please copy to 'Description' Field in online system] This report asks for Cabinet to delegate officer authority for the completion of lease arrangements, commercial transfer agreements and related matters specific to the academy conversions of Bishop Challoner RC Secondary, St Anne's and Guardian Angels RC Primary and St Elizabeth RC Primary Schools.</p> <p>The schools received an academy order from the Secretary of State on 24th October 2023 and have stated their intention to convert to academy status and join the Lux Mundi Catholic Multi-Academy Trust on 1st September 2024.</p> <p>Wards: All Wards Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: A clean and green future</p>		

6 .10 Conversion to Academy Status: Columbia and Hermitage Community Primary Schools	261 - 290
<p>Report Summary: This report asks for Cabinet to delegate officer authority for the completion of lease arrangements, commercial transfer agreements and related matters specific to the academy conversions of Columbia and Hermitage Community Primary Schools.</p> <p>The schools received academy orders from the Secretary of State on 18th December 2023 and the 24th April 2024 respectively, and have stated their intention to convert to academy status and join the London East Teacher Training Alliance (LETTA) Multi-Academy Trust on 1st September 2024.</p> <p>Wards: All Wards Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: Accelerate Education</p>	

6 .11 Tower Hamlets Safeguarding Children Partnership Annual Report 2023-2024	291 - 322
<p>Report Summary: The report highlights the activity of the Tower Hamlets Children’s Partnership within the last financial year.</p> <p>Wards: All Wards Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: TH Plan 5: A child-friendly borough where children and young people from all backgrounds thrive, achieve their best, have opportunities, and are listened to.</p>	

6 .12 Special Educational Needs and Disabilities Improvement Report 2023/24	323 - 354
<p>Report Summary: The SEND Improvement Annual Report 2023/24 aims to provide an analysis of progress and impact for work undertaken over the last year in relation to improvement priorities</p> <p>Wards: All Wards Lead Member: Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) Corporate Priority: Accelerate Education</p>	



Report Summary:

This report sets out the recommendation to enter into a two-year transitional agreement post expiry of the current PFI concession agreement. The new agreement with the existing provider will run from October 2025 to October 2027, the extension will ensure the current provider meets all their obligations post concession agreement expiry, the heat network is functional and allow the Council the time to develop a decarbonisation and expansion strategy and comply with new heat networks and energy legislation.

Wards: Canary Wharf
Lead Member: Cabinet Member for Environment and the Climate
Emergency
Corporate Priority: A clean and green future

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, 11 September 2024 at 5.30 p.m. in Council Chamber - Town Hall, Whitechapel



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.

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.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.45 P.M. ON WEDNESDAY, 10 JULY 2024

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

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 Musthak Ahmed	(Cabinet Member for Jobs, Enterprise, Skills and Growth)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Shafi Ahmed	(Cabinet Member for Environment and the Climate Emergency)
Councillor Kamrul Hussain	(Cabinet Member for Culture and Recreation)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Safer Communities)
Councillor Abdul Wahid	(Cabinet Member for Customer Service, Equalities and Social Inclusion)

Other Councillors Present in Person:

Councillor Jahed Choudhury	Chair of Overview and Scrutiny
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Officers Present in Person:

John Ainsworth	(Senior Performance Improvement Analyst)
Simon Baxter	(Corporate Director Communities)
Sam Brown	(Acting Head of Facilities Management)
Ayesha Hakim Rahman	(Acting Deputy Director of Strategy, Improvement and Transformation)
Stephen Halsey	(Chief Executive)
Amy Jackson	(Head of Mayor's Office)
Abul Kalam	(Service Manager, Housing Management & Procurement)
Ahsan Khan	(Chief Accountant)
Nicola Klinger	(Housing Companies Manager)
Julie Lorraine	(Corporate Director Resources)
Damian Patchell	Markets Manager
Paul Patterson	(Interim Corporate Director Housing And Regeneration)
Doug Plumer	(Data Analytics, Business Intelligence & Performance Lead)

Layla Richards	(Director of Commissioning & Culture)
Karen Swift	(Divisional Director, Housing and Regeneration)
Jill Bayley	(Head of Legal Safeguarding)
Joel West	(Democratic Services Team Leader (Committee))
Ashraf Ali	(Director of Public Realm)

Officers In Attendance Virtually:

John Harrison	(Director of Corporate Efficiency)
Robin Beattie	(Acting Director of Strategy Innovation and Transformation)

1. APOLOGIES FOR ABSENCE

Apologies were received from Steve Reddy, Corporate Director of Childrens Services.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES

RESOLVED:

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

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

Stephen Halsey, Chief Executive, provided a brief update on the running of the General Election, 4 July 2024. He asked the Mayor and Cabinet to recognise the effort of all staff involved in polling, the count and related processes to ensure the smooth and professional running of the election. He would be writing to all involved to personally thank them for their efforts.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

The Mayor welcomed the Chair of Overview and Scrutiny Committee, Councillor Jahed Choudhury, to the Cabinet meeting.

Councillor Jahed Choudhury informed the Mayor and Cabinet of the recent work undertaken by the Committee. The Committee had:

- Considered the provisional outturn Budget Monitoring report for 2023/24. The committee's comments were on: overspending or

underspending and the implications in this financial year; debt and borrowing; future projections; and progress on the investment in waste services.

- Considered the year-end report strategic delivery performance report for 2023/24. The Committee were disappointed to see a number of red rags in Q4
- Considered the Corporate restructuring report. The Committee welcomed the opportunity to be engaged in proposals and would consider how it can continue to do so.
- Received an update on the Women Safety Action Plan following the Scrutiny Review recommendations put forward in 2023. Members were pleased to see the progress of their recommendations
- Discussed and considered the scrutiny portfolio areas, the work programme for this year and its improvement plan.

Councillor Jahed Choudhury also informed updated the Mayor and Cabinet on the Call-In the Committee heard on the decision to extend AEG's licence to occupy Victoria Park for major commercial events until 2027. OSC had heard testimonies from Friends of Victoria Park. Members of OSC felt that the Council must ensure that any decision to deliver events in Victoria Park does not restrict access for residents and that appropriate steps are taken to mitigate any disturbance they may encounter from events in the Park. The Committee endorsed the original decision and highlighted the opportunity to bring more cultural events to the borough, increase expenditure in the local economy, and generate income for council services as the main reasons for this.

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

None.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Budget Monitoring 2023/24 Provisional Outturn

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that provided the provisional outturn position for the General Fund revenue, capital and HRA capital accounts for 2023/24.

The Mayor welcomed the report and expressed his thanks to the Lead Member, the Corporate Director of Resources, Chief Executive and all members and officers involved with helping secure an outturn within budgets despite significant challenges and in-year pressures that many councils across the country had failed to contain.

RESOLVED that the Mayor in Cabinet:

1. Notes the council's position and consequent provisional outturn as at 31st March 2024, against General Fund Budget (£0.3m

underspend) Dedicated Schools Grant Budget (£1.5m overspend), Housing Revenue Account (£5.2m overspend).

2. Notes the actions taken to date to address the demand pressures as set out in Appendix A, Section 3.2.
3. Notes the progress made against the 2023/24 savings targets, based at 31st March 2024.
4. Notes the council's provisional outturn position against General Fund and Housing Revenue Account capital programme approved budgets for 2023/24, based on provisional outturn at 31st March 2024.
5. Approve the net slippages of £8.9m and net overspends of £1.7m across the General Fund capital programme and net slippages of £10.6m and net underspends of £0.9m across the Housing Revenue Account capital programme as detailed in section 3.18 and 3.19 below.
6. Note that there are no equalities implications directly resulting from this report, as set out in Section 4.

6.2 Record of Corporate Directors Actions 2023/24 Q4

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the noting report on Corporate Director's Actions taken under the Constitution requirement that states that Corporate Director's Actions in respect of contracts over £100,000 must be reported to Cabinet.

RESOLVED that the Mayor in Cabinet

1. Notes the Record of Corporate Directors' Actions set out in Appendix 1 to the report.

6.3 Procurement Transformation Programme

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that provided a progress update on the Procurement Transformation Programme to significant procurement failures and historical challenges that have left the Council exposed to undue risk and service failure and to ensure full and exemplary compliance with the new Procurement Act 2023 and the NHS Provider Selection Regime.

Further to paragraph 3.5, the Chief Executive expressed his thanks to the Corporate Director, Resources and her team preparing this at pace.

The Mayor and Cabinet welcomed the report which they felt modernised the Council's financial and procurement processes whilst addressing many of the historical failings on previous administration which had left the Council exposed to serious risks.

RESOLVED that the Mayor in Cabinet:

1. Note the high-level changes to procurement regulations as derived from the Procurement Act 2023, outlined in section 3.15 of the report.
2. Note the changes to procurement regulations for Health and Social Care contracts as derived from the Provider Selection Regime (PSR) which came into effect in January 2024, outlined in section 3.10 of the report.
3. Support the transformation plan to redefine the Procurement function across the Council; to be an exemplary model of best practice and better enable compliance with the new government legislations.
4. Support the proposed hub-and-spoke structure for managing procurement, to align with the Council's draft Target Operating Model. This restructuring aims to enhance efficiency and effectiveness, whilst maximising value for the Council.

6.4 Annual Strategic Delivery & Performance Report 23/24

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

The Mayor introduced the item which provided a Quarter 4 monitoring update of the Year 2 Annual Delivery Plan 2023-24 performance measures and annual deliverables to give a clear understanding of the council's current performance.

Officers provided an update on ongoing work to address the measures marked as red (outside target) in the report.

The Mayor and Cabinet welcomed the discussion by the Overview and Scrutiny Committee on this matter the previous evening, which they felt was productive and rigorous. The Mayor and Cabinet noted that several of the underperforming measures related to delivery of housing and expressed their disappointment at the impact on the borough's homeless and vulnerable residents. They explained how external market trends were believed to be shifting which would, combined with new process and dedicated infrastructure, see a redress in the performance and increased delivery of new and affordable housing starting in Q1 2024/25.

Robin Beattie, Director Policy Improvement and Performance explained that work continued to make the performance reports more accessible and understandable.

Cabinet members highlighted some of the strong performance and achievements demonstrated in the previous year in areas including substance misuse, uniformed patrols, and equalities measures.

RESOLVED that the Mayor in Cabinet:

1. Note the strategic delivery and performance report for Q4 covering the period of 1st January 2024 to 31st March 2024.
2. Review the status of 51 performance measures in Q4 tracking the delivery of Year 2 of the Strategic Plan 2023-2024 (See Appendix A to the report).

6.5 Tower Hamlets Local Plan 2038 – Proposed Submission Version

This item was withdrawn from the agenda on request of the Mayor.

6.6 Approval of the council's revised Homelessness Accommodation Placement Policy

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that recommended the approval of the council's revised Homelessness Accommodation Placement Policy. Councillor Ahmed explained that the existing policy was no longer fit for purpose given the current increase in homelessness, lack of availability of affordable and suitable accommodation in the borough and recent changes in legislation. In addition, a new Homelessness Accommodation Procurement Strategy would sit side by side with the Homelessness Accommodation Placement Policy and would set out the council's approach as to how officers will procure available housing stock to discharge the council's statutory homelessness duties and responsibilities. The strategy will ensure that the council follows current legislation and provides clear guidance for staff to ensure affordability and suitability of accommodation which is procured for this purpose.

Councillor Ahmed explained that the report also proposed two pilot projects, a Cost of Living Grant Scheme and a Find Your Own PRS Accommodation Grant scheme. Councillor Ahmed explained how each of the grants would operate.

Councillor Kabir Ahmed explained how the proposal would ensure financial viability to provide long term stability for suitable housing. He noted that some councils faced risk of bankruptcy because of homelessness and temporary accommodation spending. However, the proposals would enable a stronger long-term approach and better quality service for residents.

Karen Swift, Director of Housing explained how the proposals linked to the previously considered performance outturn, noting that the plan would help move KPI004 from red to amber. Karen provided more detail on the proposed grants pilot projects, the procurement strategy and asked the Mayor and Cabinet to note the equalities impact assessment accompanying the policy, which demonstrated that impact on equality and associated safeguards were considered to be satisfactory.

The Mayor welcomed the report and the prioritisation offered to vulnerable residents, those with health and children's educational needs.

RESOLVED that the Mayor in Cabinet:

1. Approves the council's revised Homelessness Accommodation Placement Policy (Appendix A to the report) and new Homelessness Accommodation Procurement Strategy (Appendix B to the report).
2. Delegates authority to the Corporate Director of Housing and Regeneration should any further amendments be required because of new legislation or case law in consultation with the Mayor and Lead Member.
3. Approves the two pilot schemes, (1) Cost of Living Grant Scheme and (2) Find Your Own PRS Accommodation Scheme, and to register both on the council's grants register.
4. Delegates authority to officers to administer and issue grants to residents under the Cost of Living and Find Your Own PRS Accommodation Grant schemes.
5. Delegates authority to the Director of Housing to extend the pilots or make them permanent prevention initiatives, subject to available finances and in consultation with the Mayor and Lead member.

6.7 Improving our homelessness services - update

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that outlined a comprehensive strategy to address current challenges and ensure the Council's Housing Options Service could effectively deliver an enhanced service that meets the current and future needs of the residents of Tower Hamlets. Councillor Ahmed also explained how a new focus on induction and training would ensure a service more sensitive to residents needs, many of whom were vulnerable or had faced traumatic circumstances before approaching the Council.

Karen Swift, Director of Housing provided further detail on the consultation and engagement work underlying the programme. Karen explained engagement had been very positive and had attracted a large number of contributions.

The Mayor welcomed the report. He stressed that his administration had inherited a legacy of poor customer service and an under resourced housing

options service. He expressed hope that the new measures would create a better experience for residents and in particular welcomed the 15 new frontline officers, a new 24/7 service including weekend availability. He asked that quarterly updates be provided on the implementation of the programme.

The Cabinet welcomed the report and asked the lead Member to ensure that local people had opportunity to fully participate in recruitment processes for the new posts and it was felt local people would have a greater appreciation of the borough, its people and their particular experiences.

RESOLVED that the Mayor in Cabinet:

1. Notes the progress made to improve the Council's homelessness services.

6.8 Annual Report on School Performance for 2022-2023

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor) introduced the report that provided an overview of the 2022-23 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 neighbours where known.

The Mayor welcomed the report, but expressed his ambition to address underperformance of LBTH schools, especially at KS5. He, and other members of the Cabinet expressed concerns that many pupils felt they had to travel outside of the borough to ensure they could receive quality educational provision. It was critical that the borough provide the facilities to ensure time and money of the borough's families and young people were not wasted. The Mayor asked that a report be provided to Cabinet in future to explore options for how attainment in LBTH schools could be driven up. This report should include an exploration of the different support/guidance that could be procured from external sources.

RESOLVED that the Mayor in Cabinet:

1. Notes the performance outcomes for Tower Hamlets schools.
2. Requests a report be submitted to a future Cabinet meeting setting out options to improve school performance in the borough including commissioning of external advice.

6.9 Interim use of former Shapla School Site

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

The Mayor introduced and welcomed the report that sought approval of the Mayor in Cabinet for the former Shapla School site to be allocated as the agreed decant site for the services identified in this report from the

Professional Development Centre (PDC) and Commercial Road site until 2027 to meet the requirements for the re-development of the Professional Development Centre for the Institute of Academic Excellence and the decant of services based at Commercial Road site for housing redevelopment

RESOLVED that the Mayor in Cabinet:

1. Approves Shapla School site is allocated as the agreed decant site for the services identified in this report from the PDC and Commercial Road site until 2027.

6.10 Market Designation (Columbia Road, Watney, Whitechapel)

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency introduced the report that, following consultation on a proposal to alter the pitch sizes at three locations, identified the rationale for the proposals consulted on, the results of the consultation and the recommended action following consultation. Councillor Ahmed briefly set out the benefits of the proposed approaches for each of the sites, which he hoped the Mayor would agree to progress.

The Mayor welcomed the report. Further to a brief explanation from officers regarding delays to works at Watney market and measures to compensate stall holders, he asked officers and the Lead Member to develop proposals to demonstrate goodwill to shop-owners as well.

RESOLVED that the Mayor in Cabinet:

1. Notes the report.
2. Recommend that full Council agrees the markets improvements.
3. Columbia Road Market – The proposal is to make permanent the temporary measures put in post-Covid:
 - officially increase the pitch size to 3mx3m from something that traders have been using for more than six years.
 - Make permanent the layout that has been used since reopening after Covid. This means all pitches on the north side and extended from Ravenscroft to Barnet Grove, with market parking on both side of Barnet Grove and one side of Chambord.
4. Watney Market
 - to carry out further engagement with market traders around the use of the gazebos at a later date.
 - to delegate the adoption of the new pitch size of 3m x 3.81m decision on gazebos to the Corporate Director depending on the results of engagement exercise.

5. Whitechapel Market

- officially designate the area that traders have been using for many years to make the official designated pitch size the one currently marked by red line, 2.57m width x 4.5m depth.

6.11 Market & Street Trading Fees & Charges 2024/25

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency introduced the report that, following annual review as part of the financial and business planning process, presented findings of the consultation on market trading fees and charges and recommended fees for 2024/25. Councillor Ahmed asked the Mayor and Cabinet to note that fees and charges relating to street trading must be approved by full Council.

The Mayor asked officers to ensure that the report to Council recommending the changes include a pounds and pence breakdown of how the new fees would compare to those charged in 2023/24.

RESOLVED that the Mayor in Cabinet:

1. Notes the consultation response.
2. Recommends to full Council that it agrees option 2 from the report, namely to increase the street traders and markets fees by 3.1% from September 2024.

6.12 LBTH Productivity Plan

The Mayor noted and agreed the reasons for urgency, as provided in the report submitted.

The Mayor introduced and welcomed the report that responded to a Department for Levelling Up, Housing & Communities (DLUHC) request for all councils to assess and report on efficiency improvements. The Mayor noted that the plan detailed the Council's approach to service delivery, organisational structure, and resident value.

RESOLVED that the Mayor in Cabinet:

1. Approves the LBTH Productivity Plan (Appendix 1 to the report). This plan fulfils the government's request for councils to assess and report on efficiency improvements.
2. Acknowledges the submission deadline of 19 July 2024 and website publication requirements. The council will ensure timely submission and public accessibility of the plan.

3. Recognises the LBTH productivity plan as a positive reflection of ongoing efforts to strengthen its efficiency framework. The plan demonstrates the council's commitment to continuous improvement and resident value.

7. NOMINATIONS TO OUTSIDE BODIES

The Mayor introduced and welcomed the report that proposed changes to nominees to outside bodies.

RESOLVED that the Mayor in Cabinet agrees:

1. To replace Councillor Kabir Hussain with Councillor Shafi Ahmed as the Council's nominee to London Councils' Transport and Environment Committee (TEC).
2. To replace Councillor Abdul Wahid, with Councillor Musthak Ahmed as the Council's nominee to London Councils' Greater London Employment Forum.

8. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

9. EXCLUSION OF THE PRESS AND PUBLIC

A resolution to exclude press and public was not required.

10. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

11. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

12. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION


Nil items.

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

Nil items.

The meeting ended at 7.30 p.m.

Chair, Mayor Lutfur Rahman
Cabinet

<p>Cabinet</p> <p>24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Robin Beattie, Interim Director of Strategy, Improvement and Transformation</p>	<p>Classification: Unrestricted</p>
<p>Strategic Plan: Annual Delivery Plan 2024 – 2025</p>	

Lead Member	Mayor Lutfur Rahman
Originating Officer(s)	Doug Plumer, Data Analytics, Business Intelligence and Performance Lead John Ainsworth, Senior Performance Improvement Analyst
Wards affected	All
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	General exception notice published 16 July.
Exempt information	None
Strategic Plan Priority / Outcome	<p>All 8 Strategic Priorities:</p> <p>Priority One: Tackling the Cost of Living</p> <p>Priority Two: Homes for the Future</p> <p>Priority Three: Accelerate Education</p> <p>Priority Four: Boost Culture, Business, Jobs and Leisure</p> <p>Priority Five: Invest in Public Services</p> <p>Priority Six: Empower Communities and Fight Crime</p> <p>Priority Seven: A Clean and Green Future</p> <p>Priority Eight: A Council that Listens and Works for Everyone</p>

Executive Summary

Following Cabinet approval of the council’s Annual Delivery Plan 2024/25, which sets out in detail how the council will progress the delivery of the Strategic Plan’s priorities in this third year of the administration, this report presents the targets set against the performance indicators for the 2024/25 financial year.

Services have set ambitious targets against 49 of 56 performance measures taking into account factors such as historic performance, budgets increasing or decreasing, staffing levels, changes in legislation and the impact of wider local or national contexts. The rationale for all targets is provided in Appendix A.

The remaining 7 performance measures are data-only measures for monitoring important contextual information.

Recommendations:

Cabinet is recommended to:

1. Approve the targets set for 2024/25 (Appendix A).
2. Note the target-setting rationale for each performance measure.

1 REASONS FOR THE DECISIONS

- 1.1 It is important that the council sets appropriate targets against its chosen set of performance measures to deliver on its key priorities in the year ahead.

2 ALTERNATIVE OPTIONS

- 2.1 Cabinet may choose not to approve targets for one or more performance measures. In this case the service concerned will be asked to reassess and adjust the targets.

3 DETAILS OF THE REPORT

- 3.1 The Strategic Plan 2022 to 2026 is the council's main corporate business plan. The plan embeds the Mayor's vision into a high-level policy framework and demonstrates how they will be delivered alongside the council's statutory duties. It is supported by and aligned with the Medium-Term Financial Strategy (MTFS).
- 3.2 The Annual Delivery Plan 2024/25 sets out in detail how the council will progress the delivery of the Strategic Plan's priorities in this third year of the administration.
- 3.3 Services have set ambitious targets against 49 of 56 performance measures, carefully considering factors such as historic performance, budgets levels, staffing levels, changes in legislation and the impact of wider local or national contexts. The rationale for all targets is provided in Appendix A.
- 3.4 The remaining 7 performance measures are data-only measures for monitoring important contextual information.
- 3.5 The new RAG rating definitions introduced for delivery confidence are now in place and were used for this target setting exercise. They foster a more holistic, open conversation around performance confidence and endeavour to avoid raising false red flags as red is defined to be more severe.
- 3.6 The new definitions for RAG ratings are as follows.
 - Green - If the outturn figure falls above the stretch target, the RAG status will be green, which indicates the outturn figure is within the range

considered successful for the measure and there are no major issues that appear to threaten delivery.

- Amber - If the outturn figure falls below the stretch target but above the minimum target, the RAG status will be amber, which indicates the outturn figure is within a range that signals significant issues exist requiring management attention. These are resolvable if addressed promptly and should not present a cost or schedule overrun.
- Red - If the outturn figure falls below the minimum target, the RAG status will be red, which indicates the outturn figure is within a range that signals successful delivery of the service appears to be unachievable in the short-term. There are major issues which do not appear to be manageable or resolvable.

4 EQUALITIES IMPLICATIONS

- 4.1 Equality is at the heart of everything we do as a council, from the money we spend, and the people we employ, to the services we provide. The borough's diversity is one of our greatest strengths. We are committed to the public sector equality duty under the Equality Act 2010.
- 4.2 The council's Strategic Plan is focused on meeting the needs of the diverse communities living in Tower Hamlets and ensuring that everyone can play their part in a vibrant and cohesive community. Many of the strategic outcomes and supporting activities are designed to reduce inequalities and foster community cohesion.
- 4.3 No adverse consequences are foreseen in this target setting exercise.

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 Best Value Implications

The Annual Delivery Plan is an important tool for the council to fulfil the 'best value' requirement set out in Section 3 of the Local Government Act. The Act requires authorities, including the Council, to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Monitoring reports to members and actions arising from those reports will help

to demonstrate that the Council has undertaken activity to satisfy the statutory duty. An example is the ongoing restructuring work being undertaken by the Council to deliver on the savings objective of the administration towards achieving best value, which the Annual Delivery Plan 2024/25 reflects.

- 5.3 The Annual Delivery Plan also embeds commitments which set out how the council will deliver its duties in relation to consultation, environmental and air quality duties, crime reduction and safeguarding.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no direct financial implications arising from the approval of the performance measure targets. The delivery of the plan will be met from approved budgets and should any additional funding be required this would need to follow the appropriate governance arrangements.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The council is under a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”
- 7.2 Under the Duty of Best Value, therefore, the council should consider overall value, including economic, environmental and social value, when reviewing service targets.
- 7.3 The setting and monitoring of performance targets therefore assists in meeting the Best Value Duty placed upon the council.
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Linked Reports, Appendices and Background Documents

Linked Report

- Tower Hamlets Council: Strategic Plan 2022 – 26 [not attached]

Appendices

- Appendix A: Performance Measure Targets 2024/25

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

- Annual Delivery Plan 2024/25
- Appendix A: Annual Delivery Plan 2024/25 – Annual Deliverables
- Appendix B: Annual Delivery Plan 2024/25 – Performance Measures

Officer contact details for documents:

John Ainsworth, Senior Performance Improvement Analyst, Chief Executive’s Office
john.ainsworth@towerhamlets.gov.uk

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
Priority 1: Tackling the Cost of Living Crisis												
KPI 001	Number of EMAs awarded (Annual)	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	1,125	N/A	N/A	N/A	1,250	Minimum target set at a 10% variance from the stretch target. The aspirational target is based on the Mayor's pledge and offer to provide 1250 eligible college/sixth form students with a £600 maintenance grant.
KPI 002	Number of university bursaries awarded (Annual)	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	720	N/A	N/A	N/A	800	Minimum target set at a 10% variance from the stretch target. The aspirational target is in line with the Mayor's offer of a £1500 maintenance grant to 800 eligible university students. This has increased from a total of 400 last year following insight and the level of oversubscription experienced by the service.
KPI 003	Percentage of homelessness cases prevented or relieved	Resources	Councillor Saied Ahmed	36%	36%	36%	36%	40%	40%	40%	40%	At the end of Q4 we are at an output of 38%, so a minimum target of 36% seems suitable. There was an increase in the number of household owed a duty and also a supply issue with target (3-4 bed) properties. This lack of supply makes it difficult to secure sustainable accommodation and therefore prevent or relieve homelessness. Consequently a stretch target of 40% has been set.
KPI 004	Number of homeless supported into sustainable accommodation	Resources	Councillor Saied Ahmed	90	198	297	396	110	220	330	440	Despite the Q4 outturn of 375, we will maintain a drop of no more than 10% for the minimum target at 396. We anticipate a higher number of lets for this year which informs the stretch target of 440.
KPI 005	Number of attendances to holiday activities and food programme during school holidays	Housing & Regeneration	Councillor Saied Ahmed	12,700	50,200	50,200	67,500	13,000	58,000	58,000	70,000	Funding has decreased and less money is available compared to last year. In addition, costs of clubs have gone up quite significantly, increasing the per-head spend. Figures for last year were significantly above target and therefore the minimum target and stretch targets are being maintained at last year's levels.
KPI 006	Tonnes of food provided to food aid organisations	Housing & Regeneration	Councillor Saied Ahmed	202	405	608	810	225	450	675	900	1,887 tonnes of food provided to food aid organisations in 23/24. The target is reduced by 50% in 24/25 to 900 tonnes as a cumulative stretch target and 810 tonnes as a cumulative minimum target due to the household support fund being cut to six months instead of twelve. The Mayor has therefore asked that food hub funding is reduced accordingly, meaning the target also needs to be reduced by 50%.
KPI 052	Council tax collection rate (in year) (Annual)	Resources	Councillor Saied Ahmed	N/A	N/A	N/A	92%	N/A	N/A	N/A	95%	The minimum target is based on the previous years out-turn. The stretch target represents good performance.
KPI 053	Council tax collection rate (overall)	Resources	Councillor Saied Ahmed	97.8%	97.8%	97.8%	97.8%	97.8%	97.8%	97.8%	97.8%	This is the target contained within the budget assumptions. The stretch target and minimum target is the same figure.
Priority 2: Homes for the Future												
KPI 007	Net additions to the housing stock	Housing & Regeneration	Councillor Kabir Ahmed	N/A	N/A	N/A	3,126	N/A	N/A	N/A	3,473	The stretch target is the GLA's London Plan target for Tower Hamlets. The minimum target gives a 10% flexibility accounting for the identified challenges around delivery in the housing and development sector. As highlighted in the ADP (23-24) quarterly performance reporting these challenges include a difficult economic climate for construction and development, inflation and labour supply issues and a decline in housing starts (down 24%) and completions (down 12%), nationally, including in London.
KPI 009	Number of affordable homes delivered	Housing & Regeneration	Councillor Kabir Ahmed	N/A	N/A	N/A	900	N/A	N/A	N/A	1,000	The stretch target figure is the Mayor's manifesto pledge. The minimum target gives 10% flexibility which accounts for the challenges around affordable housing delivery as highlighted in the ADP 23-24 quarterly performance reporting. These challenges these include a difficult economic climate for construction and development, inflation, labour supply issues, nationally (including London) a decline in housing starts (down 24%) and completions (down 12%) and reductions in RP investment in new affordable stock due to the economic climate. These issues are also linked to targets being missed as part of the Government's Affordable Housing Programme.
KPI 010	Lets to overcrowded households	Housing & Regeneration	Councillor Kabir Ahmed	48%	48%	48%	48%	53%	53%	53%	53%	This is the same target as last year - Due to the choice based lettings process we cannot guarantee that we will reach targets. The Q4 output for 23-24 was at 48.5%, in line with this we have set a minimum target of 48% and a stretch target of 53%.

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 011	Number of privately rented properties visited	Communities	Councillor Kabir Ahmed	450	900	1,350	1,800	500	1,000	1,500	2,000	The figures have exceeded the target for last year due to staff carrying out further inspections and more recruitment of agency staff for the licensing projects and completing of the consultation of additional licensing scheme. The new target set for inspections is 2,000 for year 24/25. There will be fewer inspections than last year due to implementation of the borough wide additional HMO licensing scheme which is a renewal of another 5 year scheme. The initial first two years will be concentrating resources on processing the large volume of applications. This will be the focus and will slow down inspections as resources are directed towards focusing on implementation of the renewal scheme and assisting with applications which may have deficiencies, such as missing documents, incorrect fees, and incomplete applications.
KPI 054	Percentage of tenants satisfied with the overall service	Housing & Regeneration	Councillor Kabir Ahmed	60.8%	60.8%	60.8%	60.8%	65.0%	65.0%	65.0%	65.0%	Minimum target set at median quartile and stretch target at the upper quartile of Housemark benchmarking data across other London boroughs.
KPI 055	Percentage of tenants satisfied that their home is safe	Housing & Regeneration	Councillor Kabir Ahmed	65.2%	65.2%	65.2%	65.2%	68.5%	68.5%	68.5%	68.5%	Minimum target set at median quartile and stretch target at the upper quartile of Housemark benchmarking data across other London boroughs.
KPI 056	Percentage of homes that do not meet the Decent Homes Standard (Annual)	Housing & Regeneration	Councillor Kabir Ahmed	N/A	N/A	N/A	24%	N/A	N/A	N/A	18%	In 23/24, 18.6% of our stock were assessed as non-decent. 24/25 will be an exceptional year with increase in non-decent stock as more properties are surveyed; if no action is taken the figure is estimated around 40%. A stretch target is agreed at 18% based on a programme of work for electrical testing, windows, doors, kitchen and bathrooms and radiator replacements with additional contributions required from finance. Output for 24/25 will be reported in Q1 25/26 following statutory data submission to the Housing Regulator.
Priority 3: Accelerate Education												
KPI 012	Number of primary school pupils in KS2 receiving public-funded FSM	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Data only. No target set as take up will be appropriately measured and tracked with KPI 013. The inclusion of this measure was agreed in 2022 as the council committed to a considerable investment in funding the extension of free school meals to all primary pupils (prior to funding being provided by the GLA) and to all secondary pupils. As pupil numbers in our schools fluctuate, ensuring that the actual number of beneficiaries is monitored provides important contextual information
KPI 013	% of primary school pupils in KS2 receiving public-funded FSM	Children's Services	Councillor Maium Talukdar	85%	85%	85%	85%	90%	90%	90%	90%	The minimum target for 2024/25 has been set at 85%, the same as the 2023/24 stretch target with the expectation that take up levels seen last year will be maintained. For the stretched target, this is 90% for 2024/25, and considers absenteeism which averages 5-7% daily but can vary considerably in the winter months. This target is appropriate as it additionally takes into account the small number of pupils who will have packed lunches.
KPI 014	Number of secondary school pupils receiving council-funded FSM	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Data only. No target set as take up will be appropriately measured and tracked with KPI 015. The inclusion of this measure was agreed in 2022 as the council committed to a considerable investment in funding the extension of free school meals to all primary pupils (prior to funding being provided by the GLA) and to all secondary pupils. As pupil numbers in our schools fluctuate, ensuring that the actual number of beneficiaries is monitored provides important contextual information

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 015	% of secondary school pupils receiving council-funded FSM	Children's Services	Councillor Maium Talukdar	69%	69%	69%	69%	80%	80%	80%	80%	This was a new initiative introduced in the 2023/24 academic year, the first of all local authorities in England to provide a school meal to all pupils in secondary schools. The implementation between September to March has provided a final 2023/24 outturn of 69%. This is the proposed minimum target for 2024/25 as the expectation is to maintain this for the remainder of the academic year (to July 2024) with this to increase in the academic year 2024/25 (from September). To accommodate the programme in the second academic year, the stretched target of 80% has been set to incorporate other adjustments to support the increase in take up of meals from secondary pupils.
KPI 016	Number of young people who registered with the Council's and Council commissioned youth centres	Children's Services	Councillor Maium Talukdar	1,044	2,088	3,654	5,220	1,160	2,320	4,060	5,800	For 2024/25, the minimum target will remain at 5220 and the stretch target at 5800. This is appropriate because it considers the provider's service level agreement, which is fixed for the reporting year and further takes into account the new in-house service being at the early formation stage. It is noted that time and resources are needed to recruit and fully staff the in-house service with permanent members of staff and embed them into the effective delivery and engagement with young people. In the coming months, the service is keen to explore a more outcome-focused model with staff and providers to measure impact of the service on the young people who engage with the council's and council-commissioned youth centres.
KPI 017	Number of users who regularly attend the Council's and Council commissioned youth services	Children's Services	Councillor Maium Talukdar	720	1,440	2,520	3,600	800	1,600	2,800	4,000	For 2024/25, the minimum target will remain at 3600 and the stretch target at 4000. This is appropriate because it considers the provider's service level agreement, which is fixed for the reporting year and further takes into account the new in-house service being at the early formation stage. It is noted that time and resources are needed to recruit and fully staff the in-house service with permanent members of staff and embed them into the effective delivery and engagement with young people. In the coming months, the service is keen to explore a more outcome-focused model with staff and providers to measure impact of the service on the young people who engage with the council's and council-commissioned youth centres.
KPI 018	Number of young people engaged with the Council's and Council commissioned youth centres who achieve a recorded outcome	Children's Services	Councillor Maium Talukdar	367	734	1,285	1,836	408	816	1,428	2,040	For 2024/25, the minimum target has been set at 1836 and 2040 for the stretch target. Both the stretch target and minimum target represent a 10% increase on the 2023/24 target to take into account the recently approved Somali youth contracts.
KPI 019	Number of young people engaged with the Council's and Council commissioned youth centres who achieve an accredited outcome	Children's Services	Councillor Maium Talukdar	131	263	460	657	146	292	511	730	For 2024/25, the minimum target has been set at 657 and 730 for the stretch target. Both the stretch target and minimum target represent a 20% increase on the 2023/24 target to take into account the recently approved Somali youth contracts.
KPI 020	Number of active education, health and care (EHC) plans	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No target set as EHCPs are required for children and young people with needs. At a national, London and local level, there is an increase in the number of children having an EHCP and is a growing pressure on all local authorities in England.
KPI 021	% of education, health and care (EHC) assessments completed within 20 weeks	Children's Services	Councillor Maium Talukdar	49%	49%	49%	49%	55%	55%	55%	55%	The minimum target for 2024/25 has been set at 49%. This is the same as the national average reported in 2023 and above the Tower Hamlets provisional average for the 2023 calendar year of 46% (reported in 2024). Using the national average as the minimum target provides a good benchmark for the lower target. The stretch target has been set at 55%, in line with the London average reported in 2023. This is also slightly above the 52% average reported for the first four calendar months of 2024. The 55% is aspirational and achievable following the improvement in system-based recording and reporting and the new operational reports to support an improvement in the EHCP timeliness rate.
KPI 022	Percentage of Idea Store learners who pass a Skills for Life course	Resources	Councillor Maium Talukdar	90%	90%	90%	90%	95%	95%	95%	95%	The output for this measure at the end of Q4 (23/24) is at 96% - already above national standards. A stretch target of 95% is to persist in 24-25 in anticipation of ongoing staffing challenges. A minimum target of 90% represents the minimum acceptable level of service.

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 023	Number of children supported by the Early Help Children and Family Service	Children's Services	Councillor Maium Talukdar	6,300	10,800	13,500	17,000	7,000	12,000	15,000	19,000	For 2024/25, the minimum target will remain at 17,000 and the stretch target at 19,000. This is appropriate because it takes into consideration the changes to Early Help that will see children aged 11+ moving across to the Targeted Youth Service. It is anticipated this change will reduce the level of interaction from this age group and have an impact on the overall numbers of children that will be supported by the Early Help Children and Family Service. Additionally, the main users of the service are aged 0-5 years, with an ONS population estimate of 19,000 thus this is a realistic target to set for 2024/25. The service will however be monitoring impact this year and will effect any necessary target increase next reporting year.
KPI 024	% of contacts into MAST that are reviewed and progressed within	Children's Services	Councillor Maium Talukdar	90%	90%	90%	90%	95%	95%	95%	95%	For 2024/25, the minimum target will remain at 90% and the stretch target at 95%. These targets are in line with operational reporting.
KPI 025	Rate of first time entrants to the Youth Justice system	Children's Services	Councillor Maium Talukdar	150	150	150	150	130	130	130	130	The minimum target for 2024/25 has been set at 150 per 100,000 rate, a reduction of 30 per 100,000 on the 2023/24 year. The stretch target is set at 130 per 100,000, a decrease of 25 per 100,000 on the 2023/24 year, representing the service's ambition to continue work in diverting children away from the formal criminal justice system with the use of diversionary scheme where possible. Note, a lower figure is better for this measure.
KPI 026	% of children that re-offend	Children's Services	Councillor Maium Talukdar	30%	30%	30%	30%	20%	20%	20%	20%	For 2024/25, the stretch target will remain at 20% and the minimum target at 30%. This is appropriate as the service continues to work hard to lower re-offending and support children who have re-offended and to embed best practice to further support effectively. Note, a lower figure is better for this measure.
KPI 027	Rate of children subject to protection plans	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Data only. No target set because this is a demand-led measure. Performance will be tracked quarterly against the national and statistical neighbours' averages.
KPI 028	% of Care Leavers aged 17-25 who are in education, employment or training (EET)	Children's Services	Councillor Maium Talukdar	70%	70%	70%	70%	75%	75%	75%	75%	The minimum target for 2024/25 has increased by 5 percentage points to 70%, based on the 2023/24 reporting year target. This provides a suitable target ensuring that the strategies and support in place for care experienced young adults continues to keep these people in education, employment or training. A stretch target for 2024/25 is the same as 2023/24 given this was not met or exceeded in the past reporting year.
KPI 029	Rate of children looked after	Children's Services	Councillor Maium Talukdar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Data only. No target set because this is a demand-led measure. Performance will be tracked quarterly against the national and statistical neighbours' averages.
KPI 057	Rate of children receiving a custodial sentence	Children's Services	Councillor Maium Talukdar	0.9	0.9	0.9	0.9	0.5	0.5	0.5	0.5	This is a new indicator for the Strategic Plan however it forms part of the three indicators against which the service is measured by the Ministry of Justice. For 2024/25, the minimum target is set at 0.9 per 1,000 rate and the stretch target at 0.5 per 1,000 rate. These targets are further embedded within the Youth Justice Service strategic plan to safeguard against any children receiving a custodial sentence.
Priority 4: Boost culture, business, jobs and leisure												
KPI 030	Number of arts events delivered	Communities	Councillor Kamrul Hussain	28	20	39	8	35	25	50	10	For 2024/25, we are maintaining the same targets as 2023/24. We were able to exceed our targets in 2023/24 due to increased funding from the Holiday and Food (HAF) scheme and strategy, but this has been reduced again for 2024/25. Additionally, we have seen a general decline in park hire applications from community groups since the pandemic due to increased delivery costs and we expect this pattern to continue into 2024/25.
KPI 031	% of leisure centre users that are female	Communities	Councillor Kamrul Hussain	47.8%	47.8%	47.8%	47.8%	49.2%	49.2%	49.2%	49.2%	The targets for 2024/25 will remain the same as 2023/24. The management of the seven leisure centres was brought in-house on the 1st of May 2024 following the previous contract with leisure provider GLL expiring. The new service (Be Well) will be at the transition stage this reporting year thus it is appropriate the targets remain the same as last reporting year.

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 032	The number of new jobs, training and apprenticeship opportunities enabled for local people	Housing & Regeneration	Councillor Musthak Ahmed	675	1,350	2,025	2,700	750	1,500	2,250	3,000	The stretch target has been increased by 500 in comparison to last year and the minimum target has been increased by 450 in anticipation of improving performance in the coming year. This figure is made up from jobs enabled counted from the S106 agreements for developments around the borough and projects and programmes that support individuals into employment. It's worth noting that owing to peaks and troughs in development activity there will be a variance in quarterly outturns as the number of new schemes and recruitment numbers rely on external market forces.
KPI 033	Enterprises supported through the council's business programmes	Housing & Regeneration	Councillor Musthak Ahmed	225	450	665	900	250	500	750	1,000	The stretch target has been increased from 650 last year to 1,000 this year and the minimum target has been increased from 585 last year to 900 this year. Staffing in the service will reduce, based on a proposed restructure to enable the Mayor's Medium Term Financial Savings target. - External factors – Since the peak of COVID, the number of businesses approaching the council has dropped year on year. This is a positive thing, as it means businesses are focussing on looking after themselves and not needing to appeal to public authorities for support. The OBR's current prediction is that the national economy will continue to grow at 0.5% for this year, increasing to 1% by the end of 2025. This would suggest the current trend of reducing enquiries is likely to continue. - Several of the current Growth Team's projects (Energy Reduction Project, HWFI Creative Enterprise Zone, Thriving High St 4, Brick Lane Regeneration Programme, Middlesex St Regeneration Programme, Roman Rd West Regeneration Programme) are due to complete in 2024. Until such time as we can confirm the availability of other funds to support businesses across the borough, it is likely that project activity (and subsequent businesses supported) will reduce for this reason.
Priority 5: Invest in public services												
KPI 035	People in adult social care quality of life (Biennial)	Health and Social Care	Councillor Gulam Kibria Choudhury	N/A	N/A	N/A	6.6 (2025/26)	N/A	N/A	N/A	7.2 (2025/26)	The overall quality of life (QOL) score was reported the lowest in London nationally, with 7.1 out of 12 in 2021/22. The lowest scores reported amongst London boroughs similar to TH being 6.6 and highest being 7.7. Moreover, the England median was 7.0 for the same year. Furthermore, historical data for TH displays an obvious variation in the scores over the years. Likewise, there is a distinctive decrease between pre-covid and post-covid years. As 2023/24 will be the 2nd run post covid, we suspect the figures may still be slightly impacted by external factors affecting QOL. Thus, to account for these changes the minimum target set for 2023/24 is 6.6 stretch target is 7.2. This can be reviewed once again for the year 2025/26.
KPI 036	% of people who are signposted to find appropriate advice & support in the wider community that helps them to maintain their independence	Health and Social Care	Councillor Gulam Kibria Choudhury	65%	65%	65%	65%	68%	68%	68%	68%	This measure derives from a KPI for the Information, Advice and Advocacy contract that started in late July 2021. It is a measure of the effectiveness of early help and the impact of good quality information and advice services in enabling people to self-manage their health and wellbeing. A target was set at 60% with a stretch target of 65%. Performance prior to the contract starting was approximately 55%. The intention is that Tower Hamlets Connect aim to improve this further to 70% during the life of the contract (over 5 years). For 2024/25 the minimum target has been set at 65% and the stretch target is 68%. The increased target reflects continuous improvement by the service and moves in the right direction towards the 70% target in the final year.

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 037	Overall satisfaction with care and support services received (Annual)	Health and Social Care	Councillor Gulam Kibria Choudhury	N/A	N/A	N/A	80%	N/A	N/A	N/A	84%	The stretch target and minimum target have been maintained at 84% and 80% respectively this year. The 2022/23 figure was 84% and these targets are intended to maintain the same high level of performance going forward. This measure gives an overarching view of the quality of life of users of social care. It is based on the outcome domains of social care-related quality of life identified in the Adult Social Care Outcomes Framework (ASCOF). The score will be influenced by a range of factors, one of which is the services provided by the authority, another will be response rate, which is historically low within Tower Hamlets. Improving response rate should help determine a better target for the indicator in future years.
KPI 038	% service users surveyed who agree with the statement 'Overall I have a positive experience of the services I am receiving from the homecare agency'	Health and Social Care	Councillor Gulam Kibria Choudhury	80%	80%	80%	80%	85%	85%	85%	85%	The overall threshold is 80% (minimum) – 85% (stretch for green) for this financial year. These targets were confirmed at CMT meetings after further consultation as initially it was suggested that Q3-Q4 targets remain lower and would sit between the 75% - 70% range. Figures above the minimum but below the stretch targets would be highlighted as amber. Homecare Capacity is limited, and Commissioning and Quality Monitoring resources will be redirected to the mobilisation of the new Homecare contract which is due to take place from 1st July – 31st Mar 2024. The Homecare team will be supporting service users receiving a Homecare Package to transition safely and effectively from existing provider to new provider. This is change is likely to be a difficult period for our most vulnerable service users and it is envisaged that despite best efforts of the team, satisfaction levels will be affected by the mobilisation transfer process. Given that mobilisation will be operational between now and March 2025, the target will be reviewed for 25/26.
KPI 039	Number of smoking cessation 4 week quits	Health and Social Care	Councillor Gulam Kibria Choudhury	250	480	720	1,000	300	552	864	1200	Our targets for 2024/25 will remain the same as for 2023/24. Achieving the target of 1200 will be increasingly challenging, given the backdrop of declining smoking rates, which mean that our service is now working with the most entrenched smokers who find it most difficult to quit. Achieving 1200 would put us in among the top 3 of London LAs, with one of the highest rates of quits across the capital. Tower Hamlets has consistently achieved above-national quit rates despite national rates declining. While we have exceeded the targets in 2023-24, this is known to be due to the short-term presence in the borough of the NHS's Lung Health Check, which provided a high volume of referrals to the service, but which has now ceased operating in Tower Hamlets. The metric is a cumulative target of number of self-reported successful quitters at 4 weeks reported quarterly. Successful quitters are those smokers who successfully quit at the four-week follow-up. A client is counted as a 'self-reported 4-week quitter' when assessed four weeks after the designated quit date, if they declare that they have not smoked, even a single puff on a cigarette, in the past two weeks. It is expected that 80% of the quits should be verified with a carbon monoxide reading (NICE Guidance).
KPI 040	Number of smoking cessation 4 week quits (BAME)	Health and Social Care	Councillor Gulam Kibria Choudhury	100	200	300	400	113	225	375	500	Our targets for 2024/25 will increase slightly from 2023/24, given the increased focus on achieving quits among BAME communities. Achieving the stretch target of 500 will be increasingly challenging, given the backdrop of declining smoking rates, which mean that our service is now working with the most entrenched smokers who find it most difficult to quit. While we have exceeded the targets in 2023-24, this is known to be due to the short-term presence in the borough of the NHS's Lung Health Check, which provided high volume of referrals to the service, but which has now ceased operating in Tower Hamlets.

Priority 6: Empower Communities and Fight Crime


Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 042	Number of hours of uniformed patrols delivered by the Safer Neighbourhood Operations Service	Communities	Councillor Abu Talha Choudhury	7,500	9,000	10,125	10,125	8,000	9,500	10,500	10,500	The end of year outturn was 11,495. The target has been increased from 3,750 stretch and 3,500 minimum to 10,500 stretch and 10,125 minimum. These targets take into account the lengthy process for recruiting THEOs, considering vetting and training (considering the numbers recruited in the past 2 phases of the recruitment) hence hours of uniformed patrols will increase towards the second half of the year.
KPI 043	Victims of violence against women and girls who feel safer after engaging with commissioned provider	Communities	Councillor Abu Talha Choudhury	90%	90%	90%	90%	95%	95%	95%	95%	Performance was strong through the year and as such targets have been amended to reflect a higher minimum and stretch targets. Stretch targets have been increased from 80% each quarter to 95% each quarter and the minimum target has been increased from 75% each quarter to 90% each quarter.
KPI 044	Adults with substance misuse treatment need who successfully engage in community-based structured treatment following release from prison	Communities	Councillor Abu Talha Choudhury	50%	50%	50%	50%	60%	60%	60%	60%	This is a Government stipulated stretch target. The stretch target has been increased from 50% last year to 60% this year and the minimum target has been increased from 45% last year to 50% this year. This reflects the ambition for continuous improvement in the service.
Priority 7: A Clean and Green Future												
KPI 045	Number of trees planted	Communities	Councillor Shafi Ahmed	0	0	90	180	0	0	100	200	The stretch target this year has been reduced from 400 to 200 and the minimum target has been reduced from 360 to 180 as a result of the funding secured by the service to date.
KPI 046	Level of household recycling	Communities	Councillor Shafi Ahmed	23%	23%	23%	23%	23%	23%	23%	23%	This target is set in line with commitments made to improve recycling performance within our Reduction and Recycling Plan. It is based on delivering a combination of service improvements, recycling initiatives and targeted communication and engagement activity. All designed to drive behaviour change in waste reduction, re-use and recycling. The stretch target has been increased from 22% last year to 23% this year. The Q4 outturn being 15.3% in the previous year.
KPI 047	Percentage of enforcement actions to fly-tip incidents	Communities	Councillor Shafi Ahmed	150%	150%	150%	150%	200%	200%	200%	200%	This target reflects our focus on ensuring more accurate reporting of fly tip incidents across the borough, with targeted enforcement action aimed at an overall reduction in fly tipping. The stretch target has been increased from 150% to 200% and the minimum target has been increased from 135% to 150%.
KPI 048	Children engaged in school cycle schemes	Communities	Councillor Shafi Ahmed	292	585	877	1,170	325	650	975	1,300	The stretch target has increased from 1,100 to 1,300 and the minimum target has increased from 990 to 1,170. This is due to the available funding from TFL and supplier performance.
KPI 034	Percentage of waste collections completed on time	Communities	Councillor Shafi Ahmed	95%	95%	95%	95%	97%	97%	97%	97%	The Q4 2023/24 outturn was 99.6%. The stretch target has been reduced from 98% to 97% and the minimum target has been maintained at 95%. This is due to the unreliability of the vehicles and equipment used in delivering the service. Repeated breakdowns and unavailability of vehicles lead to missed collection reports and severe delays in providing collections.
KPI 058	Level of Public Realm Cleanliness	Communities	Councillor Shafi Ahmed	90%	90%	90%	90%	92%	92%	92%	92%	The 2024-25 stretch and minimum target have been set to match the 2020-21 Keep our Borough Clean programme's objectives.
Priority 8: A council that listens and works for everyone												
KPI 050	Residents' perception of being involved in decision-making (Annual)	Chief Executive's Office	Councillor Abu Talha Choudhury	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	This indicator is a measure of public opinion, rather than a direct record of council performance. It is a contextual indicator and we do not set targets or minimum expectations for contextual indicators. Contextual indicators are used to help us to understand the operational context for our services and are societal or population level measures which are influenced by a wide range of factors, often linked to longer term outcomes which require a range of central and local government agencies and other partners to work collaboratively in order to achieve change.

Strategic Plan: 2024-25 Annual Delivery Plan Performance Targets

Ref	Performance Measure	Directorate	Lead Cabinet Member	Min Q1	Min Q2	Min Q3	Min Q4	Stretch Q1	Stretch Q2	Stretch Q3	Stretch Q4	Target Setting Rationale
KPI 051	Residents' perception of being kept informed by the Council (Annual)	Chief Executive's Office	Councillor Abu Talha Choudhury	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	This indicator is a measure of public opinion, rather than a direct record of council performance. It is a contextual indicator and we do not set targets or minimum expectations for contextual indicators. Contextual indicators are used to help us to understand the operational context for our services and are societal or population level measures which are influenced by a wide range of factors, often linked to longer term outcomes which require a range of central and local government agencies and other partners to work collaboratively in order to achieve change.
KPI 049	Percentage of top 5% of earners from Black, Asian and multi-ethnic communities	Resources	Councillor Abdul Wahid	32%	32%	32%	32%	35%	35%	35%	35%	The performance through 2023-24 was Q1 - 32.43%, Q2 - 33.49%, Q3 - 32.34%, Q4 - 33.35%. There was an overall increase through last year but it will take time for the work we are doing to result in a significant increase. Given this, keeping the upper target at 35% is still realistic and sensible, as there are relatively small numbers in the top 5% of earners. Adding a minimum target of 32% seems reasonable based on the past year's performance. Tower Hamlets, when compared to other London boroughs in March 2023 (the latest benchmarking data we have), had the highest percentage of top 5% earners who are Black, Asian or Multi-Ethnic, at 42.8% (please note there are different calculation methods for this data). This shows the council is performing well in this area, though we still have ambitions to do better.

Agenda Item 6.3

Cabinet Wednesday 24 July 2024	 TOWER HAMLETS
Report of: Simon Baxter, Corporate Director, Communities	Classification: Open (Unrestricted)
Reduction and Recycling Plan Progress Report - Quarter 4, 2023/24	

Lead Member	Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency
Originating Officer(s)	Richard Willams, Head of Operational Services Fiona Heyland, Environmental Services Improvement Manager Louise Houston, Environmental Services Improvement Team Leader
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	
Exempt information	N/A
Strategic Plan Priority / Outcome	Priority 7: Working towards a clean and green future

Executive Summary

The Reduction and Recycling Plan (RRP) 2023-2025 was approved by Cabinet in September 2023. It covers a two-year period from April 2023 to the end of March 2025 and sets out our ambition to achieve a 23% recycling rate.

Progress reports are provided to Cabinet on a quarterly basis detailing achievements that have been made within the plan. The attached Quarter 4 report is presented to Cabinet for note.

The focus in Quarter 4 has been on improved service delivery, continued roll out of the flats recycling package and development of new communication, engagement and outreach plans with mosques, schools and community groups to drive recycling behaviour change.

Improvements in recycling performance will be seen from Quarter 2 2024-2025 onwards, as the combined impact of planned activity starts to drive recycling

behaviour change. This will include ongoing development of targeted estate by estate approaches to incentivise recycling and reduce contamination.

Key Initiatives within our RRP include:

- Over £2 million investment, to roll-out of flats recycling improvement project across 2160 blocks of flats.
- Focus on making sure people have access to recycling bins and bags.
- Re-focused communication campaigning to leverage more community engagement and behaviour change to increase household waste reduction, re-use and recycling activity. These will include high visibility fun day events, incentivisation and a competition for schools. We are working in partnership with East London Mosque on a programme of activities. We are delivering recycling education sessions in schools, targeted estates contamination engagement and recycling stalls, presentations and events held in partnership with community groups and landlords/managing agents.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the Reduction and Recycling Plan 2023-2025, Quarter 4 2024 Progress Report

1 REASONS FOR THE DECISIONS

- 1.1 A quarterly progress report was requested as a recommendation of the approval of the RRP at September Cabinet.

2 ALTERNATIVE OPTIONS

- 2.1 This is noting report and there are no alternative options.

3 DETAILS OF THE REPORT

- 3.1 The Reduction and Recycling Plan 2023-2025 (RRP), Quarter 4 2023/24 Progress Report (Appendix 1) provides an update on recycling performance with commentary and sets out the progress and achievements against priorities and actions. The report describes:
 - RRP background
 - Recycling Performance
 - RRP priorities and actions
 - Other actions and progress

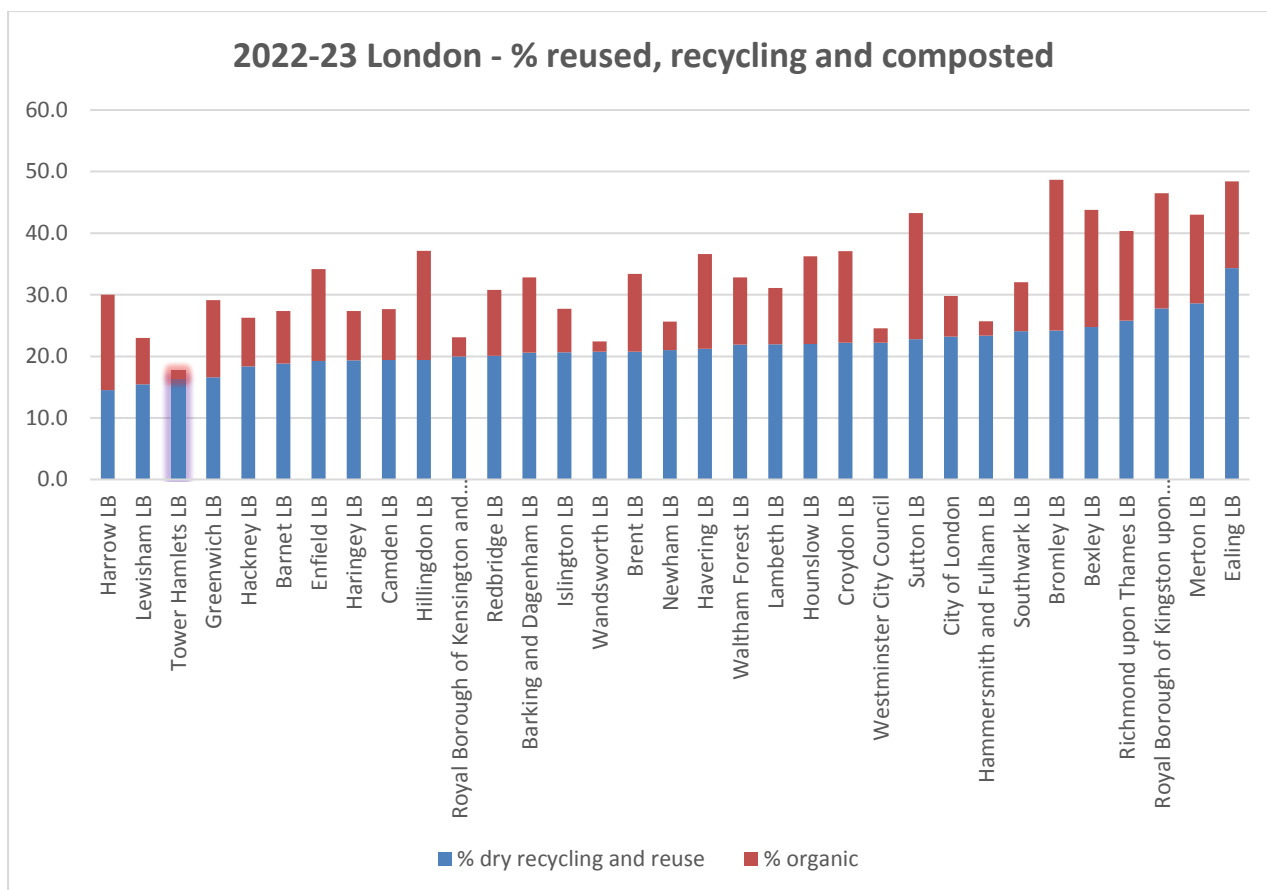
Progress summary and context

- 3.2 The GLA requires all London authorities to have a Reduction and Recycling Plan (RRP) showing that they are in general conformity with the London Environment Strategy.

- 3.3 The Office for Local Government (Oflog) waste management performance measures are 1. Proportion of household waste sent for recycling, 2. Residual waste per household and 3. Contamination rate of recycling – calculated as the estimated proportion that is rejected of the total amount of household waste sent for recycling.

Household recycling rate	
Target	23% by March 2025
Outturn 23/24 (provisional subject to WasteDataFlow audit)	16%

- 3.4 Tonnage delivered for dry recycling to Bywaters makes up the largest component of our recycling. In 2023/24 70 tonnes less was sent to Bywaters than the previous year. The strike in September had a significant impact on recycling tonnage collected. However, for Quarter 4 2023/24 there was a significant upturn, with 248 tonnes more dry recycling delivered compared to the same period 2022/23.
- 3.5 The average contamination percentage was higher in 2023/24 (at 30%) than in 2022/23 (at 27.26%). While significant progress has been made on actions within the RRP, it will take time for some of these to have an impact on the recycling performance.
- 3.6 London benchmarking



The table above shows the percentages of dry recycling and organic waste recycled, reused or composted across London in 2022-23. This is the most recent full year which has been audited by DEFRA.

Tower Hamlets ranked 31 out of 33 for dry recycling. For organic waste Tower Hamlets ranked 33 out of 33 for organic waste, due to the high proportion of flatted properties without gardens and food waste collections.

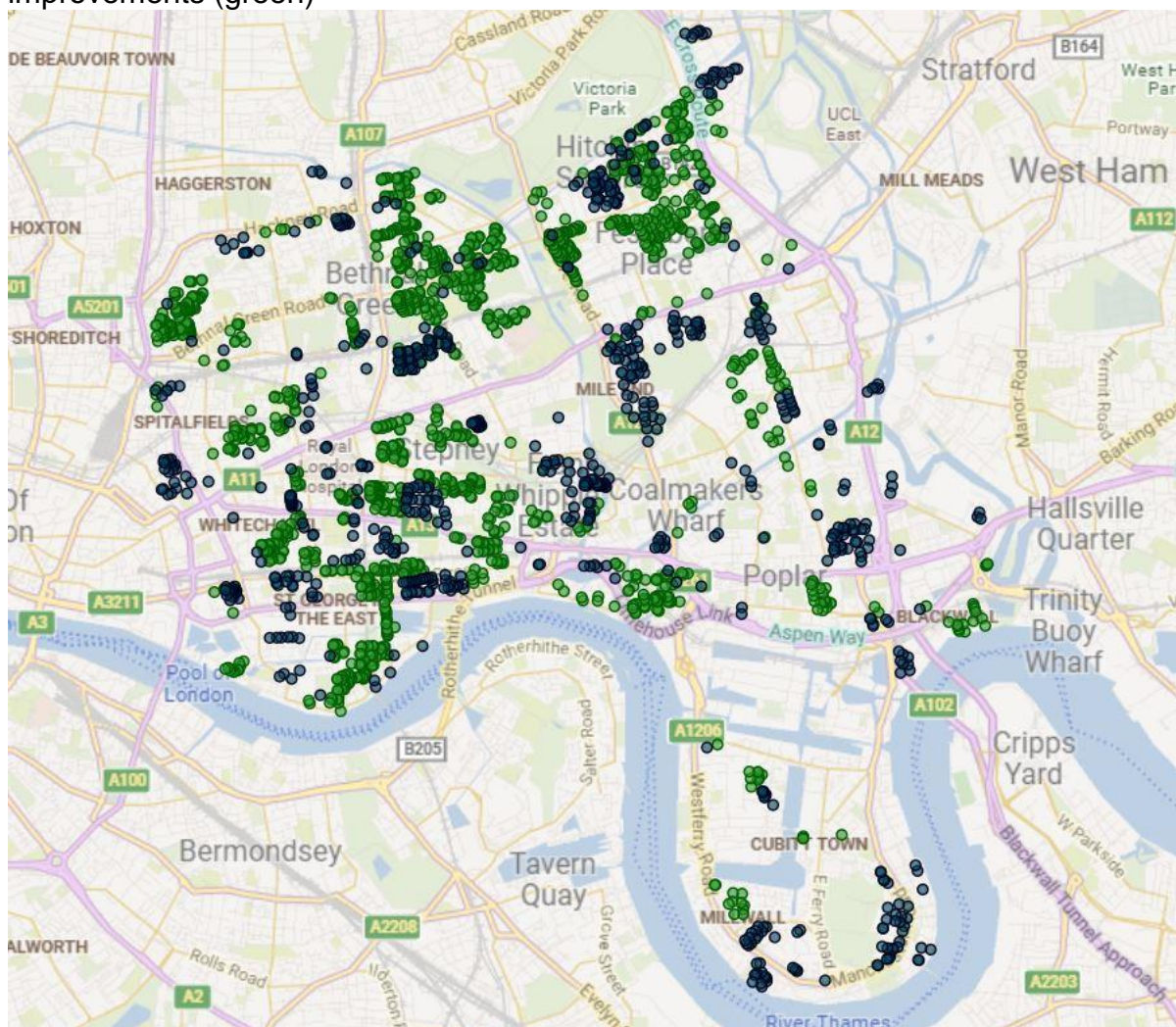
- 3.7 The population density, fast population growth and high proportion of flatted properties poses significant challenges for waste and recycling services, along with the growth in the nighttime economy. The residual waste tonnage increases in higher proportion every year, compared to the dry mixed recycling, which has only grown marginally. The property growth has a direct impact on the increase of the household residual waste generated. The total number of dwellings given by WasteDataFlow in 2023-24 is 144,240, whereas, in 2022-23, this number was 140,210. This is a 2.87% increase from last year.

Increasing recycling and reducing contamination

- 3.8 The Flats Recycling Project (FRP) is working with managing agents/landlords to increase recycling storage capacities, improve recycling bin accessibility and improve communications at blocks of flats across the borough. Infrastructure improvements including new bins, additional bins and signage are being rolled out.

FRP results (Target 2170 blocks with improvement by March 2024/25)	
Blocks surveyed	1448
Blocks with improvements rolled out	921
Number of managing agents met with	58
Number of managing agents/landlords who have agreed to improvements	34

The map below shows the location of blocks surveyed (blue) and blocks with improvements (green)



3.9 The food waste collection service currently covers all low-rise properties however, our recent monitoring indicates that only around a quarter of households are taking part in the service. Analysis of our waste composition indicates that about 34% of residual waste is food waste. The communications plan is underway. A webform is in the final stages of development which will enable residents to order their kitchen and outdoor food waste caddies online. A new leaflet has been developed and the website is being updated. Targeted repromotion of the service will take place in June to October with 7133 properties leafleted and a target of 2377 of these properties taking part in the service.

- 3.10 We are working with schools to help them to recycling more of their waste. So far 60 schools have been surveyed with 38 schools receiving additional recycling bins and/or recycling bin repairs. 28 schools have signed up to recommence food waste recycling collections. We are looking to run a poster competition at schools in the Autumn, to engage pupils in recycling at school and take the message home.
- 3.11 46 engagement events were delivered in 23/24, see table below for a breakdown by event type.

Event type	Number delivered
Recycling information stall at community events/Idea Stores	15
Swap events	8
Repair and waste reduction workshops	7
Education sessions at schools	6
Staff pod session	1
Recycling champion MRF tour or workshop	3
Caretaker engagement sessions	5
Managing agent workshop	1
Total	46

- 3.12 The recycling champions network now has 104 residents signed up. We are looking to increase active participation in the scheme by running “Improve recycling where you live” workshops, inviting volunteers to help with all engagement activities and incentivising volunteers by organising social “thank you” events, offering participation-based certificates and entry into prize draws.
- 3.13 The “Let’s Rethink it” ran throughout the year and included outdoor, social media and programmatic advertising.

3.13 Communication and engagement delivery plan outline

The table below provides the current and provisional communications and engagements activities that have been scheduled.

Month	Recycling
April	<ul style="list-style-type: none"> • Flats recycling project promotions
May	<ul style="list-style-type: none"> • Recycling stall – ISW • Recycling champions newsletter • Flats recycling project promotions
June	<ul style="list-style-type: none"> • Flats recycling project promotions

	<ul style="list-style-type: none"> • Volunteer Fair – recycling champions promotion • Interfaith Forum presentation (confirmed) • Properties without bins - leaflets and sacks delivered • RSL meeting presentation (delivered) • MRF tour and workshop – recycling champions • June 22: clothes and book swap with repair workshops
July	<ul style="list-style-type: none"> • 5 July: ELM sermon, stall and videos (confirmed) • 13 July: Boundary recycling fun day (confirmed) • Recycling stalls – Council estate neighbourhood fun day x1 • Flats recycling project promotions • Recycling champions newsletter • Contamination project engagement • Properties without bins - leaflets and sacks delivered (confirmed) • School engagement sessions (2)
August	<ul style="list-style-type: none"> • Recycling stalls – Council estate neighbourhood fun day x5 • Flats recycling project promotions • Contamination project engagement • Low-rise food waste repromotion • Recycling champion workshop • Focus group at East London Mosque
September	<ul style="list-style-type: none"> • 13th September: ELM sermon, stall and videos • Flats recycling project repromotions • Recycle Week event • Recycle Week social media promotions • Low-rise food waste repromotions • School engagement sessions (2-3) • ELM: sermon, stall, videos • Contamination project engagement • Thank you event – Recycling Champion and Street Leaders (confirmed) • Incentive scheme launch (provisional) • Recycling champions newsletter • RSL meeting presentation • Summit at East London Mosque – 24 September (provisional)
October	<ul style="list-style-type: none"> • Flats recycling project promotions • Schools engagement sessions (2-3) • Low-rise food waste promotions (provisional) • Recycling champions workshop (provisional) • Focus group at East London Mosque • Recycling stall (TBC)
November	<ul style="list-style-type: none"> • Flats recycling project promotions • School engagement sessions (x3 provisional) • Recycling champions newsletter
December	<ul style="list-style-type: none"> • 13th December: ELM sermon, stall and videos • Flats recycling project promotions • Social media/website: Christmas waste and recycling communications • Recycling stall (TBC)
January	<ul style="list-style-type: none"> • Buy nothing new month: Clothing and book swap • School engagement sessions (2-3) • Recycling champion workshop • Christmas tree collection promotions • Recycling champions newsletter • Recycling stall (TBC)
February	<ul style="list-style-type: none"> • 7th February: sermons, stalls and videos • School engagement sessions (2-3) • Social media/website: Pre- Eid al-Fitr communications • Recycling stall (TBC)

March	<ul style="list-style-type: none"> • Repair week: repair workshops • School engagement sessions (2-3) • Thank you event – Recycling Champions and Street Leaders • Spring compost bin offer and garden waste service promotion • Recycling champions newsletter • Recycling stall (TBC)
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3.14 Progress has been made develop a partnership with East London Mosque to help deliver key messages about faith and the environment. A sermon (Friday prayers congregation is approximately 10,000), stall, videos inside the mosque will commence in July. The programme is also set to include a roadshow of workshops, training sessions, school engagement, a summit (target 5000 people), social media activity, focus groups and Interfaith Forum work.

3.15 The Reduction and Recycling communication campaign in development will include partnership working at local mosques, schools and estates, within a set area.

3.16 We are working with ReLondon on developing our service standards and policies, with a view to ensuring that everyone understands their roles and responsibilities about waste, recycling and contamination. A new recycling and waste collection service standards and policy document has been drafted. A recycling and waste collections workshop with managing agents was held in March to discuss roles and responsibilities and improve partnership working.

3.17 We have been using information provided by Waste Operations Team and Flats Recycling Team to identify areas with high contamination. We will be selecting 6 estates on Round 7, as this round has the highest contamination. We will deliver engagement using the green/red card notifications and improvement plans, with before and after monitoring.

For each estate, engagement activities will be:

- Red letter to TH Housing notifying them of the contamination problem on the estate
- Red letter and leaflet to residents notifying them of the contamination problem
- Site visit with caretaking team on estate
- Door-knocking or recycling stall on estate

Monitoring will include:

- Round 7 contamination data monitoring
- Before and after visual check of the bins
- Resident survey

3.18 Other communications projects in progress include:

- Boundary Estate Fun Day with recycling themed stalls and activities 6 other Neighbourhood events at Council housing estates
- Internal Council Recycling campaign development
- Recycling Incentive Scheme pilot development

We are investigating the use of the FiFiLi app to trial an incentive scheme. The concept is that one person per household can report their recycling behaviours by sending in a photo. Points are allocated to different behaviour types. Fortnightly voucher prize given at random and monthly voucher prize to the entry with the most points.

Only residents on one specific collection round to have access to the scheme, so that we can monitor the impacts on recycling tonnage.

Recycling behaviours to include:

- Recycling in a clear sack (photo)
- Recycle using a reusable recycling container (for those with bins) – (photo)
- Flatten cardboard box for recycling (photo)
- Rinsed glass jar for recycling (photo)
- Rinsed plastic food container for recycling (photo)
- Attend a Council organised recycling event (scan QR code)

We will also look to run focussed participation prize draws with the requirement to be signed up as a volunteer. Participation in one of our designated activities automatically enters you into a monthly prize draw for a voucher award.

3.19 The Mayors Waste Investment Plan has been developed to improve waste services and street cleanliness across the borough. While this funding will primarily focus on service improvements in the waste and street cleansing service (including the recruitment of new frontline staff, procurement of new vehicles, and increasing service efficiency), the recycling team is identifying opportunities to integrate and proliferate messages about recycling through to frontline workers, businesses, and residents.

3.20 The recycling collection teams will be receiving training which aims to re-energise crews and improve performance of the collection rounds, with performance results regularly fed back to the teams.

Expected performance contributions from RRP actions

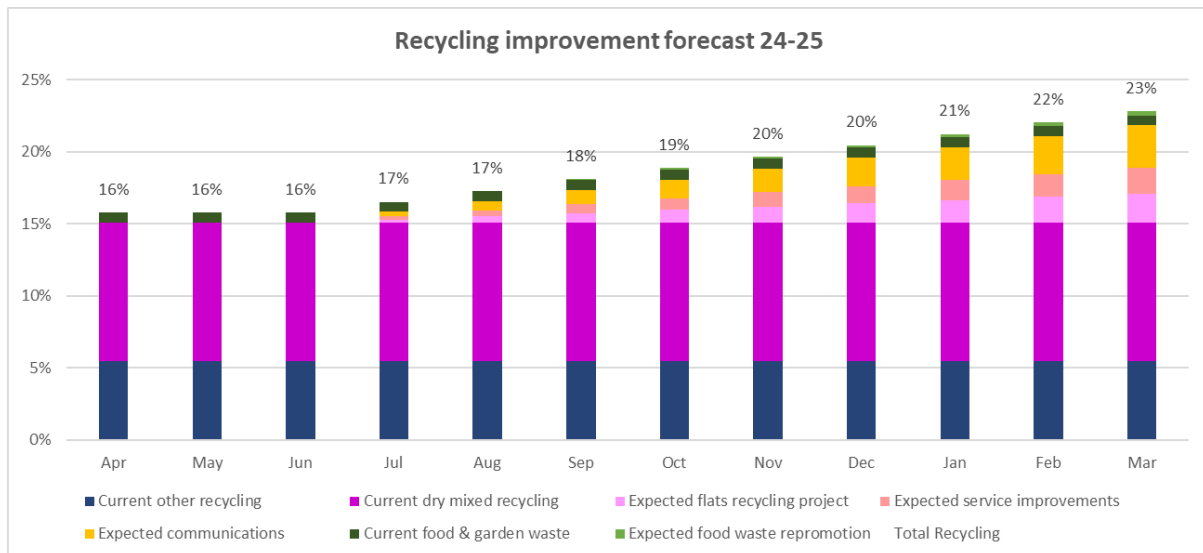
3.21 To reach the target set in the RRP we need to increase the recycling rate from 16% to 23% by the March 2025. We need to collect an estimated extra 6674 tonnes of recycling to achieve this goal.

3.22 The table below set out the expected performance to be gained by our current and planned improvement initiatives.

Expected Performance – Current RRP projects

Project	Expected result
Current performance	16%
Flats Recycling Project	<p>2% increase by March 2025</p> <p>We expect at least 2080 more tonnes of recycling to be collected per year by March 2025.</p> <p>We also expect a reduction in contamination.</p>
Active repromotion of the kerbside food waste service	<p>0.25% increase in recycling by end March 2025</p> <p>We expect 250 more tonnes of recycling per year.</p> <p>Increased participation to 25%-30%.</p>
Other service improvement activities, including route optimisation, flats above shops and recycling sack delivery plan	<p>We expect this to deliver a 1.8% increase.</p> <p>We expect 1,800 more tonnes of recycling per year</p>
Communication and engagement activities such as East London Mosque project, Contamination project communications, flats recycling project, fun day recycling stalls, school assemblies and recycling crew engagement	<p>We expect these activities to close the remaining gap 2.95% gap to 23%.</p> <p>We expect 2,950 more tonnes of recycling per year</p>
Target (March 2025)	23%

The Recycling Improvement forecast 24-25 graph below sets out the current and expected recycling improvements month on month for each workstream.



Expected Performance – Communications and engagement activities

3.23 Whilst it is difficult to quantify the impact that communication and engagement work has on the recycling rate, ReLondon research tells us that regular and on-going communication and engagement is needed to improve recycling knowledge and particularly to maintain motivation.

3.24 The work with East London Mosque referenced above in 3.13 will reach a large audience. Friday prayers congregation is 10,000 and weekly footfall across the mosque is 36,000.

4 EQUALITIES IMPLICATIONS

4.1 An equalities assessment was undertaken for the RRP, please refer to Appendix 2.

4.2 No other implications have been identified.

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.

Environmental (including air quality)

- 5.2 The council's waste management services contribute to the protection of the environment and protecting human health through the promotion of waste minimisation and effective management of waste arising in the borough.
- 5.3 The focus of the RRP is to move waste up the waste hierarchy by providing residents and businesses in the borough with greater access to services that will allow and encourage them to waste less, reuse and recycle more. This will contribute to the council's efforts to mitigate the impacts of climate change by reducing the carbon footprint of the council's waste management services.
- 5.4 The RRP also looks to support the achievement of the council's air quality action plan objectives through the incorporation of the council's plans to green the waste services vehicle fleet.

Risk Management

- 5.5 Some actions set out in section three of the RRP seek to address the some of the expected upcoming Government reforms. However, implementation of these actions is subject to further clarity from Government, access to funding and the ability to address operational and waste treatment issues as identified in the RRP, specifically action LB Tower Hamlets #4.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This is a noting report providing a quarterly update on the delivery of the Reduction and Recycling Plan (RRP) 2023-2025 and as such there are no financial implications emanating from it. Costs associated with its delivery are met from existing budget provision.

7 COMMENTS OF LEGAL SERVICES

- 7.1 Pursuant to s.355 of the Greater London Authority Act 1999, the Council must:

Act in general conformity with the provisions of the London Environment Strategy dealing with municipal waste management, save to the extent that compliance does not impose excessive additional costs on the authority.

Act in accordance with any guidance from the Secretary of State for determining what is to be regarded as acting in general conformity or imposing excessive additional costs.

- 7.2 Pursuant to s.356 of the Greater London Authority Act 1999, the Mayor of London can give a direction requiring the Council to take action if he considers it necessary for the purposes of the implementation of the London Environment Strategy. The Council must comply with any such direction.
-

Linked Reports, Appendices and Background Documents

Linked Report

- [Reduction and Recycling Plan 2023-2025](#)

Appendices

- RRP Qtr4 Progress Report

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

- NONE.

Officer contact details for documents:

Louise Houston, Environmental Services Improvement Team Leader
Richard Williams, Head of Operational Services

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Reduction and Recycling Plan 2023-2025

Quarter 4 2024 Progress Report

[Publish Date]

1 Background

The waste Reduction and Recycling Plan (RRP) is a requirement set by the GLA to ensure all London authorities are in general conformity with the London Environment Strategy. The current RRP includes environmental metrics drawn from the previous reporting cycle (2018-2022) along with a cross-cutting action plan drawn from our Strategic Plan and Tower Hamlets Waste Management Strategy. It covers a two-year period from April 2023 to the end of March 2025 and sets out our ambition to achieve a 23% recycling rate.

The main objective of the RRP is to move waste up the waste hierarchy by providing residents and businesses in the borough with greater access to services that will allow and encourage them to waste less, reuse and recycle more. This will contribute to the council's efforts to mitigate the impacts of climate change by reducing the carbon footprint of the council's waste management services.

Key Initiatives within our RRP include:

- Over £2 million investment, to roll-out of flats recycling improvement project across 2160 blocks of flats.
- Focus on making sure people have access to recycling bins and bags.
- Re-focused communication campaigning to leverage more community engagement and behaviour change to increase household waste reduction, re-use and recycling activity. This will include partnership working with East London Mosque, delivery of recycling education sessions in schools, targeted estates contamination engagement, recycling champion workshops, recycling stalls, presentations and events held in partnership with community groups and landlords/managing agents.

The RRP also looks to support the achievement of the council's air quality action plan objectives through the incorporation of the council's plans to green the waste services vehicle fleet.

The RRP is key to delivery of Strategic Plan “Priority 7: A clean and green future”.

Priority Theme	Pledge/Policy	Year	Annual deliverable
Priority 7: A Clean and Green Future	Work with the service to deliver further improvements, including education on recycling	2023-24	Deliver a programme of behaviour change initiatives including the flat recycling project, the recycling champions network, a recycling communication campaign and waste reduction, re-use events and workshops

[Read the full RRP](#)

Key Stats Summary

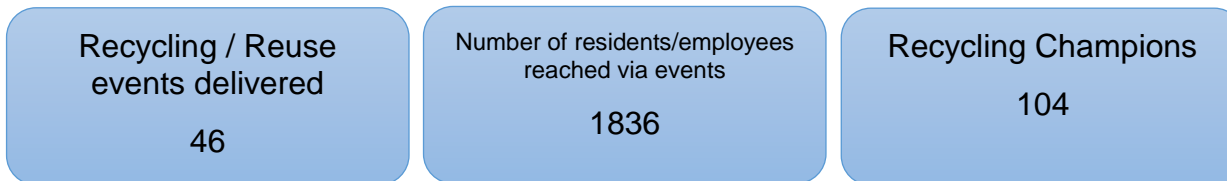


Flats Recycling Project – infrastructure improvements

Schools



Engagement



*Bins full of clean dry recycling.

2 Recycling performance 2023/24

The household recycling rate from April to March 2024 is 16%. The household recycling rate set for 2025 is 23%. The total household waste collected was 94,268 tonnes, of which 14,905 tonnes were recycled, reused or composted.

The Local Authority Collected Waste (LACW) recycling rate includes all waste collected and recycled by the Council from household and non-household sources. The LACW recycling rate in 2023-24 was 17.87%. The total LACW waste collected was 112,114 tonnes, of which 18,072 tonnes were recycled, reused or composted.

Tonnage delivered for dry recycling to Bywaters makes up the largest component of our recycling. This year 70 tonnes less was sent to Bywaters than the previous year. However, in Quarter 4 there was a significant upturn with 248 tonnes more dry recycling delivered this year than in the previous year.

There have also been small increases in tonnage recycled via the Reuse and Recycling Centre (27 tonnes) and from textile collections (21 tonnes).

The main aspects affecting our recycling rate are:

- The average contamination percentage was higher in 2023/24 at 30% than in 2022/23 at 27%.
- The waste service strike that took place from Monday 18th to 26th September 2023. During this time only 5.42 tonnes of dry mixed recycling were collected, 296 tonnes less than the monthly average in 2023/24. Consequently, the recycling rate in September dropped to 13.6% and has affected the overall recycling rate for the year to date.
- The residual waste tonnage increases in higher proportion every year, compared to the dry mixed recycling, which only grows marginally. The property growth has a direct impact on the increase of the household residual waste generated. The total number of dwellings in 2023-24 is 144,240, whereas in 2022-23, this number was 140,210. This is a 2.9% increase from last year. It is estimated that we are collecting 130 tonnes more of residual waste from households every month this year compared to 2022-23.

- The Government's new regulations for the disposal of upholstered seating containing POPs (Persistent Organic Pollutants) establish that these items can no longer be recycled and need to be sent to Energy from Waste (EfW). It is estimated that about 105 tonnes per month is being diverted to the residual waste stream, instead of being sent to a recycling facility.
- Since June 2022, litter collected from parks has been deemed unsuitable for recycling due to high levels of dog excrement (Estimated 72 tonnes per month diverted from recycling to residual stream).

3 Priorities and actions

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
<p>#1</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 57</p>	<p>Improving recycling infrastructure for blocks of flats and estates and tackling contamination through implementing Flats Recycling Package (FRP) interventions.</p> <p>Based on best practice research the project is providing essential infrastructure and addressing inequality in service provision. In older housing stock many blocks have never had enough recycling bins or require additional recycling bins in convenient locations, to provide enough storage capacity and enable all residents to use the service. Updated lockable recycling bins will reduce contamination. Signage and bin stickers will provide constant visual information about how to recycle, what not to put into rubbish bins and how to arrange a bulky waste collection.</p>		<p>Officers are surveying blocks of flats and producing reports with bespoke recommendations for managing agents to agree before roll-out of interventions.</p> <ul style="list-style-type: none"> • 1,448 blocks surveyed to date, with 722 blocks remaining to be surveyed (May 2024) • 921 blocks have received new recycling bins, additional recycling bins and/or signage (May 2024) • The target by March 2025 is for an additional 1258 locations to be covered by the project. • A total of 1129 recycling bins have been provided or replaced as part of the project so far. This includes new additional bins, new replacement bins and newly refurbished replacements of existing bins. If each additional bin is filled with clean dry recycling it will generate an extra 886 tonnes/year of recycling storage capacity • 284 signs have been installed across 180 council housing blocks, with another approximately 120 signs due to be installed in the next phase at a further 72 blocks. As of 26th April, managing agents/landlords of non-council blocks have agreed to install 573 signs across 295 blocks. • The current phase is focussed on non-TH housing stock. Surveys to date highlight that these properties often do not have enough recycling bins. 53% of these blocks surveyed had insufficient recycling bins, with the average being 40% less than required. 31% had no recycling bins at all. We are working with managing agents to introduce sufficient recycling bins where shortfalls are identified.


Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
			<ul style="list-style-type: none"> • The project team has met with 58 different managing agents/landlords, with 34 actively engaged in the project. • 5 caretaker training sessions have been delivered with 60 caretakers receiving training. Caretaker training sessions are being arranged in Quarter 1 with 3 managing agents (Clarion, East End Homes and Southern Housing/Optivo). • Performance monitoring is in progress. Recycling and rubbish is being weighed and recycling contamination assessed before and after interventions. The first phase has been completed, bins delivered, and signage installed. Post monitoring will recommence on the 6th of May, with monitoring due to be completed in June/July 2024. • In March the project was promoted at a Managing Agent Workshop and in Our East End, with a call to action for residents and managing agents to work with us on improving facilities at their homes and properties. <div data-bbox="987 818 1693 1182" data-label="Image"> </div> <div data-bbox="1733 842 2063 979" data-label="Caption"> <p>(Left to right) Before and after of an estate recycling site.</p> </div>
#2	Increasing participation in the kerbside food waste collection service through re-promotion of the service.		<ul style="list-style-type: none"> • Participation monitoring undertaken in Autumn showed that the participation rate on a weekly basis was between 8-26%. • The communications plan is underway. A webform is in the final stages of development which will enable residents to order their kitchen and outdoor food


Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
	<p>Food waste collected for composting contributes to our recycling rate Participation needs to be improved.</p>		<p>waste caddies online. A new leaflet has been developed and the website is being updated.</p> <ul style="list-style-type: none"> Targeted repromotion of the service will take place in June to October with 7133 properties leafleted and a target of 2377 of these properties taking part in the service.
#3	<p>Rolling out food waste collection service to purpose-built blocks of flats.</p> <p>Food waste collections from all properties will be mandatory by April 2027.</p>		<ul style="list-style-type: none"> The council has now been advised of it's new burden capital funding allocation by DEFRA. The allocation is £2,073,000. Project Initiation Document is being finalised to apply for the allocation and additional capital/revenue funding to enable roll-out. A working group has been set up to undertake the planning and roll out of the new service. The service model for collecting food waste from flats is in development. The space for food waste containers continues to be identified as part of the flats recycling project in readiness for service expansion. The current food waste collection pilots are being expanded, starting May 2024, to test a variety of bin housing options.
#4	<p>Reviewing the kerbside food and garden waste collection service with a view to collect food waste from kerbside properties fully separate from garden waste</p> <p>Previous Government reform guidance suggested that separate collections would be necessary for food and garden waste, however more recent guidance indicates this is no longer the case.</p>		<ul style="list-style-type: none"> This review is taking place alongside the development of the new food waste collection service for flats.

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
#5	<p>Reviewing our waste and recycling collection service policies to increase recycling</p>		<ul style="list-style-type: none"> • A new recycling and waste collection service standards and policy document has been drafted by the Environmental Services Improvement Team and Waste Operations. • The standards and policies have been reviewed by ReLondon and a workshop/consultation session was held with managing agents in March 2024. • In Quarter 1 and 2 we are consulting with Legal and internal stakeholders, before running a public consultation. We are aiming to present the policy for adoption at Cabinet in September 2024.
#6 Page 60	<p>Review and expand garden waste collection service to increase recycling</p> <p>Garden waste composting contributes to our household recycling rate.</p> <p>Simpler Recycling reform will require us to expand the service to ground floor flats with gardens on- request.</p>		<ul style="list-style-type: none"> • Work has begun on identifying and surveying ground floor flats with gardens using information provided by managing agents and GIS maps. In Quarter 1 we will start surveying and expanding the service, adding properties to a kerbside service where suitable and considering communal options at other locations.
#7	<p>Improving service delivery: Flats above shops (FAS)</p> <p>Many flats above shops do not have access to a convenient recycling service.</p>		<ul style="list-style-type: none"> • A Project Initiation Document is being finalised, which will include a pilot to improve recycling participation and test communal collection options for flats above shops. • Single-use recycling bag deliveries with a recycling leaflet, to all properties without access to recycling bins including flats above shops, are due to commence in May 2024.
#8	<p>Expansion of commercial waste service to include food waste and promote recycling collection service</p> <p>Commercial recycling and food waste contributes to our LACW recycling rate.</p>		<ul style="list-style-type: none"> • The commercial waste team is reviewing all contracts without recycling or with little use of the service. Customers not using the service will be reminded of the waste hierarchy guidance, as well as the cost and environmental benefits. The commercial team is also identifying businesses without contracts and encouraging them to sign

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
	<p>Business fly-tipping in domestic recycling bins contributes to contamination and uses residential waste storage capacities.</p> <p>The Government's Simpler Recycling Reforms will require businesses (with 10 and other employees), to segregate their food waste for separate collection from 1st April 2025 onwards.</p>		<p>up for collection services (Council or otherwise) or refer them to the enforcement team. These actions will increase commercial recycling collected across the borough.</p> <ul style="list-style-type: none"> The commercial waste service focussed on making operational improvements before tackling the introduction of commercial food waste collections. Trials in other boroughs will be used to inform service planning.
#9 Page 61	<p>Improve recycling sack distribution</p>		<ul style="list-style-type: none"> Single-use recycling bag deliveries with a recycling leaflet, to all properties without access to recycling bins including flats above shops, are due to commence in May. Reusable recycling bags continue to be distributed on request as part of the Flats Recycling Project and stalls/events. Continuing messages to encourage loose recycling
#9 Page 61	<p>Championing food waste reduction initiatives</p> <p>Contributes to our Strategic Plan target to deliver at least 32 events/activities in 2023/2024</p>		<ul style="list-style-type: none"> We will continue to participate in the Pan-London Food Waste Reduction campaign "Eat like a Londoner". The engagement team engaged residents in conversation about food waste reduction at events and stalls, providing "Love Food, Hate Waste" tip cards and food package clips. They delivered two interactive food waste reduction workshops which showed participants "rescue recipes" to use commonly wasted food such as leftover rice and how to pickle vegetables so they last longer. In Quarter 1 and 2 we will explore partnerships/promotion of popular food waste reduction apps. The City Soil Lab food waste to food growing pre-pilot near Columbia Road commenced in Quarter 4. This circular economy project will work with high street businesses (10) and TH Housing residents (52 units) to convert their food

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
			waste into soil. The soil will then be redistributed to local gardening groups on the TH housing estates.
#11	<p>Reuse, repair and recycling activities and events</p> <p>Contributes to our Strategic Plan target to deliver at least 32 events/activities in 2023/24</p>		<p>A total of 46 reuse, repair and recycling engagement events were delivered in 23/24 exceeding our Strategic Plan target of 32 events.</p> <ul style="list-style-type: none"> • For London Recycles Repair Week 2024 in March we held a Repair & Reuse event that included bicycle repair sessions, workshops on clothes mending, upcycling and Kintsugi (Japanese art of embracing imperfection by repairing ceramics, glass and plastic items using glue and gold putty) and a clothing swap. 88 residents attended the event. • 930 residents have been engaged at 15 recycling and waste reduction information stalls at community events and Idea Stores between April 23 to April 24. • 42 staff attended a pod session about recycling and sustainability. In 2024/25 will be developing an internal communications campaign to improve recycling at Council buildings. • 8 swap clothing and book swap events have been held. On average 59 people attended each event. Any items not taken are collected by the charity TRAIID. • 6 clothes mending workshops have been held.

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
#1 Page 63			 <p data-bbox="994 676 1738 799">Above (left to right). Residents take part in a clothing swap, a bicycle repair session, a mending workshop and a Kintsugi workshop.</p>
	<p data-bbox="183 820 658 963">Promoting waste reduction and recycling within the local community through the Recycling Champions Scheme</p> <p data-bbox="183 986 658 1171">Strategic Plan target is to recruit 35 new champions in 23/24 and undertake engagement via 1 dedicated event each quarter including a thank you event and Materials Recovery Facility tours and bi-monthly newsletters.</p>		<ul data-bbox="931 820 2168 1385" style="list-style-type: none"> • There are 104 recycling champions signed up. 35 new champions were recruited in 24/25 meeting the Strategic Plan target for the year. • All recycling champions receive communications materials to promote the services locally. • Bi-monthly newsletters keep recycling champions up to date about events and other initiatives and offer volunteering opportunities. • Recycling champions were invited to two Bywaters Materials Recovery Facility tours to see what happens to recycling after it is collected, with 16 champions attending. • Recycling Champions have volunteered at 7 events, contributing approximately 164 hours of service. • We are looking to increase active participation in the scheme by running “Improve recycling where you live” workshops, inviting volunteers to help with all engagement activities and incentivising volunteers by organising social “thank you” events, offering participation-based certificates and entry into prize draws.

Ref	Action and why it is important	Status (RAG)	Achievements and progress 2023/24
Page 62 #121			 <p data-bbox="1149 695 1823 810">Above (left to right): A group of recycling champions volunteering at swap event and attending a recycling facility tour in February 2024.</p>
	<p data-bbox="185 834 651 903">Education and behaviour change – Schools recycling programme</p> <p data-bbox="185 927 663 1018">Recycling and food waste collected from schools contributes to the household recycling rate.</p> <p data-bbox="185 1042 651 1101">Education of students will help increase recycling now and in the future.</p> <p data-bbox="185 1125 651 1216">Contributes to our Strategic Plan target to deliver at least 32 events/activities in 2023/2024</p>		<ul data-bbox="931 834 2168 1230" style="list-style-type: none"> • A Recycling Improvement and Engagement Officer is visiting all schools and undertaking a survey of recycling and food waste facilities with the aim to help schools improve their recycling performance. 72 schools have been surveyed to date (April 26). 38 schools are getting additional recycling bins and/or recycling bin repairs. 28 schools have signed up to recommence food waste recycling collections. • 6 sessions dedicated to recycling and waste minimisation have been delivered to more than 300 primary school students. • Moving forward schools will be included in the new reduction and recycling communications work. We are considering East London Mosque’s proposal to work with schools on faith and the environment education.

#14	<p>Expand locations for the recycling of small WEEE and batteries</p> <p>WEEE and small batteries should not be disposed of in the rubbish or recycling bins and this will provide convenient opportunities for recycling.</p>		<ul style="list-style-type: none"> • To encourage residents to use the bulky waste service for the collection of small WEEE, so that these items don't end up in rubbish or recycling bins, we are changing the service so that up to three items of small WEEE will count as one item of bulky waste. Previously one item of small WEEE counted as one bulky item. • Recycle your electricals is a national campaign to promote electrical reuse and recycling. Residents can enter their postcode and item in the online directory to find their nearest recycling and reuse locations, including at local retailers. We are adding our own WEEE recycling locations at Idea Stores to this directory and will add a link to the directory on our website. • We are investigating options to work in partnership with an existing WEEE repair café and trial WEEE banks.
#15 Page 65	<p>Expand opportunities for residents to reuse and recycle textiles</p> <p>Waste prevention and reuse are at the top of the waste hierarchy and will contribute to reducing municipal waste.</p>		<ul style="list-style-type: none"> • We started working with a new charity partner TR Aid as part of the One World Living programme. TR Aid has carried out 1301 on-demand doorstep textile collections, collecting 24.3 tonnes of textile material for reuse and recycling in 2023/24. This is in addition to the tonnage collection via the network of Scope textile banks and at our Reuse and Recycling Centre. • 8 swap clothing and book swap events have been held. On average 59 people attended each event.
#16	<p>Collaboration with faith groups and targeted/local media to promote recycling and waste reduction</p> <p>Improved communication and engagement to improve recycling quality and quantity.</p>		<ul style="list-style-type: none"> • We are working with East London Mosque on delivering messages about faith and the environment. Sermons (Friday prayers congregation is approximately 10,000), stalls, videos inside the mosque will commence in July. The programme will also in a roadshow of workshops, training sessions, schools engagement, a summit (target 5000 people), social media, focus groups and Interfaith Forum work. • The Reduction and Recycling communication campaign in development will include partnership working at local religious institutions. • Recycling animation video has been translated into Bengali.

#17 Directory of repair / circular economy companies in the borough to promote/work with (any reuse schemes, refill shops, container reuse)

Waste prevention and reuse are at the top of the waste hierarchy and will contribute to reducing municipal waste.

- [Reduce your waste – top tips](#) webpage has been updated, with a new Waste reduction map added. The map shows all the businesses in the borough that can help reduce waste including repair shops for electricals, upholstery and bicycles, charity shops and zero waste shop.



Left: A new map to help residents reduce their waste

#18 Promoting reduction of single use plastics

Waste prevention and reuse are at the top of the waste hierarchy and will contribute to reducing municipal waste.

- The updated waste reduction webpage includes tips on how to avoid single use plastics and the waste reduction map [includes Queen Mary's zero waste shop.](#)
- Single use plastic reduction messages are being delivered at schools.
- Single use plastic messages were shared via social media at Christmas.
- Activities to be arranged for [Plastic Free July.](#)

#19	<p>Improving waste reduction and recycling arrangements in new developments</p> <p>Providing responses to planning applications and carrying out pre-occupation site visits ensure that waste facilities at new developments are fit for purpose in-line with our SPD and enable good waste and recycling management.</p>		<ul style="list-style-type: none"> • A dedicated waste planning Technical Officer started on 29 August. Since this time feedback has been provided on 143 planning applications, 36 pre-application meetings have been attended and more than 36 site visits have been attended. • After each pre-occupation site visit, managing agents are provided with links to communication materials to help new resident use the services correctly. • Estimates of the waste services required have been developed using the 5 year housing trajectory.
#20	<p>Promoting waste reduction and Circular Economy principles in the business community</p> <p>Waste prevention and reuse are at the top of the waste hierarchy and will contribute to reducing municipal waste</p>		<ul style="list-style-type: none"> • The City Soil Lab food waste to food growing pre-pilot near Columbia Road commenced in Quarter 4. This circular economy project will work with high street businesses (10) and TH housing residents (52 units) to convert their food waste into soil. The soil will then be redistributed to local gardening groups on the TH housing estates.
<p>#20</p> <p>Page 67</p>	<p>Greening the waste collection fleet</p> <p>Electrification of the fleet will reduce emissions and help to improve air quality.</p>		<p>This update is part of a wider project aimed at electrifying the entire TH fleet of vehicles, which is currently facing delays due to insufficient charging infrastructure.</p> <ul style="list-style-type: none"> • The entire waste fleet is based at Blackwall Depot, where we have recently installed one rapid and eight fast chargers, thereby reaching the depot's maximum power capacity. Presently we have two dustcarts and three vans that are electric, making up 4.4% of the waste fleet. Procurement is underway to supply another six vehicles, which will bring our total just shy of 9%. • Meanwhile, Blackwall Depot has been highlighted for development of housing . Consequently, no further developments are anticipated until the future depot options have been confirmed. • Furthermore, concerning the greening of the entire fleet there are uncertainties around site availability at locations including Commercial Road, Poplar Recreational Ground, and Blackwall Depot. Despite these challenges, substantial progress has been made. The Toby Club has now been fully electrified, with six fast chargers able

			<p>to accommodate the entire Community Safety team. In addition, work at Toby Lane, Mile End Playground, and Victoria Park is proceeding to support the Catering and some of the Parks teams. This development presents an opportunity to procure approximately 20 vehicles, potentially increasing the percentage of our total electrified fleet to nearly 10%. Accordingly, we are on track to commence the electrification of the smaller fleet this year. Procurement efforts are actively underway to support these objectives. Moreover, the project will advance as soon as permanent locations for the Pest Control, Parking Enforcement, Green Team, and Facility Management teams are confirmed.</p>
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4 Other communications projects

4.1 Estates contamination improvement trial project

We have been using information provided by Waste Operations Team and Flats Recycling Team to identify areas with high contamination. We will be selecting 6 estates to focus on and will deliver engagement and improvement plans, with before and after monitoring.

4.2 Recycling incentive scheme

We are investigating options for an incentive scheme trial, including the use of the FiFiLi smart phone app.

4.3 Fun Days

The Environmental Services Improvement Team and TH Housing Team (Community Engagement and Environmental Services Teams) are working in collaboration to deliver a recycling themed fun day event at Boundary estate designed to raise awareness and drive behaviour change about recycling in a fun and engaging way.

Planning for the event is currently in progress but will include a range of family friendly, low-waste activities including:

Recyclables scavenger hunt, recycling poster competition, smoothie bike, composting and wormery information stall, recycling information stall, community safety stall, bouncy castle, face painting, bicycle repairs stand, band on the bandstand. And possibly other activities that will be confirmed soon.

The estate caretaking team will be supporting the event with community Recycling Champions will be invited to volunteer at the event. Before and after monitoring will take place and results from the event will be used to inform engagement on other estates.

Recycling engagement stalls will be at 6 other neighbourhood day events at Council estates and we will be looking to collaborate with other community groups.

4.4 Internal Council Recycling

We are working with Facilities Management and the internal communications team to improve facilities across council buildings and deliver a communications campaign.

4.3 Waste reduction and recycling communications campaign

A plan for a communications and engagement campaign to help support residents to recycle more, recycle properly, and change their behaviour towards reducing waste was signed off by the Mayor. A specification has been developed and we are awaiting confirmation of funding availability.

The focus of this work will target specific areas that we have identified – areas where large improvements can be made (particularly with regards to contamination in communal recycling bins), that have the proper facilities, and will provide useful testing ground for a series of interventions.

The communications and engagement strategy will focus on three locations in these selected areas: schools, religious institutions, and estates/blocks of flats. These will be areas of engagement and places to share communications.

Our key goals with this campaign are to:

- Improve the recycling rate
- Decrease levels of contamination in recycling
- Increase the amount of food waste collected in schools and other public facilities
- Increase the number of households taking part in food waste collection (kerbside properties only)

- Test interventions that can be scaled across different parts of the borough

4.3 Let's rethink it

The "Let's rethink it" recycling campaign ran throughout 2023 with the final phase scheduled for January 2024.

January-March 2023

- [Dedicated campaign landing page](#)
- Endorsement message from Mayor of Tower Hamlets in the residents newsletter and information shared in the member's bulletin encouraging councillors to get involved and support the campaign.
- [Our East End \(March edition\)](#) – launched campaign in the magazine.
- A sturdy A5 leaflet for residents to keep on their fridge was distributed alongside Our East End, which is delivered to every home in the borough.
- Visuals on outdoor advertising spaces, digital screens and social media pages, supported with programmatic advertising targeted at people who live in flats in Tower Hamlets.
- Social media survey to test knowledge of recycling, identified aerosols and plastic items has the most common items not recycled and food waste has the most common contaminate.

April-August 2023

- Visuals were rolled out across corporate outdoor advertising sites, social channels and programmatic advertising.
- Around the same time the phase 2 visuals were rolled out, the campaign ran a second survey online to compare awareness levels. It found a positive shift in awareness of what items can be recycled but a mixed response for what items can't be recycled, showing that more work needs to be done in the latter area.
- [Our East End \(June edition\)](#) – article about why it's important to recycle properly and what you can put in the recycling bin.

September-December 2023

- [Our East End \(September edition\)](#) – article "Can I recycle this plastic?" focused on educating residents on which plastics to recycle and which needed to be put in the waste bin.
- November – ongoing: programmatic advertising about which plastics can be recycled, outdoor park banners and digital outdoor advertising on which plastics can be recycled.

- In December communications materials were adapted to support waste reduction messages on social media over the festive period.
- [Our East End \(December edition\)](#) – article about recycling over the festive season.

January-March 2024

- The final phase of this campaign will feature an [animation about the journey of recycling](#) once it is collected and focuses on the contamination message and why it is important for people to get this right.
- Between the 23rd February to 24th March the animation was shown before 479 screenings at Genesis Cinema, Mile End Road to 14,240 people.
- The video has now been translated to Bengali
- Social media message ran reinforcing which plastics can be recycled and thank you messages to encourage people to start the year off right with new recycling habits.
- A series of short videos went out on social media about recycling in Quarter 4.

4.5 Improving engagement with managing agents and landlords

A Waste and Recycling Collection Workshop was attended by 30 representatives managing agents and landlords in March. The aims of the workshop were to:

- Review and discuss the roles and responsibilities for the council, resident and managing agents
- Communicate the background behind the new draft Rubbish and Recycling Collection Policy, including new legislation and challenges for recycling in flats
- Communicate the enforcement powers available to the council
- Promote the Flats Recycling Project
- Explore how the council and housing management can better work together to resolve ongoing issues

The workshop identified some key areas for improvement which teams will take action on:

- Need for better communication between managing agent group and LBTH including defined service standards and regular meetings (Operations team leading)
- Need for frontline staff/crews to report issues experienced on the ground (Waste Operations leading)
- Need for service consistency as a baseline prior to enforcement action being taken against managing agents (Waste Operations leading)

5 Waste operations – service improvements

5.1 Mayors Waste Investment Plan

£5m is being invested to improve waste services and street cleanliness across the borough. While this funding will primarily focus on service improvements in the waste and street cleansing service (including the recruitment of new frontline staff, procurement of new vehicles, and increasing service efficiency), the recycling team is identifying opportunities to integrate and proliferate messages about recycling through to frontline workers, businesses, and residents.

5.2 Recycling collection team engagement

The recycling collection teams will be receiving training which aims to re-energise crews and improve performance of the collection rounds, with performance results regularly fed back to the teams.

5.3 Route optimisation

A substantial amount of work, by Senior Operations Managers and the Commercial Manager, has been done since the last update was provided. This was necessary as the proposal put forward by the external contractor/support, was not feasible, although that support remains, but purely for data sorting purposes.

The project is currently at a stage where three main lines of work have been identified. All three lines of work involve the optimisation of routes and rounds for both commercial, domestic and unregulated waste collections. Additionally, route optimisation is inextricably linked to the separation of commercial and domestic waste collections and the introduction of time bands.

Following the clarity achieved in recent weeks, the scheduling of work into three main areas is now being undertaken. These are:

- Initially maintaining 17 dedicated domestic refuse rounds, with the work of 3 afternoon crews added to their work. This will involve separation of commercial work from the domestic crews.
- Scheduling of TH Loop rounds, forerunners of time banding, for a morning collection on all high streets and town centres and main commercial areas. The rounds will be repeated late evening so that morning and evening time bands are available twice daily x 7 days a week for all businesses, flats above shops and for clearance of unregulated waste on main lines.
- Commercial waste taken off domestic rounds, in residential roads, will be placed on dedicated commercial crews.

Now that the work issues have been identified and resolved the detailed work is taking place and will form the basis of the new optimised services for domestic and commercial waste.

The operational arrangements for the introduction of the new services are on track with the original timescale put forward. Once implemented it will be for Environmental Enforcement to legally implement the time band arrangements.

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Equality Impact Analysis Screening Tool

Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Tower Hamlets Reduction and Recycling Plan 2023-2025 (RRP)
Service area and Directorate responsible
Operational Services, Place
Name of completing officer
Louise Houston, Environmental Services Improvement Team Leader
Head of Service
Richard Williams, Business Manager Operational Services

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster 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

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010
2.1 Introduction

Developing and producing an RRP is a requirement set by the GLA to ensure all London authorities are in general conformity with the London Environment Strategy. This second RRP covers a two-year period from April 2023 to the end of March 2025.

The RRP comprises environmental metrics drawn from the previous reporting cycle (2018-2022) along with plans to improve services and support residents to reduce their waste and recycle more. Some of these plans address expected national waste and recycling reforms outlined in the Government's Resources and Waste Strategy for England (2018).

The impacts of RRP actions on general equality duties and protected characteristics have been considered and are discussed below.

2.2 Housing

88.7% of households in Tower Hamlets live in a flat, maisonette or apartment, the second highest proportion in England and Wales after the City of London and was twice the proportion in the London region. The London average is 56%.

On average flat dwellers recycle half as much as those living in houses (ReLondon 2018).

Tower Hamlets has a high proportion of households who rent, both from social landlords and from private landlords whereas the proportion of owner occupiers is the lowest in England and Wales. 35.9% of households live in social rented accommodation and 38.2% of households live in private rented accommodation. Social and private renting is significantly higher in Tower Hamlets than the London and England and Wales average.

Tower Hamlets has the third highest number of HMOs in London. Census 2021 data indicates that there are 4,734 houses of multiple occupation in the borough. Tower Hamlets also has a greater proportion of larger households than both London and England and Wales. Houses with large families and HMOs are likely to be producing a larger amount of waste and recycling and require more storage capacity.

The RRP Actions (below) will seek to improve service provision equality for people living in flats.

- RRP Action #1: Improving recycling infrastructure for blocks of flats and estates and tackling contamination through implementing Flats Recycling Package (FRP) interventions. These improvements will include increased storage capacity and signage, where possible.
- RRP Action #3: Rolling out food waste collection service to purpose-built blocks of flats.
- RRP Action #7: Improving service delivery - Flats above shops (FAS)
- RRP Action #6: Review and expand garden waste collection service to increase recycling
- RRP Action #17 Improving waste reduction and recycling arrangements in new developments

There are two actions that will seek to improve service provision for kerbside properties, which are mostly houses converted into flats or houses.

- RRP Action #2: Increasing participation in the kerbside food waste collection service through re-promotion of the service
- RRP Action #5: Reviewing service offer to kerbside properties to increase recycling

2.3 Age - Young people

11.1% of children in the borough are aged between 5-14 years of age. The schools recycling programme will seek to engage this group and their parents/carers. Messages given to children at school may be taken home and result in behaviour changes in the household.

RRP Action #12: Education and behaviour change - Schools recycling programme

A UK-wide report in 2017 by SERCO found that less than half of all 16-34 year olds admitted that they do not recycle 'all that they can'. New poll shows millennials are least likely age group to recycle (serco.com).

3 RRP Action #10: Reuse, repair and recycling activities and events

Age - Older people

5.7% of the population are over 65. This cohort may find it more difficult to manage waste and recycling infrastructure due to age-related disabilities. In addition, this cohort may make greater use of items such as disposable medical products.

Members in this group may find it difficult to access information about services online, we therefore ensure that our communications include traditional printed media such as leaflets, posters and Our East End.

A clinical waste collection service and assisted collections are in place and will not be impacted by the RRP.

2.4 Race

There is a higher proportion of Asian, Asian British or Asian Welsh: Bangladeshi in Tower Hamlets than in London, and a lower proportion of White: British.

46.8% of residents were born outside of the UK. 7.8% have been resident in the UK for less than 2 years at the time of the census. The most common countries of birth other than the UK were Bangladesh, Italy, India, China and France. 14% of residents were born in a current EU country.

There may be potential language barriers and cultural differences, which may impact on recycling participation. This could be positive or negative because different cultures may have different purchasing or dietary habits.

Communication about recycling services is regularly reviewed and refreshed with consideration always given on how to be inclusive and representative of the community, including those with language barriers. For example, the "Let's rethink it!" campaign is currently raising awareness about correct recycling behaviours using outdoor and online advertising. A video about why it is important not to contaminate your recycling is being developed, with versions in both English and Bengali. All designs include imagery that is inclusive and reflects or diverse community.

We will seek to engage with different groups through targeted attendance at events/venues, partnership working with community groups and multi-channel communication. Engagement of recycling champions that reflect our borough may lead to increased participation in waste reduction, food collections and recycling services. Messages given to children at school may be taken home and result in behaviour changes in the household.

- 3 RRP Action #11: Promoting waste reduction and recycling within the local community through the Recycling Champions Scheme
- 4 RRP Action #10: Reuse, repair and recycling activities and events
- 5 RRP Action #12: Education and behaviour change - Schools recycling programme

2.5 Language proficiency in English

The most commonly spoken main languages other than English were Bengali (11%), Italian (2.2%), Spanish (1.7%), French (1.2%), and Portuguese (1%).

27% said they did not speak English as their first language. 5.2% of residents aged 3 and over said they could not speak English well and 1% said they could not speak English at all.

Improvement to infrastructure at blocks of flats includes provision of signage and new bin stickers with clear pictures which will help those with language limitations. We will continuously review our communications activities and seek to be inclusive e.g. attending ESOL events. Engagement of recycling champions that reflect our borough may lead to increased participation in waste reduction, food collections and recycling services.

- 3 RRP Action #1: Improving recycling infrastructure for blocks of flats and estates and tackling contamination through implementing Flats Recycling Package (FRP) interventions
- 4 RRP Action #10: Reuse, repair and recycling activities and events
- 5 RRP Action #11: Promoting waste reduction and recycling within the local community through the Recycling Champions Scheme

2.6 Disability

The proportion of residents in Tower Hamlets whose day-to-day activities are limited (a little and a lot) is slightly lower than the London average. The proportion of residents living in the borough with bad/very bad health is on a par with the London average.

12.9% of residents had a disability and 25.7% of households had at least one disabled person living within them.

Residents with reduced mobility due disability may find it more difficult juggle their waste and recycling from their home to the waste and recycle facilities. They may also struggle to manage the waste and recycling infrastructure (bins). Some residents with a disability may produce a greater amount of waste as a result of their disability (e.g. using disposable medical waste or sanitary products (including incontinence pads).

A clinical waste collection service and assisted collections are in place and will not be impacted by the RRP.

2.7 Religion or philosophical belief

Islam (39.9%) is the most common religion in Tower Hamlets.

There may be potential language barriers and cultural differences, which impact on recycling participation. This could be positive or negative because different cultures may have different purchasing or dietary habits.

We will engage with faith groups to identify and create a calendar/action plan of activities.

- 3 RRP Action #11: Promoting waste reduction and recycling within the local community through the Recycling Champions Scheme
- 4 RRP Action #10: Reuse, repair and recycling activities and events
- 5 RRP Action #17: Collaboration with faith groups to promote recycling and waste reduction

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 actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees on the grounds of Sex.</p>
<ul style="list-style-type: none"> ▪ Age 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p>

			<p>Please refer to section 2.3.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees on the grounds of Age.</p>
<ul style="list-style-type: none"> ▪ Race 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>Please refer to section 2.4.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees on the grounds of Race.</p>
<ul style="list-style-type: none"> ▪ Religion or Philosophical belief 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>Please refer to section 2.7.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees on the grounds of Religion or Philosophical belief.</p>
<ul style="list-style-type: none"> ▪ Sexual Orientation 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees on the grounds of Sexual Orientation.</p>
<ul style="list-style-type: none"> ▪ Gender re-assignment status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents,</p>

			service users or Council employees on the grounds of Gender re-assignment.
<ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health and medical conditions) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>Please refer to section 2.6.</p> <p>There is no estimated direct or indirect disproportionate adverse impact of these proposals to communities, residents, service users or Council employees on the grounds of Disability.</p> <p>Residents with disabilities already have access to assisted waste and recycling collection services.</p>
<ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>There is no estimated direct or indirect disproportionate adverse impact of these proposals to communities, residents, service users or Council employees on the grounds of Marriage and Civil Partnership status.</p>
<ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>There is no estimated direct or indirect disproportionate adverse impact of these proposals to communities, residents, service users or Council employees who are Pregnant or on Maternity.</p>
<p>You should also consider:</p> <ul style="list-style-type: none"> ▪ Parents and Carers ▪ Socio-economic status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The actions proposed in the RRP will have a positive impact on the services available and the environment.</p> <p>Housing is one of the measures of deprivation. Please refer to section 2.1.</p>

<ul style="list-style-type: none"> ▪ People with different Gender Identities e.g. Gender fluid, Non-binary etc. ▪ Other 			<p>There is no estimated direct or indirect disproportionate adverse impact of these proposals to communities, residents, service users or Council employees who are Parents and Carers or people with different Gender Identities or Socio-economic status.</p>
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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 exception to this is if you can 'justify' the discrimination (Section 4).

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 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
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<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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
There is no estimated direct or indirect disproportionate impact of these proposals to communities, residents, service users or Council employees with any protected characteristic. The actions in the RRP will have a positive impact on services and the environment.

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<p>Cabinet</p> <p>24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Simon Baxter, Corporate Director Communities</p>	<p>Classification: Open (Unrestricted)</p>
<p>Tackling Dog-related Anti-Social Behaviour</p>	

Lead Members	Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency; and Councillor Abu Choudhury, Cabinet Member for Safer Communities
Originating Officer(s)	Ashraf Ali, (Interim Director Public Realm) Richard Williams (Head of Operational Services, Public Realm) Vicky Allen (Strategy, Policy Officer)
Wards affected	(All Wards);
Key Decision?	No
Reason for Key Decision	N/A
Forward Plan Notice Published	04/06/2024
Exempt information	N/A
Strategic Plan Priority / Outcome	Priority 6: Empowering communities and fighting crime

Executive Summary

Following incidents involving out of control nuisance dogs and their owners, the council undertook a review to explore ways in which we can be more effective in tackling those dog owners who continue to behave in an anti-social irresponsible way in our public spaces. It concluded with the recommendation to introduce a Public Spaces Protection Order (PSPO).

This report presents our proposed approach to tackling dog related anti-social behaviour, seeking approval to go out to public consultation to establish a public spaces protection order as the control mechanism. The consultation results will inform the final approach of the council on this issue, which we intend to submit the Cabinet in August/Sept 2024.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree the proposal to hold public consultation and engagement about establishing a PSPO as the control mechanism.
2. Agree on the specific public spaces protection order conditions recommended by officers to consult residents and other key stakeholders on, as set out below:

Order	Recommended proposal for consultation – Order applied to
Dog Fouling	<ul style="list-style-type: none"> • All public spaces in the borough
Dogs on lead by direction	<ul style="list-style-type: none"> • All public spaces in the borough
Dog exclusion areas	<ul style="list-style-type: none"> • All gated play parks and sports areas managed by London Borough of Tower Hamlets • Option to include all ungated play parks and sports areas managed by London Borough of Tower Hamlets
Dogs on leads	<ul style="list-style-type: none"> • All public spaces in the borough including on roads and in car parks and all communal areas on estates. <p>Excepting:</p> <ul style="list-style-type: none"> • Dog exclusion areas • Defined areas of parks and open spaces managed by London Borough of Tower Hamlets
Maximum number of dogs	<ul style="list-style-type: none"> • All public spaces in the borough. • One person can take out no more than four dogs at any one time. • Guage opinion on introducing a professional dog walking license.

3. Agree the proposed consultation questions (Appendix 1)
4. Agree the consultation and engagement plan (Appendix 2)
5. Note the draft Equalities Impact Assessment, which will be finalised post consultation (Appendix 3).
6. Note the alternative options analysis assessment (Appendix 4)

1 REASONS FOR THE DECISIONS

- 1.1 In summer 2023 following a spate of dog attack incidents involving out of control, dangerous and nuisance dogs and their owners officers were asked to explore options on how the council could tackle those dog owners who behave in an anti-social irresponsible way in our public spaces.
- 1.2 A Task and Finish group was set up and concluded that the introduction of a Public Spaces Protection Order (PSPO) for controlling dogs could be the appropriate tool to support council officers to limit the number of incidents of anti-social behaviour relating to dog control.
- 1.3 A PSPO provides a legal power to the council to fine dog owners who do not adhere to the conditions of the PSPO. The introduction of a PSPO and the publicity and communications surrounding the introduction of it is expected to prompt good dog management. As a result of introducing a PSPO it would be expected that the number of future dog related ASB incidents would reduce, though this would be hard to quantify.
- 1.4 The PDSA Animal Wellbeing (PAW) Report is the UK's largest annual assessment of pet wellbeing. According to the Paw Report 2024¹, there has been an increase in dog bite cases in recent years (UK wide). The number of dog bite-related hospital admissions in England between 1998 and 2018 showed an increase in adult cases. In 2024 there has been significantly more dogs that have bitten a stranger in the home where professional medical care has been needed (1.2%) compared to 2022 (0.55%).
- 1.5 Data indicates that dog related ASB has been increasing. Over the past couple of years over 100 Members Enquiries or complaints have been dealt with, almost 400 enforcement cases, 182 reports of dog fouling via the council's Find It Fix It app and an increasing number of police issued Fixed Penalty Notices or arrests (see appendix for more information).
- 1.6 Tower Hamlets has a high and increasing population. The borough is densely populated and the majority of residents live in flats. Residents rely on public spaces such as parks for their exercise and enjoyment including the exercising of dogs. It is essential that residents can undertake these activities without risk or fear of harm.
- 1.7 We know that the vast majority of dogs are peaceful and dog owners are law abiding and respectful of others around them. It is therefore important to ensure we neither demonise all dogs nor penalise responsible dog owners, and that any action we take is proportionate. It is important that any action taken goes hand in hand with looking at how we tackle fear, misinformation and negative perception about dog behaviour and control.

¹ [PAW Report - PDSA](#)

- 1.8 This report seeks approval to go out to public consultation to establish a public spaces protection order as the control mechanism for tackling this issue. Following consultation, the proposal will be finalised and is expected to be presented to Cabinet for ratification later in 2024.

2 ALTERNATIVE OPTIONS

- 2.1 “Do nothing” option. The council could choose not to introduce a PSPO. The council’s current powers for controlling dogs are limited. This would mean a continuation of the status quo, which is has not been seen as providing adequate protection to residents.
- 2.2 An alternative to the introduction of a PSPO could be considered. Alternatives include: use of community protection notices, injunctions, and other methods of tackling anti-social behaviour. These are all options for dealing with specific individuals and would not be appropriate for addressing a wider problem. The consensus from the task and finish group (made up of representatives from community safety, THEOs, parks, animal warden, THEOs, THH and the Met Police), was that a public space protection order was the best way forward to tackle this issue.

3 DETAILS OF THE REPORT

- 3.1 A task and finish group was set up in June 2023 following concern about a number of recent incidents in the borough involving dangerous dog and owner behaviour that resulted in injury. The purpose of the task and finish group was to identify how we can protect our residents without penalising responsible dog ownership. Looking at the following areas:
- What powers we already have.
 - What powers could we adopt to tackle the issue.
 - Which elements of the PSPO we could implement and to what extent in the borough.
 - What non-enforcement actions we can take to foster greater understanding from residents who may be naturally nervous around dogs, and that supports responsible dog ownership without disproportionately affecting already responsible owners.
 - How we can ensure there are adequate safe spaces for dog exercise in the borough.
 - Practicalities such as route to implementation, who will administer, the level of fine for breaches, and the cost to administer.

XL Bully Ban

- 3.2 The Government banned XL bully-type dogs from 1st February 2024 under the Dangerous Dogs Act 1991. This ban has targeted the very large, powerful, wide-jawed dogs which have become fashionable to own across the UK. Tower Hamlets has its share of these dogs and the Council recognises the fear in the community triggered by their presence. The expectation of this ban is that there will be a reduced risk of serious harm incidents.

- 3.3 In late 2023, the animal warden service dealt with six incidents of dealing with stray, lost or abandoned XL bully-type dogs, a lower number than they had feared.
- 3.4 Since 1st February, XL bully-type dogs must be registered directly with DEFRA. No notification to the local authority is required to councils or to the police and we are not aware of any lists of the number of exemption certificates have been issued.

Current powers

- 3.5 As a local authority the council currently has the following powers:
- 3.6 **Animal Warden Powers** – statutory responsibility to deal with stray dogs. Includes power to seize and treat as stray a dog without owner identification on collar and powers to enforce microchipping of dogs.
- 3.7 **Dog fouling fixed penalty notices** – THEOs have the power to issue a FPN for failing to clean up after a dog has fouled and improper disposal of dog waste.
- 3.8 **Animal activity licences** – for dog breeders a licence is needed for anyone breeding three or more litters in a 12-month period and selling one or more puppies. Must meet a series of welfare standards. Licences are not required for ‘hobby breeders’. Failure to comply i.e. breeding with no licence or breaching licence conditions can lead to an unlimited fine or prison for up to 6 months. There are no registered breeders in Tower Hamlets, but ‘backyard’ breeding (below the licence threshold) of large status type dogs has been prolific in recent years.
- 3.9 **Council housing tenancy conditions** – written permission is required to keep pets, including dogs. If the home is unsuitable, permission may not be granted. No more than two dogs per household is usually permitted. Dogs must be kept on a lead in all areas of the estate. Consequence of not adhering to terms of the permission include the withdrawal of permission requiring the resident to part with their pet. Steps to enforce a breach of tenancy and pursue an eviction may also be considered if breaches have a significant ASB impact or is an arrestable offence.
- 3.10 **Registered housing providers tenancy conditions** – animal controls and responsible ownership expectations are placed on tenants via tenancy agreements by many registered providers (RPs). Different rules apply depending on the RP. Some need to sign a responsible pet ownership agreement. Consequence of not adhering to the terms of lease include ending tenancy if tenant has a pet without permission. It’s unclear whether responsible dog ownership is routinely monitored and enforced by all RPs.

3.11 Other types of dog related ASB such as fighting, will be dealt with as part of our normal approach of tackling crime and anti-social behaviour using resources from the police and THEOs. We have existing processes to record and target regular reoccurring types of anti-social behaviour.

PSPO enforcement option

3.12 As a local authority the council can instigate a number of enforcement tools to help tackle anti-social behaviour relating to dogs. These options were considered by the task and finish group for both the ability to be effective in tackling the issue and in the ease of implementation.

3.13 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced PSPOs as a tool available for tackling anti-social behaviour. PSPOs can prohibit specified activities, and/or require certain things to be done by people engaged in particular activities within a defined space. PSPOs can be introduced when behaviour is affecting or likely to affect the quality of life for people in the area, is persistent, is unreasonable and the restrictions can be justified.

3.14 Through undertaking an options analysis, the PSPO has been identified as the most appropriate legislation to adopt for this issue. This is because:

- it has been designed to control lower-level persistent ASB issues;
- focuses on an identified problem;
- a breach of a PSPO without a reasonable excuse is an offence and a Fixed Penalty Notice (FPN) of £100 can be issued. If not paid, the recipient may be prosecuted, for which the maximum penalty is a fine of £1,000 ;
- Must be renewed on a three yearly basis, providing flexibility for changes; and
- is relatively straightforward for the council to set up – following consultation and ratification at Cabinet.

3.15 This is in contrast to a byelaw for example, which is time consuming to set up, must be approved by the Secretary of State, and is inflexible because it is a permanent piece of legislation which cannot be changed or deleted unless the council applies to the Secretary of State for this change. The council has adopted byelaws for our parks. The parks byelaws cover a number of anti-social behaviours but do not reference dogs. There is no plan to repeal or amend the byelaws and if a PSPO is introduced, the powers on both will be complementary. The existing of the byelaw will not affect the any PSPO powers introduced.

3.16 The council currently has three PSPOs in place – responsible drinking, ASB related to NOx and one in Ropemakers Fields to tackle ASB. There is no provision in any of the current PSPOs to address dog-related ASB.

Benchmarking

- 3.17 The majority of local authorities in London use PSPOs to varying degrees as the tool for tackling anti-social behaviour relating to dogs. As part of our benchmarking exercise, we contacted several local authorities about the effective implementation of the PSPO. Almost all local authorities had PSPOs in place since 2017 and previous to those powers under the Criminal Justice and Police Act 2001, the Highways Act 1980 and the Clean Neighbourhoods and Environment Act 2005. Due to the length of time that some form of dog control arrangements had been in place, local authorities reported that they had received relatively little resistance from residents as the PSPO conditions had become embedded and normalized.
- 3.18 Having said this, local authorities did admit that as with any offence, the lack of enforcement officers meant that PSPO offences could never be totally policed.

4 PSPO scope for controlling dogs in public spaces

- 4.1 There are five areas relating to dog control PSPOs:
- dog fouling;
 - dog on lead;
 - dog exclusion areas;
 - dog on lead by direction;
 - dog handling maximum number of dogs allowed to be handled at one time.
- 4.2 All local authorities looked at as part of the benchmarking process made use of the dog fouling and dog on lead by direction orders.
- 4.3 In Tower Hamlets the dog fouling and dog on lead by direction orders could be applied as follows:

Dog fouling

The council already has the power to fine for littering for dog fouling under the Dogs (Fouling of Land) Act 1996. There is provision within the PSPO to issue FPNs for dog fouling. All boroughs with dog-related PSPOs include dog fouling as one of their orders. It is proposed that this power be included as part of the PSPO because it will cover land not covered by the existing designation under the 1996 Act. The FPN would be raised to £100, as permitted for a PSPO.

Dog on lead by direction

Dog walkers must comply if asked by an Authorised Officer to put and keep the dog on a lead for a period of time and/or under particular circumstances such as a dog not being under proper control of its walker. It is proposed that this power apply to the whole borough.

Dog exclusion areas.

Most local authorities use the dog exclusion order to ban dogs from entering spaces designed for children and young people, and spaces designed for sport and exercise. Dog exclusion areas must be clearly signposted. Excluding dogs from these gated spaces is assessed as a straightforward and simple communications message.

Some local authorities exclude dogs from all spaces designated for structured play and sport/exercise regardless of whether those spaces are gated i.e.. separated from the rest of the park. Some local authorities also exclude dogs from being in bushes, water features and flower beds in parks.

The ability to both police and effectively communicate this message is likely to be more difficult and therefore non-compliance is likely to be more of a risk in where there are no physical barriers.

Dogs on lead in specified areas.

Some local authorities specify where dogs must be on leads at all times. Under the Highways Act 1980, dogs are required to be on a lead on pavements and public highways. However, Tower Hamlets did not adopt this legislation.

Some local authorities prescribe dogs must be on a lead in all open to the air public spaces managed by the local authority. There is already a requirement that all dogs must be on leads on Tower Hamlets Council housing estates.

Tower Hamlets has a significant number of housing estates that are not managed by the local authority. We will consult with registered providers with the aim of obtaining buy-in to apply this order to all public communal areas on estates in the borough.

If the council made a PSPO order to put dogs on leads in public spaces in the borough including on roads, in car parks and all communal areas on estates, this would mean dog off lead spaces would be restricted to certain areas of parks and open spaces, but excluding play, sport and exercise areas.

Dog handling (maximum number of dogs allowed).

During the pandemic there was an increase in dog ownership, and since people have returned to the workplace, there has been a national increase in the number of dog walkers, both professional walkers and local dog owners.

The purpose of the maximum number of dogs allowed limit is to support the safety of both the walker and others around them. Four dogs is deemed as a reasonable number that a competent dog walking adult should be able to reliably keep under control at all times on a lead. A benchmarking exercise

undertaken indicates that where a maximum number of dogs allowed PSPO order is in place, local authorities have prescribed the maximum number to be between 3-6 on a lead.

Opinion of animal warden officers in Tower Hamlets is that a maximum number of dogs that can be walked at a time should be limited to four. A professional dog walkers' best practice guidance² document has been issued by the RSPCA and endorsed by Canine and Feline Sector Group, the Dogs Trust and the Pet Industry Federation. It recommends that, in the best interests of animal welfare, no more than four dog should be walked by one person at any one time.

In addition, the council will look at introducing fees and charges for licensing professional dog walkers which may entitle them to walk more than the maximum number allowed under the PSPO order. There is an expectation that professional dog walkers are trained and experienced in handling multiple dogs safely and securely. All professional dog walkers would be expected to have adequate third-party liability insurance. Dog walkers must only walk up to the number of dogs covered by their insurance policy and allowed by the local council authority.

Within the maximum number of dogs allowed PSPO order, the council could make provision for professional dog walkers, subject to limits and conditions of their insurance, to walk more than four dogs at a time.

Exemptions

- 4.4 People who are registered blind, and/or have a disability which requires an assistance dog are exempt from a dog control PSPO. People who are registered deaf would also be made exempt, except for picking up dog mess.

Encouraging responsible dog ownership

- 4.5 The council also encourages responsible dog ownership by promoting responsible dog ownership events. These events provide free microchipping, muzzles, dog waste bags and advice on responsible dog ownership (discounted training and behaviour advice via Dogs Trust).
- 4.6 The Blue cross charity offers a responsible dog ownership course (akin to a speed awareness course) for dog owners, that Local Authorities and Police can refer people to attend it. They can be accessed by adults who have committed suitable low-level dog related offences. Some local authorities use them in conjunction with or as an alternative to issuing formal enforcement action.
- 4.7 The council website now includes more information about responsible dog ownership [You, your dog and the law \(towerhamlets.gov.uk\)](http://towerhamlets.gov.uk), outlining the law

² [Dog walking guide online \(rspca.org.uk\)](http://rspca.org.uk)

with regards to dogs and owner responsibilities. It also provides tips on dog ownership good practice.

- 4.8 There are six dog exclusive exercise areas in the borough where dog owners can safely let their dogs off the lead for free exercising. If a dog on lead PSPO was introduced, this would not apply in dog exercise areas. Typically, these are fenced areas within larger parks to enable dog owners to let their dogs off lead and/or include dog exercise equipment.
- 4.9 The council will undertake publicity should the PSPO be introduced and will use education and information campaigns to ensure dog owners are aware of the new requirement. To give them the opportunity to change their behaviour before formal action is necessary.

Consultation and engagement

- 4.10 It is essential that we undertake rigorous consultation and engagement for a proposal that has potential to affect a significant proportion of the community across the whole of the borough, so we can ensure that our proposals are in tune with the priorities and wishes of our residents, partners and other stakeholders.
- 4.11 A PSPO cannot be introduced, varied, discharged or extended without consultation. Statutory consultation includes publicity and notification. Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives.
- 4.12 Feedback from consultation and engagement will help us ensure that we consider the needs of the dog-owning community. It will enable to identify where we may need to amend proposals or take mitigating actions that are fair, equitable and proportionate.
- 4.13 It's recognised that a significant proportion of small parks and open space is on land not controlled by the council. Via Tower Hamlets Housing Forum, we have made initial engagement with Registered Providers.
- 4.14 We will follow guidance laid out in the council's consultation and engagement strategy which mirrors best practice standards. A consultation plan for this work will be produced. Consultation will follow the Gunning principles of:
- Ensuring the consultation takes place when proposals are at a formative stage;
 - Providing sufficient reasons for the proposal to allow for intelligent consideration and response;
 - Provide adequate time for consideration of the response (usually 8-12 weeks); and
 - Using the results of the consultation when making the final proposal for consideration at Cabinet.

Areas of consideration

- 4.15 A number of risks for consideration have been identified by officers:
- 4.16 **Ungated children's play areas and sports areas.** Experience shows that restrictions are more likely to be successfully implemented where they are simple and clearly understood by everyone. While it is not proportionate to use a dogs on lead or dog exclusion areas for all parks, residents may expect dogs to be excluded from all children's play areas and from all sports areas. Where these areas are ungated, identification of where a dog on lead / exclusion area starts and stops and then enforcing this could be difficult for enforcement officers to manage.
- 4.17 **Enforcement.** All enforcement undertaken complies with the council's enforcement policy³, developed in accordance with the general principles of the Regulators Code, Hampton Report and Enforcement Concordat. The enforcement policy helps promote efficient and effective approaches to inspection and enforcement and help the community and other members of the public to understand why the Council approaches enforcement in a particular way in individual cases.
- 4.18 All enforcement action is based upon an assessment of the nature of the offence and the risk, nuisance, harm or disadvantage being caused. The council's adheres to the following principles of fair regulation:
- Raising awareness of the law and its requirements and providing advice and guidance to assist those regulated
 - Proportionality in applying the law and securing compliance
 - Consistency of approach
 - Transparency and accountability about the actions of the council and its officers
 - Targeting of enforcement action and basing regulatory activities on risk
 - Accountability
- 4.19 At present, we expect enforcement to be carried out by THEOs, Environmental Service Officers and Animal Wardens within Communities directorate. However, we will be reviewing the wider use of other enforcement / engagement officers across Communities to support enforcement of these and other powers. These Officers have powers to issue FPNs (under the Anti-Social Crime and Policing Act 2014 c.12) as indicated in the council's constitution part D⁴. Officers must present their warrant card when issuing an FPN.
- 4.20 Should the council introduce licensing for professional dog walking, officers would enforce by make frequent ad-hoc checks to ensure that walkers have the appropriate licence and that they are observing the terms and conditions of that licence. Officers would follow up reports of unlicensed operators using

³ [LBTH enforcement policy](#)

⁴ [Tower Hamlets Constitution Part D August 2020](#)

the parks and open spaces and licensed operators who fail to comply with the terms and conditions of their Licence.

- 4.21 The council intends to carry out training and ensure effective tasking mechanisms to ensure enforcement with the roll out of these powers. Training would support officers to be comfortable and confident in dealing with dog-related enforcement, such as learning body language for safe interaction.
- 4.22 **Coverage.** A PSPO can only be imposed in respect of a public place, which is defined in the legislation as ‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission’..
- 4.23 Several London boroughs state that their dog PSPO will apply to all highways and footways in the area and on housing estates that they manage. In Tower Hamlets a significant proportion of residents live in social housing managed by RPs as opposed to in council housing. The intention is for this PSPO to provide borough-wide coverage.
- 4.24 RPs and other private landlords are a key consultation group. We will work with them to understand their response to the proposals and gain agreement to adopt these PSPOs on their land too, including working in partnership with regards to resourcing and enforcement practicalities.
- 4.25 **Resourcing.** Staff resourcing will come from existing budgets. The council will use data and intelligence gathering from sources such as complaints and reporting apps such as “Find It Fix It” to identify hot spot areas targeting enforcement officers in an efficient way.
- 4.26 Signage and demarcation of dog exclusion areas will be a significant expense. Sufficient signs must be put up to ensure residents are clear what order applies and where. This is particularly the case when it comes to gated play areas and sports areas. In addition, signs for demarcation of ungated play areas and sports areas would be needed if dogs are excluded from ungated play areas and sports areas as well. We intend to apply for capital funding to cover the cost of signage.
- 4.27 There are around 120 council managed parks and open spaces and around 100 smaller parks on council housing estates. As a benchmark, the cost of the signs for NOX PSPO were £55 each including installation (2022 price). There is an expectation that enforcement will be staffed from existing resources which may put a strain on the service.
- 4.28 **Buy-in from dog owners & tackling negative perceptions about dogs.** To owners, dogs are part of their family and can play a huge role in improving mental health through exercising and interaction. Dog owners may see a dog control PSPO as limiting their freedoms to exercise their dogs because of a small number of irresponsible dog owners. Consultation and communications will emphasise that the majority of dogs are safe and the majority of dog

owners are responsible, and our communications will include how PSPOs can protect dogs and owners from potential attack.

- 4.29 **Enforcing order restrictions and expectation management** - Experience has showed that some dog owners will still use their local parks irrespective of prohibiting signage. Creating fenced off areas on larger sites may be unsuccessful as people may not be inclined to use the provision. In addition, with limited staff resources, not all offences will be witnessed by enforcement officers. Experience of other local authorities tells us that changes will take some time to bed in. The council will undertake a widespread communications campaign about the changes. Using data and insight on hotspot areas in order to deploy enforcement officers to specific hotspots will help make best use of staff resources.
- 4.30 **Proportionality** - The council is obliged to consider whether introducing a PSPO is necessary and proportionate, particularly if there are existing or alternative measures that can be used to tackle the issue. There may be objections from dog owners and other members of the public. Consultees will be asked their opinions on how proportionate they consider of each of the PSPO orders. This information will inform the final decision.

Next Steps

- 4.43 Implementing a PSPO is a lengthy process and will involve input from legal, the police, housing providers and other consultees and stakeholders. Implementation will include purchasing and putting up signs and training for authorised officers. Recommended consultation and engagement is for 10-12 weeks. A report to Cabinet on the outcome of the consultation and recommendation on the introduction of a dog control PSPO would likely be presented to Cabinet in Autumn 2024, with full implementation following this.

5. EQUALITIES IMPLICATIONS

- 5.1 A draft equalities analysis is attached (Appendix 4). The PSPO aims to reduce harm and fear of harm caused by anti-social behaviour of a small number of dog owners and their dogs.
- 5.2 It is a well-established fact that dogs can play a huge role in improving mental health of their owners, higher rates of exercise and social interaction can be a positive outcome of dog ownership. It is important that a PSPO does not unduly limit dog owners rights to exercise their dog because of a small number of irresponsible dog owners. Conversely, controls introduced by the PSPO may have a positive impact on dog owners who are concerned about dog-on-dog attacks, especially those with smaller dogs.
- 5.3 Consideration of the need for an equitable geographical spread of parks and open spaces that are suitable as off-lead and dog exercise areas will be taken as part of the review of the PSPO conditions proposed for each park and open space. This will be consulted on.

7. OTHER STATUTORY IMPLICATIONS

- 6.1 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.
- 6.2 **Best Value:** The council considered the economy, efficiency and effectiveness of this proposal to fulfil the best value duty. We have set up a working group across the council services and external stakeholders to develop the proposal and identify risks and mitigations. This demonstrates good governance to deliver best value. The group identified the options available relating to tackling dog-related anti-social behaviour and undertook an options analysis. This looked at all powers available to the council (and partners) and assessed them for suitability for each of the PSPO conditions. This analysis has found that while the council can issue a Fixed Penalty Notice for fouling, there are no viable alternative legislative options to deal with dog exclusion areas, dogs on lead, dog on lead by direction, and maximum number of dogs. Byelaws were recently introduced in Victoria Park however no provision was put in place for dog control. Due to the length of time it takes to introduce a byelaw and its inflexibility, a byelaw has been discounted as a suitable alternative to a PSPO.
- 6.3 We also undertook a benchmarking exercise, identifying what controls neighbouring and other London local authorities have introduced, if any. This informed the group of ways that the council can tackle the issue efficiently and effectively. This benchmarking found that the majority of boroughs around Tower Hamlets have PSPOs covering dog control including where dogs must be on a lead, where dogs are prohibited and some include maximum number of dogs one person can walk. Boroughs with a PSPO for dog-related ASB include: Newham, Hackney, Islington, Redbridge, Enfield, Haringey, Camden, Westminster, Wandsworth, Southwark, Lewisham and Greenwich.
- 6.4 There is an initial cost of providing signage around dog exclusion areas and dog on lead areas, and introducing a communications campaign to raise awareness. Implementation will be through existing council enforcement officers. This will minimise the cost to implement this proposal. Overall, the PSPO is considered an effective way to introduce dog controls and reduce the negative impact, risk and costs associated with dealing with dog related antisocial behaviour.

- 6.5 **Consultation:** A PSPO cannot be introduced, varied, discharged or extended without consultation. Statutory consultation includes publicity and notification. Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. A consultation plan is appended.
- 6.6 **Crime reduction:** The introduction of a PSPO could reduce low level anti-social behaviour incidents involving individuals who allow their dogs to cause nuisance to the general public and/or use their dogs as a means of intimidation.

7 COMMENTS OF THE CHIEF FINANCE OFFICER

- 7.1 This report seeks approval to go out to public consultation to establish a public spaces protection order as an approach to tackling dog related anti-social behaviour. Any costs associated with this consultation process should the PSPO be implemented will be contained within existing budget provision.
- 7.2 The main costs of delivering the PSPO will be for signage across the borough and staff enforcing it. There is no budget provision to meet the cost of signage and capital funding will be sought through the capital governance process. Enforcement of the PSPO will be undertaken by the existing THEO resource and contained within current budget provision.

8 COMMENTS OF LEGAL SERVICES

- 8.1 A local authority may make a PSPO under the Anti-social Behaviour, Crime & Policing Act 2014 ("the 2014 Act") if it has reasonable grounds to be satisfied that two statutory conditions are met. The first is that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality or that it is likely that activities carried on in a public place will have such an effect. The second is that the effect, or likely effect, is persistent or continuing, that it is or is likely to be so as to make the activities unreasonable, and that the restrictions imposed by the PSPO are therefore justified.
- 8.2 The public place in question may be the entire area or the authority or may apply only in respect of a part or parts of the borough. The PSPO may prohibit specified things from being done in the area(s) to which it applies, or may require specified things to be done by persons carrying on activities in the area, or both. The prohibitions or impositions imposed must be reasonable to prevent or reduce the continuance, occurrence or recurrence of the detrimental effect.
- 8.3 The PSPO may be expressed to apply to all persons, or to those in specified categories, or to all persons except those in specified categories. It may apply at all times, only at certain times, or at all times except those specified.

Similarly, it may apply in all circumstances, only in certain circumstances, or in all circumstances with the exception of any specified.

- 8.4 The PSPO must identify the activities to which it relates and explain the consequences of failing to comply with the Order.
- 8.5 A PSPO is valid for a maximum of three years. It may be extended in accordance with the provisions of the 2014 Act. Equally, PSPOs may be varied or discharged in accordance with the provisions of the 2014 Act.
- 8.6 Prior to making a PSPO, the Council is under a statutory obligation to consult with the chief office of police, any community representatives the Council thinks fit, and the owners or occupiers of any land within the area to be covered by the PSPO. The duty to consult with owners and occupiers of land does not apply in respect of land owned and occupied by the authority and it applies only to the extent that it is reasonably practicable to consult the owner or occupier of the land.
- 8.7 The legal principles that apply to Consultation were established in the case of *R (ex parte Gunning) -v- London Borough of Brent*. These are that: (1) the consultation exercise must be undertaken at a time when proposals are still at a formative stage; (2) the proposer has to give sufficient reasons for any proposal to permit an intelligent consideration and response; (3) adequate time has to be given for consideration and response, and (4) the product of consultation must be conscientiously taken into account in reaching a decision. With respect to the reasons for the proposal, this may require the consultees to be informed of other options considered but discarded and not simply the proposed option. The proposed consultation, including the length of the exercise, would appear to satisfy the requisite criteria.
- 8.8 The Council is also obliged to have particular regard to articles 10 (freedom of expression) and 11 (freedom of assembly) of the Human Rights Act 1998. However, these are qualified rights and can lawfully be restricted or limited where this is a necessary and proportionate means of achieving a legitimate aim, including public safety and the prevention of crime and disorder. It is a question of balancing rights and freedoms of individuals against the needs of the wider community. The proposed PSPO does not appear to infringe on these rights. Therefore, the Council has to take a balanced decision regarding the need for a PSPO and their impact on the freedoms and rights of dog owners. Dog owners have a duty to provide for their dogs' welfare, including exercise. To achieve this aim, the Home Office (and DEFRA) guidance states that where restrictions are in place, local authorities should publish a list of alternative sites which dog walkers can use to exercise their dogs without restrictions in the locality. Therefore, the Council should try to ensure that there are sufficient areas where dog owners can exercise their dogs freely, without breaching the PSPO. This can be explored within the consultation exercise.
- 8.9 Both before and on making a PSPO, it must be publicised in accordance with the statutory requirements. This requires that the text is published on the

Council's website and that it is sufficiently signposted around the borough so as to be reasonably likely to come to the attention of the public.

- 8.10 The validity of a PSPO can be challenged by an application to the High Court by an 'interested person' living in, working in or regularly visiting the area. The grounds for such a challenge can be: (a) that the local authority did not have power to make the order, or to include particular prohibitions or requirements imposed by the order; or (b) that a requirement under the statute was not complied. Any such challenge must be brought within six weeks beginning with the date on which the order is made.
- 8.11 The PSPO may be enforced by the issue of a fixed penalty notice (FPNs) to a person breaching it. This is an alternative to prosecution in the magistrates' court. Currently, the authority to use the enforcement powers under the Act are delegated to officers under the Council's scheme of delegation. The Council may specify the amount of a Fixed Penalty and also provide a discount for early payment. The PSPO may also be enforced by way of commencing a prosecution, either instead of the issue of an FPN or where an FPN has been issued but not paid.
- 8.12 The Council, in 2004, designated certain land within the borough under the provisions of the Dogs (Fouling of Land) Act 1996. Although since repealed, the designation remains in force. However, there are certain pieces of land it does not apply to. It will therefore remain in force alongside any PSPO which may be made.
- 8.13 Section 149 of the Equality Act 2010 places the public sector equality duty (PSED) on local authorities. This requires them, in the exercise of their functions, to have due regard to:
- (1) eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - (2) advance equality of opportunity between people who share those protected characteristics and people who do not;
 - (3) foster good relations between people who share those characteristics and people who do not.
- 8.14 The duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. It is not a duty to achieve a specified result and the duty must be complied with at the time that the decision is made. Issues that may arise in this context, for example, are the potential impact of the PSPO upon those who require assistance dogs. However, some religions view dogs as unclean and may therefore avoid areas where no dog controls exist in order to avoid coming into contact with dogs. It is noted that the proposed PSPO does appear to balance these competing interests and will be further addressed in a full EQIA.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Draft consultation questions (Appendix 1)
- Draft consultation and engagement plan (Appendix 2)
- Draft Equalities Impact Assessment (Appendix 3)
- Draft options analysis (Appendix 4)

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

- NONE.

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(to be reproduced in English, Bengali and one other language as advised)

Dog control public spaces protection order (PSPO)

Consultation FAQs

Why is a Dog Control Public Spaces Protection Order (PSPO) needed?

PSPOs are aimed at ensuring public spaces so they can be enjoyed free from anti-social behaviour.

We know that the vast majority of dogs are well behaved and their owners are law abiding and respectful of others around them. We know that dogs ownership is a very positive experience for many residents, providing companionship and improving exercise rates and mental health of their owners. It is not the intention of a PSPO to demonise all dogs nor penalise responsible dog owners. A PSPO will help us to establish some sensible rules and expectations for dog owners.

The decision to consult on the introduction of a PSPO in Tower Hamlets is in response to a number of enquiries regarding the policy for dangerous dogs in the borough and following a recent spate of high-profile incidents involving out of control nuisance dogs and their owners. Many residents are nervous about the presence of large and intimidating-looking dogs in the borough's parks and green spaces.

The aim of the public consultation is to seek views from all Tower Hamlets residents and interested groups about the range of control measures we can implement through a PSPO.

What will the Dog Control PSPO include?

We are consulting on the following areas:

1. A **'dog fouling of land'** prohibition. This order makes it an offence if dog owners do not remove their dog's faeces straightaway and dispose of it in the proper way.
2. A **'dogs on leads by direction'** requirement. This order gives authorised officers the power to request that dogs be put on a lead in situations where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively towards other dogs or people.
3. A **'dog exclusion'** prohibition. This order identifies certain areas in the borough where dogs are not allowed.
4. A **'dogs on leads'** requirement. This order identifies areas where dogs must be on a lead at all times.
5. A **'maximum number of dogs'** requirement. This order means that there is a limit on the number of dogs someone can walk at one time.
6. A **license for professional dog walkers** who may walk a larger number of dogs, as specified by their insurance.

Exemptions

The following people would be exempt from the Dog Control PSPO:

- a blind person and / or physically or mentally Disabled person who uses a dog for assistance, trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of dogs.
- a dog used by the police or other agencies permitted by the Council for official purposes:
- anyone who has been given permission by the owner, occupier or person in charge of the land (private land), not to comply with the order.

What area would the PSPO cover?

A PSPO can be carried out in a public place, which is defined in the legislation as ‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. The PSPO would apply to the whole of the London Borough of Tower Hamlets area.

How will the PSPO be enforced?

Any person not complying with a PSPO can be issued by an Authorised Officer a fixed penalty notice (FPN) of £100 Fixed Penalty Notice. They can be taken to court if the fine is not paid within the specified timeframe. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) unless:

- they have the consent from the owner, occupier or person in charge of the land, not to comply with the order (private land)
- they have a reasonable excuse for failing to comply, or
- they fall within one of the other exemptions within the order, such as the exemptions in the order for persons who are registered disabled and persons who have a registered assistance dog.

How long will the PSPO last?

A PSPO lasts for three years. After that we would decide whether to renew it in consultation with residents.

Draft questions for consultation

General

1. In what capacity are you responding to this questionnaire

I am a resident	
I work in Tower Hamlets	
I am responding on behalf of an organisation (please specify) [free text box]	

2. What is your postcode? (required)

3. Are you a dog owner?
Yes / No

4. Are you a professional dog walker?
Yes / No

5. Are you an assistance dog user? Or did you used to be an assistance dog user?
Yes / No

- **Assistance dog:** this is dog that is trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of dogs to support blind people or people who are physically or mentally disabled who use a guide dog for assistance.

6. Have you, or a member of your family, or someone you know had any problems regarding dog behaviour in Tower Hamlets the past year? (please select one)

- Yes (me)
- Yes (a family member)
- Yes (someone I know)
- No

7. If you answered 'Yes', was this related to any of the following? (please select all that apply)

- Dog fouling
- Dog running out of control
- Dog attack on a dog or other pet animal
- Dog attack on a person
- Dog loose in children's play area or other dog free area
- Felt threatened by a dog's behaviour
- Stray dog
- Other (please specify):

8. Do you think that there is an issue around dogs being out of control in Tower Hamlets?
How big do you think the issue is?

[scale 1-10 with 1 meaning you don't think dogs being out of control is an issue and 10 meaning you think dogs being out of control is a huge issue]

9. Do you feel like dog mess is an issue in Tower Hamlets? How much of an issue is it for you?

[scale 1-10 with 1 meaning you don't think dog mess is an issue and 10 meaning you think dog mess is a huge issue]

Public Spaces Protection Order (PSPO) options

We are consulting on the following areas. If people do not adhere to these PSPOs they will be issued with a fixed penalty notice.

Please state whether you agree or disagree with the following proposals:	YES	NO	DON'T KNOW
<p>10. A 'dog fouling of land' prohibition.</p> <p>Dog walkers must clean up after their dog.</p>			
<p>11. A 'dogs on leads by direction' requirement.</p> <p>Authorised officers will have the power to request that dogs be put on a lead in situations where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively towards other dogs or people.</p>			
<p>12. A 'dog exclusion' prohibition. This order identifies certain areas in the borough where dogs are not allowed.</p>			
<p>12.1 Dogs should be excluded from all <u>gated</u> children's play areas and sporting areas (Multi use games areas, bowling greens etc) in Tower Hamlets</p>			
<p>12.2 Dogs should be excluded from all ungated children's play areas and sporting areas in use (such as football and cricket pitches, outdoor gym areas) in Tower Hamlets</p>			
<p>12.3 Are there other areas that you think dogs should be excluded from?</p>			
<p>13. A 'dogs on leads' requirement. This order identifies areas where dogs must be on a lead at all times. All public spaces in</p>			

Please state whether you agree or disagree with the following proposals:	YES	NO	DON'T KNOW
the borough including on roads and in car parks and all communal areas on estates.			
13.1 Dogs should be on a lead around all <u>ungated</u> children's play areas and sporting areas (such as football and cricket pitches, outdoor gym areas) in Tower Hamlets			
13.2 Dogs should be on a lead in all parks and opens spaces (except specified dog off lead areas) in Tower Hamlets			
13.3 Dogs should be on a lead in all parks and open spaces (except fenced designated dog exercise areas identified by the council) in Tower Hamlets			
14. A 'maximum number of dogs' requirement. This order means that there is a limit on the number of dogs one person can walk at one time to FOUR .			
15. Should the council introduce professional dog walker licenses?			

Proportionality

Proportionate means when the solution deals with the problem in a reasonable way.

The council is obliged to consider whether introducing a PSPO is necessary and proportionate, particularly if there are existing or alternative measures that can be used to tackle the issue. The council must ensure that it takes a balanced decision regarding the need for these dog control measures and their impact on the freedoms and rights of dog owners. This includes dog owners' duty to provide for their dogs' welfare including exercise.

16. Do you think the proposals are proportionate?

- Yes
- No
- Don't know
- If not, why [free text]

Summary

17. Do you have any other comments on dog control or the Dog Control PSPO in general?
 [free text]

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Communication and Consultation Plan

Consultation on introducing a public spaces protection order to tackle dog-related anti-social behaviour.

1. Intro

- 1.1 Although the majority of dog owners in Tower Hamlets are responsible, there is a growing number who commit dog-related anti-social behaviour, including dog fouling, dogs being off the lead, and dangerous dogs.
- 1.2 This has caused an increase in the number of complaints related to dogs. Therefore, the council is holding a public consultation to seek views from all Tower Hamlets residents and interested groups about the range of control measures that can be implemented through a Public Spaces Protection Order (PSPO).

2. Community engagement

- 2.1 This plan has been developed in adherence to the council's [community engagement strategy 2024-28](#).
- We will work together with other services and with community organisations to identify events and venues we can use to promote the consultation
 - We will actively consult with the hard to reach in the community. We will do this by promoting the consultation via community groups, put up posters advertising the consultation at venues where residents from different sectors of our community visit
 - We will ensure surveys and other communication relating to this consultation is available in Bengali and another community language as appropriate (and to be advised)
 - Where possible, use officers who speak community languages who can support residents who may have English as an additional language.

3. Plan

- 3.1 Both dog owners and residents who don't have dogs but are affected by them need to be consulted.

3.2 Communication channels

Channel	Placing	Group	Content
Social media	Twitter, Facebook, Nextdoor	Dog owners	Posts pointing to the survey asking people to leave their thoughts. Wording will reflect audience of dog owners (e.g. are you concerned about off the lead dogs while walking your pet etc)
Social media	Twitter, Facebook, Nextdoor	Non dog owners	Posts pointing to the survey asking people to leave their thoughts. Wording will reflect audience of non dog owners
Posters	Vets, pet shops	Dog owners	QR code and link to survey, asking people to share their thoughts
Posters	In public spaces	Both	QR code and link to survey

Channel	Placing	Group	Content
Posters	In park cafes/toilets	Non dog owners (predominately)	QR code and link to survey
Paper survey	At community safety events	Both	Paper survey with questions people can fill out
Residents' newsletter	Residents' newsletter	Both	Short para linking through to the survey
Members' bulletin	Members' bulletin	Both	Short para linking through to the survey
Family Matters publication	Family Matters publication	Both	Needs to be focused on families
News story	Our East End	Both	Short info linking to survey
Press release	Local papers	Both	Need info, Cllr quote, be good to have a resident quote, link to survey
Paper copies	In Idea Stores, Resident Hubs	Both	Physical copies of the survey. Opportunity via QR code to take survey online. Copies of surveys to be available in Bengali and another community language as appropriate.
Events	Dog Show in Victoria Park, community safety walkabouts	Both	Physical copies of the survey for stakeholders to complete. Opportunity via QR code to take survey online. Officers available to answer questions.
Information stall	Town Hall foyer for residents accessing residents hub or other services	Both	Physical copies of the survey for stakeholders to complete. Opportunity via QR code to take survey online. Officers available to answer questions.

3.3 Dog Show

3.4 Sunday 8th September 2024 - dog show in conjunction with the charity All Dogs Matter. There will be a stall at the event for the purpose of inviting participation in the consultation there and then. Publicity of the dog show linking to the consultation, both in local press and social media.

3.5 Cost would be some rosettes and prizes and staff overtime if it was on a weekend, they are usually on a Sunday. Spend c£2K on rosettes and little printed gifts – pens, keyrings or the like. Can be used at other stalls as well. Animal Warden Officer can call in favours for lots of the equipment and personnel for the dog show by working with a dog charity. Overtime for 2 Dog Wardens - £300? Maybe some banners for advertising? Approximately £3K.

3.6 Could have paper copies of the consultation for people to fill in at the event and Comms can put a QR code on a poster for people to scan and enter. Photographer - hire for publicity, about £300 for a half day.

3.7 Stall at Town Hall

3.8 Stall at the Town Hall. This will serve two purposes:

- to raise awareness of staff in the consultation – not just to get their own feedback as stakeholders, but in the hope that staff who engage with communities in the course of work could be asked to publicise the consultation via their own services.
- To reach residents who come to the council to access services such as through the residents hub. Residents accessing these services may be part of the hard-to-reach communities who may not be able to access the consultation electronically.

3.9 Internal comms can promote the stall in the Town Hall. Placement could be in the entrance opposite the Residents Hub.

3.10 Copies of posters residents can take and also ask them to take part in the consultation as many members of staff live in TH. Freebies such as pens and sweets. Could bring a guide dog or service dog into the council for the stall (other dogs not allowed), to encourage people to engage with the stall?

<https://www.thebridge.towerhamlets.gov.uk/me-at-work/facilities-management/booking-a-stall-at-the-town-hall>

3.8 Promoting consultation in other venues

3.9 Provide poster about the consultation in care homes, youth programmes or community café spaces. And employees who live in the borough might feel inclined to put a poster up about the consultation in their block or local shop.

3.10 Events in parks

3.11 Our consultations are focused to just that, and don't mix these with accompanied events / activities. Given our consultations are generally site specific we tend to just consult with table, seat, and docs as needed, and nothing more. On rare occasions we may take opportunity of events and do consultations. Again, these will be site specific and not boroughwide.

3.13 Will choose a mixture of sites, including the sites with dog exercise areas, but also with sites which are busy (i.e. with amenities such as playgrounds, exercise areas etc where non dog owners may visit) to get a balance of users with or without dogs. Many larger, busier sites with good amenities will attract both dog owners and non – some listed below:

- Bartlett Pak
- Mile End Park
- Stepney Green Park
- Sir John McDougall Gardens
- Shandy Park
- Ropemakers Fields

Other non-dog allocated areas by popular sites:

- Weavers fields
- Poplar Rec
- Millwall Park
- Bethnal Green Gardens

3.14 Community Safety engagement events

Safer communities officers run regular engagement events that this consultation could coordinate with. We will reach out to the police to try and arrange additional dog awareness partnership events.

Date	Time	Ward	Location	Contact
------	------	------	----------	---------

08/08/2024	1pm - 3pm	Lansbury	Chrisp Street Market	John.Fish@towerhamlets.gov.uk
27/08/2024	1pm-3pm	Bow East	Location TBC	Kiyam.Chin@towerhamlets.gov.uk
17/09/2024	1pm-3pm	Stepney	Location TBC	Michaela.French@towerhamlets.gov.uk
08/10/2024	1pm-3pm	Spitalfields and Banglatown	Location TBC	Leanne.Darby@towerhamlets.gov.uk

4. Audience

- 4.1 The council has a statutory duty to consult on the introduction of a public spaces protection order. It must consult with the police, and relevant interest groups as well as residents.
- 4.2 Local police are aware that the council has been looking into options of dog control for the borough because we have engaged them as part of the task and finish group work that took place in Summer 2023.

Area	Organisation	Consultation method
Regional Government	GLA	Letter/email
Police	Police and Crime commissioner	Letter/email
	Police - Tower Hamlets	
	Police - Newham (neighbouring borough)	
	Police - Hackney (neighbouring borough)	
	Police - City of London (neighbouring borough)	
Community Organisation	Neighbourhood Watch groups	Letter/email requesting feedback Bengali translated and other community language option available, as appropriate
	Online Watch Link (OWL)	
	Safer Neighbourhoods Board	
	Safer Neighbourhoods Ward Panels	
Specialist groups	PDSA	Letter directing to LTTH online portal
	Blue Cross	
	Assistance Dogs UK	
	Animal Shelter	
	Dogs Trust	
	RSPCA	
	Kennel Club	
	Vets in Tower Hamlets	
Community Organisation	Victoria Park Friends	Letter/email directing to online portal for online consultation and information about paper consultations and in-person events
	Friends of Mile End Cemetery	
Housing Providers	Tower Hamlets Housing Forum	Presentation at THHF sub-group. Letter/email directing to online portal for online consultation and information about paper consultations and in-person events
Residents	n/a	LTTH online portal; social media; resident newsletters; TV screens in Idea Stores; in person events for dog walkers Letter/email directing to online portal for online consultation and information about paper consultations and in-person events

Area	Organisation	Consultation method
		Bengali translated and other community language option available, as appropriate
Residents from protected characteristics	Interfaith Forum	LTTH online portal; social media; resident newsletters; TV screens in Idea Stores; in person events for dog walkers Letter/email directing to online portal for online consultation and information about paper consultations and in-person events
	Equalities Hub and Community Equality Networks	
	Youth Council	
	Disability network	
Mayor	LBTH	Meeting; Report
Cabinet Member/s	LBTH	Meeting; Report
Elected Members	LBTH	Article in Members Bulletin

5. Indicative Costings

- 500 A4 posters = £250
- 30 corex A3 posters = £60
- Rosettes, pens, keyrings etc.. = £2,000
- Overtime for animal wardens (dog show / event in park) = £300
- Photographer for hire for ½ day = £300

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Equality Impact Analysis Template

Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Dog Fouling and Dog Control Public Spaces Protection Officer
Service area and Directorate responsible
Community Safety, Parks, and Environmental Services, Communities Directorate
Name of completing officer
Vicky Allen, Strategy, Policy and Improvement Officer
Approved by (Corporate Director / Divisional Director/ Head of Service)
Date of approval
Click or tap to enter a date.

Where a proposal is being taken to a committee, please append the completed EIA(s) to the cover report.

Conclusion – To be completed at the end of the Equality Impact Analysis process

This summary will provide an update on the findings of the EIA and what the outcome is. *For example, based on the findings of the EIA, the proposal was rejected as the negative impact on a particular group was disproportionate and the appropriate actions cannot be undertaken to mitigate risk. Or, based on the EIA, the proposal was amended, and alternative steps taken.*

The focus of this is to analyse the impacts of the proposal on residents, service users and the wider community that are likely to be affected by the proposal. If the proposed change also has an impact on staff, the committee covering report should provide an overview of the likely equality impact for staff, residents and service users and the range of mitigating measures proposed.

Conclusion	Current decision rating (see Appendix A)

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

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with ‘protected characteristics’ and those without them
- Foster 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: General information about the proposal

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

Following a spate of high-profile incidents involving dangerous dog behaviour, the council intends to introduce a Public Space Protection Order (PSPO) to control the presence and behaviour of dogs and their owners.

Tower Hamlets currently has no formal enforcement tools to deal with irresponsible dog ownership with the exception of dog fouling for which Tower Hamlets Enforcement Officers (THEOs) have power to issue Fixed Penalty Notices (FPNs) for. The recently introduced parks by-laws do not cover irresponsible dog ownership.

The anti-social behaviour, crime and policing act 2014 introduced PSPOs as a tool available to councils to tackle anti-social behaviour. A breach of a PSPO without a reasonable excuse is an offence and a fixed penalty notice can be issued. The council already has PSPOs in place to tackle anti-social behaviour relating to reckless driving, cycling, groups congregating, racing vehicles, drugs and drinking.

The PSPO will be used in conjunction with education and information campaigns to ensure that dog owners are aware of the requirements and have the information they need to change their behaviour.

It is a well-established fact that dogs can play a huge role in improving mental health of their owners, higher rates of exercise and social interaction can be a positive outcome of dog ownership. It is important that a PSPO does not unduly limit dog owners rights to exercise their dog because of a small number of irresponsible dog owners. Conversely, controls introduced by the PSPO may have a positive impact on dog owners who are concerned about dog-on-dog attacks, especially those with smaller dogs. The report identifies the mitigating actions taken to address these concerns.

Section 3: Evidence (consideration of data and information)

What evidence do we have which may help us think about the impacts or likely impacts on residents, service users and wider community?

- Council complaints data
- Hospital data for dog bites
- FPN / arrest data from Met Police
- Census 2021
- Feedback from consultation exercise (post consultation)

Complaints – council data indicates there were 20 official complaints made about dangerous dog / owner behaviour between March-June 2023. Of those, 6 were recorded as dog on animal attack and 3 were dog on human attack. Attacks were reported on all land types (parks, estates, streets), and in all postcode areas in the borough.

Hospital data – accident and emergency hospital episode statistics for dog bites (coded W540) shows that between 2013/14 and 2022/23 there were between 1 and 9 episodes per year. The average was 3.5 episodes per year. The number of recorded episodes in Tower Hamlets is lower than the London average of between 3.9 and 6.4 attacks per year over the same period. It is important to note that the number of episodes recorded through A&E records is likely to under report the overall number of attacks and incidents occurring in the borough.

FPN / arrest data – 283 offences in Tower Hamlets recorded by the police over a 5 ½ year period (2018-2023). 43.5% of offences took place on the street and 29% in parks and open spaces. Victims include adults, children, delivery drivers, postmen, car washers and caregivers. Some incidents where dogs attacked assistance animals.

Dog ownership in Tower Hamlets (estimated) - Modelled data from the Animal and Plant Health Agency published in Mar 2023 (relating to 2015) indicates there may be around 24,000 dogs in Tower Hamlets. [Dog population per postcode district - data.gov.uk](https://data.gov.uk).

It is important to ensure that there is sufficient space for dog exercise off the lead.

Postcode District	Dogs Per Household	Number of Households	Number of Dogs
E1	0.04828055	72,549	3,502.71
E1W	0.04695858	11,961	561.67
E2	0.05979562	75,860	4,536.10
E3	0.14805901	44,939	6,653.62
E14	0.08279791	105,004	8,694.11

Census 2021

Age

11.9% of the population is aged 0-9 years old. This age group is most likely to use play parks and other play equipment. Small children may be overwhelmed and/or more susceptible to attack or injury by dogs off the lead.

5.7% of the population are aged 65 and over. Dog owners of this age may find it more difficult to travel to dog-friendly exercise areas due to physical impairment.

Disability

Census data on general health in Tower Hamlets indicates 4.9% of residents have bad health or very bad health. And for limitation of day-to-day activities data indicates that 13% of residents are disabled under the equality act (day to day activities limited a lot or a little). For those residents who use

There are exemptions under the PSPO for people who rely on assistance dogs for assistance with their disability - registered blind or is deaf, has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.

Mental health

Animal ownership can improve owners mental health. The most recent PAW report identified that 51% of owners surveyed gave for deciding to get a dog was that they make

them happy. 37% stated dog ownership was for companionship, 45% said for love and affection, and 31% said for exercise. [pdsa-paw-report-2023.pdf](#)

Sex

In Tower Hamlets 49.8% of residents are female and 50.2% are male.

Gender reassignment

0.6% of residents in Tower Hamlets said their gender identity was different from that registered at their birth.

Marriage and civil partnership

Dog ownership in UK

[National Dog Survey: Describing UK Dog and Ownership Demographics - PMC \(nih.gov\)](#)

This report from March 2023 stated people with the following demographics were most likely to own a dog. 34.9% of dog owning households were made up of two people. 25.5% of dog owning households contained children. Younger people aged 18-34 were more likely to have acquired a dog during the pandemic compared to older age groups. There is no data at local authority level.

Section 4: Assessing the impacts on different groups and service delivery

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Protected				
Age (All age groups)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Older people</p> <ul style="list-style-type: none"> • Potential inability to remove dog fouling due to physical impairment. • Physical impairment may reduce the ability to restrain their dog/s on the lead. • May have to travel further to exercise their dog off the lead. • Reduced mobility may negatively impact ability for older residents to access land where dogs can be let off the lead / dog exercise areas due to distance, and terrain. <p>Children</p> <ul style="list-style-type: none"> • It can be assumed that young children who are more likely to be playing on the ground are most likely to benefit from the reduction of dog fouling and a play environment that is safer from accidental trips from uncontrolled dogs or over leads. • Safer for children whose behaviour may agitate a dog causing fear, injury or conflict, either by accident or on purpose. Children can be noisy and unpredictable in their movements and behaviour which could cause some dogs to react in a way which may be, or may be interpreted as aggressive. Prohibiting dogs from children’s play areas may reduce upset, conflict or injury. • Toxoplasmosis can be a more dangerous infection for people with a weakened immunity and can lead to serious complications.

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Disability (Physical, learning difficulties, mental health and medical conditions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> • Potential <u>inability</u> to remove dog fouling due to physical impairment. • Physical impairment may reduce the ability to restrain their dog/s on the lead. • May <u>have to</u> travel further to exercise their dog off the lead. • <u>Reduced mobility</u> may negatively impact ability for older residents to access land where dogs can be let off the lead / dog exercise areas due to distance, and terrain. • Cognitive impairment may impact some dog owners ability to understand restrictions. • <u>Toxoplasmosis</u> can be a more <u>dangerous</u> infection for people with a weakened immunity leading to serious complications. <p>As people with some disabilities may find it more challenging to comply with the Dog Control PSPOs therefore included in the order are exemptions for people with assistance dogs.</p> <p>Assistance dogs are for those who are trained to support people who rely on their assistance with their disability - registered blind or is deaf, has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.</p>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of sex.</p>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of gender reassignment.</p>
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of civil partnership.</p>

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Religion or philosophical belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of religion or philosophical belief.
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of race.
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no estimated direct or indirect disproportionate impact of these proposals to residents on the grounds of sexual orientation.
People with Care Experience	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	For children with care experience, see age section above. Statistics ¹ show that 40% of care-leavers experience homelessness within the first six months of leaving local authority care and in general care leavers make up 25% of the

¹ [Young adults leaving the care system – The Care Leavers Association](#)

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
				<p>adult homeless population². Studies show that many people who are homeless rely on dogs for companionship, comfort, warmth, unconditional love and support³. The proposal would only exclude dogs from children’s play areas and sports areas. The proposal may require dogs to be on leads on highways and pavements but would not exclude dogs from being on the highways and pavements. The proposal does not alter any arrangements between a child with care experience who has a dog and their carer.</p>
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>People who are pregnant or on maternity leave may be less agile than other groups of people and therefore may find it more difficult to avoid dogs that aren’t under control of their owner/walker.</p> <p>Toxoplasmosis can be a more dangerous infection for people with a weakened immunity and people who are pregnant and can lead to serious complications.</p>
Other				
Socio-economic	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no known direct or indirect disproportionate impact in terms of dog control for residents on the grounds of religion or philosophical belief.</p>

² [Home For Good | Care Leavers and care-experienced young people](#)

³ [Street Paws - Home](#)

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Parents/Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Caring for an individual may become easier where there is provision for dogs being on leads.
People with different Gender Identities e.g. Gender fluid, Non-Binary etc	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no estimated direct or indirect disproportionate impact of these proposals to residents on the grounds of gender identity.
Any other groups - Homeless people.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Homeless people. The PSPO covers the following areas: 1) dog fouling 2) dogs on lead by direction 3) dogs on lead in specific areas 4) dog exclusion areas 5) maximum number of dogs. The policy does not exclude any person from owning a dog, and the PSPO orders would not disproportionately affect a homeless person and their dog on the street.</p> <p>The proposal is that dog exclusion areas relate to gated (and possibly ungated) children’s play areas or sports areas. The council has a duty of care to provide accommodation for homeless people with children.</p> <p>There is no proposal to change any existing rules relating to the admittance of dogs into indoor public spaces. This policy is set by other council services (customer services / facilities). Current practice is that guide dogs are the only dogs eligible to be brought inside council buildings.</p> <p>It is assumed that a homeless person will be unlikely to be able to afford to pay a fixed penalty notice. However, a fixed penalty notice is only issued for</p>

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
				<p>persistent dog-related ASB and where PSPO conditions are not adhered to when requested by an enforcement officer.</p> <p>There council has mechanisms to support homeless people with dogs if they need to access services. This may include signposting to responsible ownership courses offered by charities, animal warden officers working in collaboration with adult social care to pay for boarding.</p> <p>In addition, the council works closely with two charities that support homeless people with dogs: Dogs on the Street, and Streetdogs who will provide support with food, vet care, leads and muzzles and temporary pet care.</p>

DRAFT

Section 5: Impact analysis and action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Update on progress




Section 6: Monitoring

What monitoring processes have been put in place to check the delivery of the above action plan and impact on equality groups?

- Monitoring number of complaints received relating to dog incidents and conflict – the PSPO may reduce the number of complaints received relating to dog incidents and conflicts.
- Monitoring the number of FPNs issued relating to breaches – communicating PSPO orders may limit the number of FPNs issued.
- Analysing incident type, location, victim and perpetrator equality characteristics (where practicable) etc. to understand where targeted enforcement and/or information, advice and guidance is needed.
- Number of attendees at events where there is information, advice and guidance about dog behaviour – where these events occur.

Appendix A

EIA decision rating

Decision	Action	Risk
<p>As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act and appropriate mitigations cannot be put in place to mitigate against negative impact. It is recommended that this proposal be suspended until further work is undertaken.</p>	<p>Suspend – Further Work Required</p>	<p>Red</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.</p>	<p>Further (specialist) advice should be taken</p>	<p>Red Amber</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Impact analysis and action plan</i> section of this document.</p>	<p>Proceed pending agreement of mitigating action</p>	<p>Amber</p> 

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Options analysis assessment

Dealing with dog related anti-social behaviour. Public Spaces Protection Order options analysis

Issue	Option	Analysis	Outcome
<p style="text-align: center;">Page 129</p> <p>All elements</p>	<p>Public Spaces Protection Order (PSPO)</p> <p>PSPO for Dog Control was previously called Dog Control Orders (DCOs) introduced by Section 55 of the Clean Neighbourhood and Environment Act 2005 (CNEA). CNEA was repealed and DCO were replaced by PSPO. The council did not adopt/create a DCO, therefore in relation to Dog Fouling enforcement we had to continue to use The Dogs (Fouling of Land) Act 1996. This was repealed in March 2007 by the CNEA. While any local authority that did not adopt DCOs can carry on using The Dogs (Fouling of Land) Act 1996 for dog fouling enforcement, it may prove difficult to explain to a court why the current legislation was not adopted should someone choose not to pay their fine.</p>	<ul style="list-style-type: none"> • Primary legislation for dog control which most LAs with dog control measures are now using. • Has gravitas as failure to comply with a PSPO is a criminal offence. <p>In addition:</p> <ul style="list-style-type: none"> • A significant number of local authorities have successfully implemented PSPOs since they were introduced. • Controlled by local authorities, relatively straight forward to introduce. Can be reviewed, updated or repealed. • Dog faeces can be dangerous to human health. Toxocariasis is a rare but serious infection caused by small worm eggs found in the faeces of some dogs, cats and foxes. Human and animals can become infected if faeces, soil or sand containing eggs is ingested. • courts prefer use of most up to date legislation • higher FPN fee (DFOLA limited to £50) • ability to apply it to more areas (rather than limited to already designated land) • more streamlined to have all dog controls under one Order • all staff authorised to enforce PSPOs can enforce it without separate authorisations 	<p>Recommended option in conjunction with education and advice</p>
<p>All elements</p>	<p>Education and advice</p>	<ul style="list-style-type: none"> • Will save council money where most people will adhere to these measures alone. • Without ability to enforce education and advice alone doesn't have an impact on anti-social behaviour. • Signage advising where dogs are allowed and not allowed included. 	<p>Recommended in conjunction with Dog PSPO</p>

Issue	Option	Analysis	Outcome
All elements	Tenancy agreements & RP enforcement	<ul style="list-style-type: none"> Only applies to certain residents in RP accommodation. Does not apply to residents and private tenants, freeholders or people who do not live in the borough. Does not cover all areas of the borough and does not apply to residents who do not live on RP estates with dog specific tenancy agreements. Different rules will apply depending on the RP which is not equitable. Outcome for persistent ASB unlikely to result in eviction, particularly if there are children in the household because of the duty to accommodate. 	Not appropriate on its own. RPs should be encouraged to enforce along with support from council wide comms and engagement

Issue	Option	Analysis	Outcome
Dog fouling Page 130	Use of existing dog fouling legislation. <i>Dogs (Fouling of Land) Act 1996, Section 4 DI.</i> Retained as a power enforceable in LBTH via the <i>Clean Neighbourhoods and Environment Act 2005 (Commencement No.1 Transitional Savings Provisions) (England) order 2006.</i> <i>Act repealed.</i>	<ul style="list-style-type: none"> Act repealed in majority of local authorities. This is because those Councils that introduced dog control orders under the CNEA effected the repeal of the Dogs (Fouling of Land Act). LBTH did not introduce dog control orders, and THEOs apply this legislation when issuing fines for dog fouling. Brings council in line with what other local authorities use to control this issue. 	Adequate for dog fouling but cannot be applied to other areas covered by PSPO.
Dogs on lead by direction	No other practical option identified		
Dog exclusion areas	No other practical option identified		
Dogs on leads	No other practical option identified		
Maximum number of dogs	No other practical option identified		
For all elements	Community Protection Notices and Injunctions	<ul style="list-style-type: none"> A Community Protection Notice can only be used where behaviour is detrimental to the quality of life of the people in the locality AND is persistent AND is unreasonable. The first part of the test might be proven in specific cases of any of the conditions but it is unlikely that the other elements would be with arguments about reasonableness in particular being problematic and the behaviour needing to be persistent and so not a one-off matter. 	Not appropriate

Issue	Option	Analysis	Outcome
		<ul style="list-style-type: none"> Injunctions are “To stop or prevent <i>individuals</i> engaging in antisocial behaviour”. Names and addresses of individuals causing ASB would be needed, very significant officer time per case would need to be expended and each case might take a number of months to reach a conclusion – and the argument of a person with 5 dogs properly under control for example not being ASB can also be made, means that use of the injunction is not practicable. 	
For all elements	Byelaws	<ul style="list-style-type: none"> Byelaws cannot be made under this section if provision for the purpose in question is made, or may be made, under any other enactment. Byelaws should not therefore be made under section 235 where general or local legislation addresses the problem or in respect of any area where another byelaw-making power is available. 	Not appropriate
Dogs on Leads	Road Traffic Act 1988 Section 27 dogs on leads on designated roads	<ul style="list-style-type: none"> Council has no powers on TfL or Estate highways. 	Not appropriate
For all elements	Criminal Behaviour Order Part 2 of the ASB act	<ul style="list-style-type: none"> Not a tool for the council. Council can apply for a CBO which is issued by court. Related to criminal activities. Applies to the individual not the whole. 	Not appropriate
For all elements	Civil Injunction	<ul style="list-style-type: none"> Not a tool for the council. Applies to the individual not the whole. Council can apply to the court to obtain a civil injunction. To keep people away from an area or person. Deals with serious ASB issues only. Can be an arrestable offence. Involves courts which is time consuming and resource intensive to administer. 	Not appropriate
For all / any elements	Do nothing	<ul style="list-style-type: none"> Could save council budget relating to the initial signs set up. Most dog owners are responsible and their dogs are well behaved. However, this option does not take into consideration the fear of the local community regarding dog related ASB / poor dog management. There is a risk that people, particularly more vulnerable residents such as children, could be injured or harmed when steps could be put in place to reduce that risk. 	Not recommended

Issue	Option	Analysis	Outcome
Dog fouling	Environmental Protection Act 1990	<ul style="list-style-type: none"> • Councils are legally responsible for keeping land which is under their control, and to which the public has access, clear of litter and refuse. • Dog fouling is considered litter and the council has a legal duty to ensure the streets are clear of litter. However, the council cannot use the environmental protection act 1990 which it uses for issuing FPNs for littering because of the presence of other legislation covering dog fouling (PSPO). 	Not appropriate

Tackling dog-related anti-social behaviour.

Appendix 5

Data

It is estimated that there are 10.6 million dogs in the UK. Data from the Animal and Plant Health Agency estimates around 9% of UK adults own a dog in London, lower than the UK average of 28%. It's not known how many dogs there are in Tower Hamlets.

According to the Paw Report 2024, there has been an increase in dog bite cases in recent years. The number of dog bite-related hospital admissions in England between 1998 and 2018 showed an increase in adult cases. In 2024 there has been significantly more dogs that have bitten a stranger in the home where professional medical care has been needed (1.2%) compared to 2022 (0.55%). It is important to note that it is not known in what context any of these reported bites occurred, and there are multiple potential factors, both human and dog related, involved in the increase in dog bite incidents.

What behaviours does your dog show? (Paw Report 2024)	
Jumping up at people	30%
Barking or vocalising	22%
Showing signs of fear	12%
Growling, snapping or biting unfamiliar dogs	11%
Growling, snapping or biting familiar dogs not in the household	4%
Growling, snapping or biting familiar dogs in the household	3%
Growling, snapping or biting owners / carers	2%
Behaviour towards my children that worries me	2%

In Tower Hamlets incidents and complaints about dog behaviour is reported through a number of avenues.

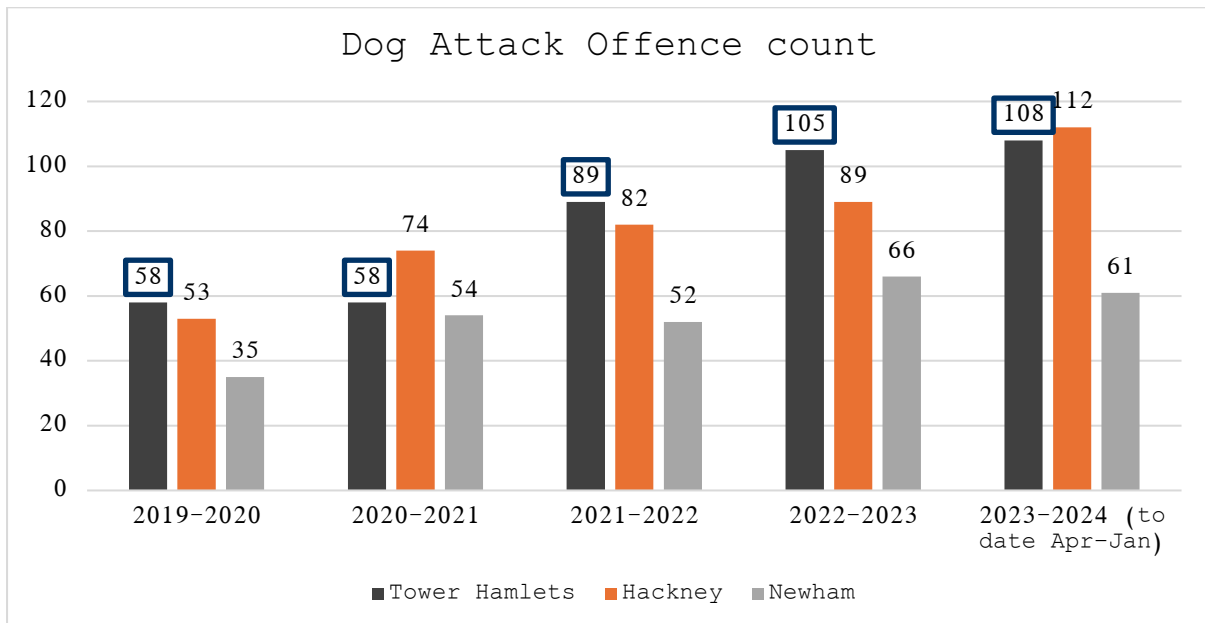
Member Enquiry / Complaints data: Between 2022-2024 there have been 101 member enquiry, or complaints about dog behaviour. This includes eight were about dogs off the lead; 43 were about dog fouling; 24 were about general nuisance / ASB; and 23 were to report a dangerous dog (actual or perceived).

Enforcement activity: During the same reporting period, enforcement officers dealt with 690 incidents, with the majority being dealt with by the council's animal warden team, with community safety, noise, out of hours and housing teams picking up some. The top five issues were:

- Stray dogs (195 incidents)
- Barking dogs (172 incidents)
- Dog fouling (118 incidents)
- Dangerous dogs (103)
- Non-specific complaint about dogs (65)

Dog fouling reported through the council's find it fix it app amount to 182.


FPN / Arrest data: Fixed Penalty Notice / arrest data shows that the dog attack offence rate in Tower Hamlets is 0.3 per 1,000 population. This is comparable to the London average. However there has been a 20.2% increase compared to the previous twelve months (leading to January 2023).



Hospital incidents: In response to a media request for data relating to dog bites and reconstructive surgery the NHS provided a count of finished consultant episodes with an external cause code of bitten or struck by a dog, 2007-08 to 2022-23 (provisional data Apr-Nov 2022). In 2021-22 there were 8,819 such incidents compared to 7,443 the previous year. Not a count of people as it is possible for an individual to have had more than one episode of care in any given time period.

Accident and Emergency hospital episode statistics for dog bites (coded W540) indicate that in 2021-22 there were 2,887 incidents in England, 195 in London and 7 in Tower Hamlets.

Agenda Item 6.6

<p>Cabinet</p> <p>Wednesday, 24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Somen Banerjee, Interim Corporate Director, Health and Social Care</p>	<p>Classification: Open (Unrestricted)</p>
<p>Arrangements for provision of integrated sexual and reproductive health services post 2025.</p>	

Lead Member	Councillor Gulam Kibria Choudhury, Cabinet Member for Health, Wellbeing and Social Care
Originating Officer(s)	Liam Crosby, Associate Director for Public Health – Healthy Adults Sukhjit Sanghera, Public Health Programme Lead for Healthy Young Adults
Wards affected	All Wards
Key Decision?	Yes
Reason for Key Decision	Financial threshold
Forward Plan Notice Published	04/06/2024
Exempt information	N/A
Strategic Plan Priority / Outcome	5: Invest in Public Services.

Executive summary

Tower Hamlets has high levels of need around sexual and reproductive health (SRH), and this causes health inequalities particularly for BAME, young residents and LGBT communities. Changes to our population and to sexual behaviours are meaning that need for sexual and reproductive health among our residents – such as rates of Sexually Transmitted Infections (STIs), and demand for contraception – is increasing.

It is a legal requirement upon LBTH to provide comprehensive, open access sexual health services for contraception and testing and treatment of sexually transmitted infections. LBTH are legally liable to be charged by any services that our residents choose to access – across London or beyond.

In order to meet our residents' sexual and reproductive health need and to address this financial liability, we commission a range of open access integrated SRH services for preventing STIs and HIV and providing contraception. LBTH participates in North-East London collaborative commissioning of our local in-clinic SRH service "All East". This joint contract enables cost efficiencies and allows us contract control over nearby sites (such as in Stratford) that many residents use. We also participate in London-wide collaborative commissioning of our online e-service, which provides simple STI testing at a much-reduced cost compared to in-clinic (while maintaining high levels of resident satisfaction).

System transformation in recent years (particularly the introduction of the e-service which provides STI testing at much-reduced cost, and a London-wide integrated Tariff for in-clinic services) has reduced LBTH's annual spend on SRH from £8.9m to £6.5m over the last decade, despite the fastest population growth in the country (including young, sexually active population) and substantial increases in SRH need. These collaborative arrangements have successfully maintained access to high quality integrated SRH services across London for Tower Hamlets' residents, while containing costs during a period of population growth and increases in SRH need.

Our in-clinic services are provided by local NHS providers and there is very limited competitive market for these services. They are very complex services, embedded into secondary care and requiring substantial clinical governance / adherence, and pathways with a wide range other clinical services (Pathology and lab services, HIV, TOPS, Maternity, Obstetrics and Gynaecology, etc) and with other SRH services. This complexity and requirements for clinical adherence means procurement and mobilisation of any new service is extremely costly to both providers and commissioners. For these reasons, relatively long contracts have been in place and are recommended going forward. The contract will have a performance element to enable strong contract management and continued high quality delivery throughout the life of the contract.

Firstly, Cabinet is requested to grant permission to commission in-clinic integrated Sexual and Reproductive Health services ("All East") collaboratively with other North East London boroughs, and to enter into collaborative arrangements and joint contracts to ensure the continued provision of high value, cost-effective in-clinic services to our residents. Secondly, Cabinet is requested to grant permission for

continued involvement in pan-London commissioning arrangements of the online London sexual health and contraceptive e-service (“SHL.UK”), which is an integral part of the London SRH service system.

Recommendations:

Regarding our in-clinic integrated sexual and reproductive health services, the Mayor in Cabinet is recommended to:

1. Agree to enter into a collaborative commissioning process together with Newham, Waltham Forest and Redbridge to secure a joint contract, with participating boroughs as named parties, for the provision of clinical Integrated sexual and reproductive health (SRH) services; with the details of the contract to be based on agreements with the collaborating boroughs and as set out in paragraphs 3.27-3.37: a 5-year contract with the option to extend for a further 3 terms of one year each, with an estimated maximum total contract value for Tower Hamlets of £30,988,015. This would be funded from the public health grant.
2. Authorise the Director of Public Health to enter into a contract with the selected provider following the joint procurement set out in recommendation 1, and to make relevant amendments to baselines or tariffs, following consultation with the Mayor, Lead Member for Health, Wellbeing and Social Care, Head of the Legal Services, and Chief Financial Officer.
3. Authorise the Director of Public Health to enter Tower Hamlets as a named third party into contracts with SRH services elsewhere in London, in order to enable cross-charging using the advantageous London Integrated Sexual Health Tarriff where our residents use those services.

Regarding the online London sexual health e-service SHL.UK, the Mayor in Cabinet is recommended to:

4. Approve the continued intention to commission the London sexual health and contraceptive e-service, SHL.UK from 2026.
5. Agree for the London Borough of Tower Hamlets to be named as a Related Authority when the service is reprocured by the Lead Authority, City of London Corporation, in 2025.
6. Approve the LB Tower Hamlets’s participation in the procurement of a new contract for the provision of the London sexual health and contraception e-service, as set out in paragraphs 3.48-3.55. The contract will be for an initial period of 5 years from 2026/27 to 2031/32, with the option for extension by two further periods of two years each. The Council’s proportion of the total contract spend over the nine years will be based on activity levels, which are estimated to be in the range of £1.1m to £1.4m per annum, or a combined total of £11m over 9 years.

7. Authorise the Director of Public Health to sign the Inter-authority agreement (IAA) with City of London Corporation, and after the procurement exercise to enter into a contract with the service supplier for provision of services for residents of the London Borough of Tower Hamlets, following consultation with the Mayor, Lead Member for Health, Wellbeing and Social Care, Head of the Legal Services, and Chief Financial Officer.

1 REASONS FOR THE DECISIONS

- 1.1. Sexual and reproductive health is a public health priority in Tower Hamlets, as across London. Tower Hamlets has high levels of need for sexual and reproductive health services, due to the make-up of our population. In Tower Hamlets, as elsewhere across London and England, there has been increases in sexual and reproductive (SRH) health need, such as rates of STIs or demand for contraception. The demand on sexual health services across London continues to rise, with a significant rise in complex cases and in syphilis and gonorrhoea diagnosis.
- 1.2. The council has a legal requirement to provide comprehensive, open access sexual health services for contraception and testing and treatment of sexually transmitted infections. Tower Hamlets residents are able to access any specialist clinic in the UK, and the council are liable to be charged for the activity. Given the increase in demand which has been seen, without concomitant increase in funding via the Public Health Grant, commissioners in Tower Hamlets have since 2015 implemented an approach that has averted substantial unsustainable cost increases.
- 1.3. Collaborative commissioning arrangements, strengthened over the past decade, have addressed enabled substantial savings through jointly agreed tariffs and re-charging mechanisms, as well as innovative introduction of online “e-service” to deliver low-risk, low-complexity activity (such as STI testing and results management) in a more cost effective way. As a result, LBTH’s spend on SRH as decreased from £8.9m to £6.5m over the last decade, despite substantial population growth and increases in SRH need. Our current arrangements have demonstrably reduced costs, enable access, and ensure stability of the SRH system, at a time of substantial increases to need for these services.
- 1.4. Through these collaborative commissioning arrangements we provide services to Tower Hamlets residents (a) by our local integrated sexual and reproductive health service, which we commission jointly with Newham, Waltham Forest and Redbridge; (b) by other London Providers, of which we are named as ‘third party’ in order to allow for cross-charging; (c) via the pan-London online e-service.

For in-clinic integrated SRH services:

- 1.5. A collaborative approach (together with other NEL boroughs) to commissioning our local in-clinic integrated SRH service “All East” enables us to have direct commissioning control over the local services where large amounts of our residents’ activity take place (both in Tower Hamlets at Whitechapel and Mile End, and in other boroughs such as in Stratford (Newham) and Waltham Forest). It brings wider benefits such as contract control, joint learning, and efficiencies of scale.
- 1.6. These collaborative commissioning arrangements have also successfully enabled us to increase priority types of activity – such as targeting particular ‘at risk’ groups (such as BAME men and women), or priority interventions (such as long-acting reversible contraception (LARC), or pre-exposure prophylaxis for HIV prevention (PrEP).
- 1.7. As commissioners we are determined to ensure value for money and to avoid provider complacency. There are several reasons why these services require relatively long contracts. Firstly, the services are provided by local NHS providers and there is very limited competitive market for these services (in the 2017 tender, there was only one bidder, Barts Health NHS Trust). Secondly, these are complex specialist healthcare services, embedded into secondary care and requiring substantial clinical governance / adherence, and pathways with a wide range other clinical services (Pathology and lab services, HIV, TOPS, Maternity, Obstetrics and Gynaecology, etc). This complexity and requirements for clinical adherence means procurement and mobilisation of any new service is extremely costly to both providers and commissioners. Thirdly, there are known risks to shorter contracts not being able to recruit and retain specialist staff (medical doctors, laboratory specialists etc). For these reasons, relatively long contracts have been in place and are recommended going forward. The contract will have a performance element to enable continued strong contract management and continued high quality delivery throughout the life of the contract.
- 1.8. In order to control costs and influence the activity delivered for Tower Hamlets residents at other London providers, Tower Hamlets is routinely named as a third party on other services’ contracts. This means that we can be cross-charged on the improved terms of the London tariff (rather than the more expensive national tariff), and that we can set ‘baselines’ – i.e. levels of activity that we will pay for above which reduced rates are applied – and exert financial controls. At present approximately 50% of all specialist integrated SRH provision takes place outside of our local provider, making these third party arrangements particularly important for controlling costs.

For the online London sexual health e-service SHL.UK:

- 1.9. The online London sexual health e-service “SHL.UK” was introduced in order to provide a cost-effective approach to ‘simple’ sexual health services: STI testing and results, some simple treatment. Since the pandemic, health-seeking behaviours around SRH have changed substantially, with many residents keen to access services online.

- 1.10. It is estimated that the existence of the e-service saves approximately £1.6m-£2.4m to the Council, compared to if the same Activity (STI testing) took place in in-clinic services. Test positivity in the e-service remains at a level that indicates that appropriate activity is taking place there, rather than creating unnecessary demand. The e-services therefore addresses appropriate 'simple' activity in a highly cost-effective way, while enabling in-clinic services to address more complex SRH need.
- 1.11. Since 2017, the e-service has achieved strong service user satisfaction (98% of users rate the service highly), reduced the average cost per unit of STI testing and treatment, and has integrated well with in-clinic services.

2 ALTERNATIVE OPTIONS

- 2.1 Rather than agreeing to continued collaboration with other London commissioners (recommendations 1 and 2), LBTH could seek to commission these services alone without collaboration. This would result in lack of control over the large amounts of activity that happens in neighbouring boroughs' clinics (at present, over 25% of TH residents' activity within our local Service takes place in Stratford's Sir Ludwig Guttman centre). This option is not appropriate due to: increased fragmentation across the system, substantial negative implications for cost containment, negative implications for service quality, patient experience and access, and high risk that no suitable provider would be available for the reduced size of contract.
- 2.2 Rather than continue to be named as third parties (recommendation 3) on other clinics' contracts elsewhere in London, we could revert to uncontrolled re-charging based on the national tariff. The national tariff is substantially more expensive than the London tariff. Furthermore we would not be able to set baselines and exert financial control on the activity for our residents at other London providers. This option would not bring any benefits to the Council or to our residents.
- 2.3 Cabinet could reserve the authorisation of the final contract award rather than delegate this to the Director of Public Health (recommendation 2). However as this is a joint procurement, this would be out of line with the approach taken by other Boroughs, and would pose risks to the joint procurement. Cabinet could choose not to delegate authority to name LBTH as a third party on contracts but this is a straightforward administrative action that is integral to the wider approach.
- 2.4 Cabinet could choose to opt for a different length or nature of contract or service, but this would require us to not collaborate with other London commissioners, thus incurring the disbenefits set out in paragraph 2.1 and 2.2. Alternative options around the length and nature of the contract have been explored and discussed with the Lead Member and Mayor (as well as with collaborating boroughs), and the preferred options are presented in this paper. See also paragraph 3.32 for the rationale for the recommended contract length.

3 DETAILS OF THE REPORT

SEXUAL AND REPRODUCTIVE HEALTH NEED IN TOWER HAMLETS

- 3.1 Tower Hamlets experiences high level of need for sexual and reproductive health (SRH). Rates of diagnosis of new sexually transmitted infections (STI) continue to be higher than London and England. Tower Hamlets has the 6th highest rate of new STI diagnosis across London. Since the pandemic we have seen an increased rate of STI infections - particularly of gonorrhoea and syphilis - following a similar trend across London. While rates of new diagnosis of HIV have fallen over the past years, an increasing proportion of new diagnoses are 'Late Diagnosis': such cases suffer much greater health harm, and increased risk of transmission.
- 3.2 Several factors mean Tower Hamlets' population has high and growing need around sexual and reproductive health. The size of our young and sexually active population has grown substantially. We have large and growing populations in key 'at risk' groups (the groups with highest rates of STIs including young people, minority ethnic groups, and Gay and Bisexual Men who have Sex with Men (GBMSM); the groups with highest need for reproductive health include young women). Across London we have seen an increase in the proportion of people that identify as lesbian or gay from 1.9% 2014 to 3.3% in 2021. The 2021 census data showed that in Tower Hamlets 18,000 people identified as lesbian or gay, which was much higher than the London and England average.
- 3.3 Providing high quality, effective and integrated sexual and reproductive health services is an important way to address the above health need. Given the unequal distribution of need among our population, these services are essential to reduce health inequalities, such as the increased rates of STIs among BAME, young people and GBMSM.
- 3.4 Responsibility to provide open access integrated sexual health services that meet the sexual and reproductive health needs of residents falls to Local Authorities, funded through the Public Health Grant.

BENEFITS OF SERVICES AND ACHIEVEMENTS MADE TO SERVICES IN RECENT YEARS

In-clinic integrated SRH services:

- 3.5 Our joint contract with our local provider has enabled collaboration with other commissioners across North East London, and joint management of our local services. This has resulted in a number of significant benefits, such as the integration of the online e-service via pathways to ensure appropriate channel shift; innovative service developments such as the delivery of PrEP which has contributed to substantial reductions in HIV new diagnoses, and strong recovery of high priority activity types since the pandemic.

- 3.6 In 2022-23 the in-clinic integrated sexual health service had 36,190 consultations with Tower Hamlets residents and 33% of these were for residents that were accessing the service for the first time.
- 3.7 Since the contract was let in 2017 there have been significant changes within the service and across the sexual and reproductive health system:
- a) The roll out of Pre-exposure prophylaxis; PrEP (medication to reduce the risk of HIV).
 - b) A shift towards peripatetic clinics delivering sexual health services in convenient settings such as maternity, abortions and mental health inpatient services to optimise service access.
 - c) Introduction of, and shift of a great proportion of activity, to the on-line E-service. Commissioners expanded the e-service to initially cover STI testing but now includes simple STI treatment. This allows in-clinic services to respond to more complex patient needs and to deliver more services like PrEP and LARC.
 - d) Improved clinic access via online booking systems, expanded call centres Improvements and redesign of the service website.
 - e) Set up of dedicated clinics for high-risk and vulnerable residents with issues linked to drug use and sex.
 - f) In 2024 collaboration with Homerton University Trust to set up a specific clinic for Trans and non-binary residents, focusing on STI and contraceptive needs with consideration of wider psycho-sexual issues.
- 3.8 Our payment mechanism has changed since the contact was let. The current contract was initially funded on a price per activity basis, using the London-wide Tariff. During the pandemic, in line with all London providers this was changed to block contract to mitigate severe risks to London-wide provision. Subsequently in 2022 we introduced a revised 'modified block with incentives' payment model, under which 80% of the contract is on block, and the 20% remaining is used to incentivise activity among high-risk residents and focusing on high impact interventions.
- 3.9 Our joint contract, joint contract management and payment mechanism has led to substantial improvements including:
- 3.1.9 LARC activity increased by 40% between 2017 and 2022.
 - 3.2.9 55% increase in overall PrEP uptake between 2021-22 and 2022-23.
 - 3.3.9 Implementation of online booking system across all NEL London Providers.
 - 3.4.9 Modernised and fully updated All East website.
 - 3.5.9 Chlamydia detection rate among young people (15-25) across NEL is 25% higher than London average (2021).
 - 3.6.9 HIV testing coverage for eligible NEL residents 9% higher than London average (2021).

Online London sexual health service and wider SRH system:

- 3.10 Today there are 31 Authorities working together via the London Sexual Health programme (LSHP), to commission open access sexual health clinics. Of these, 30 Authorities work together to commission the London sexual health and contraception e-service, SHL.UK.
- 3.11 The unified online service has successfully moved activity online away from central London clinics (where activity is more expensive). It has strong brand awareness, marketing and promotion. It provides economies of scale on prices & volume as well as a centralised and efficient contract management (risk, audit & GDPR).
- 3.12 Under the current MoU signed by participating London Authorities, the City of London Corporation continues to host the LSHP programme team, responsible for the following workstreams:
- SHL.UK contract management and Local Authority billing
 - System leadership and governance
 - Development and maintenance of the integrated sexual health tariff for (ISHT)
 - Oversight of cross charging for when residents access an out of borough sexual health clinic.
- 3.13 This has enabled millions of pounds of savings to LBTH, while maintaining quality services. In 2013-14, the cost of sexual and reproductive health services for Tower Hamlets residents was £8.9m. By 2022-23 this had fallen to £6.5m, despite substantial increases in the size of at-risk populations and to rates of STIs.
- 3.14 This has been achieved through:
- a) The commissioning of an online STI self-testing (E-Service) as an alternative to in clinic testing, and cheaper delivery platform for basic STI testing. This service is rated positively by 98% of service users.
 - b) development of a London Integrated Sexual Health Tariff (LISHT) which applies robustly costed tariff prices for a range of clinical sexual and reproductive health interventions and pathways;
 - c) Pan-London commissioning approach, enabling LBTH to be listed as a 'third party' on all other London contracts, meaning our residents can be re-charged via the above Tariff; and containing costs through application of baselines and marginal rates.

RE-COMMISSIONING OF IN-CLINIC SEXUAL AND REPRODUCTIVE HEALTH E-SERVICE

- 3.15 LBTH are part of commissioning arrangements for specialist in-clinic integrated SRH services through two routes, in addition to the online e-service (covered below, from paragraph 3.41)

- 3.16 Firstly, local in-clinic integrate SRH service (All East). For residents who attend local specialist services in Tower Hamlets and neighbouring boroughs, LBTH is a joint signatory to a joint contract with Newham, Waltham Forest and Redbridge. A Shared Service, hosted by LB Newham on behalf of all NEL boroughs, led the procurement exercise in 2016-17 and leads on contract management on behalf of the other NEL boroughs, overseen by an Oversight Group, of which all NEL Directors of Public Health are members. Barts Health NHS Trust is the current provider of the All East service. The contract was let in December 2017, for 5+1+1+1 years. The final end date of this contract is on 30th November 2025.
- 3.17 Secondly, provision of access to integrated SRH services elsewhere in London and beyond. LBTH is named as a third party on all other contracts for specialist clinics across London. This means that for TH residents who access services elsewhere in London, we are charged by the provider via the London Integrated Sexual Health Tariff (LISHT).
- 3.18 Across North East London commissioners and providers have developed a Sexual and Reproductive Health strategy, via extensive consultation with professionals and over 525 residents. The agreed strategic direction is to maintain our current sexual and reproductive health service landscape (as set out in paragraphs 3.5-3.14) while continuing to deliver ongoing improvements using levers including the collaboration and our incentive payments within the modified block contract.
- 3.19 To inform decisions about re-commissioning, we have undertaken:
- a) a review of existing service data, looking at changes of utilisation over time, performance against KPIs, service outcomes, patient satisfaction, and patterns of activity.
 - b) a needs assessment of measures of population health need and inequalities.
 - c) an estates review and Time Travel Analysis.
- 3.20 Time travel analysis has shown that the sites of the current integrated SRH service at the Ambrose King Centre in Whitechapel and the satellite at Mile End Hospital, complemented by the Sir Gudman Ludwig Guttman Centre in Stratford (which is part of the same contract) provide good access to the residential locations of residents, and are located optimally given areas of high need.
- 3.21 Estates review has also found that there are limited alternative options for locations that are as well-connected as our existing sites in Whitechapel and Mile End. The Ambrose King Centre's status as a sexual health clinic is supported by a policy within the Tower Hamlets Local Plan, affording the site some protection from increased rents and/or alternative uses.
- 3.22 Finding of the needs assessment demonstrate the need for continued provision of this service. It has identified some areas of need for system improvement going forward, which we will seek to address under the current and future contract.

- a) The highest burden of STI infections in Tower Hamlets is in GBMSM groups: we see a significant increase in gonorrhoea and syphilis in this group which indicates that we need to improve control measures through better partner notification systems in ISHS and actively promote regular testing to reduce reinfections and other prevention activities in this group.
- b) Targeting black and mixed ethnicity particularly those that identify as heterosexual as this group has a high rate of STIs but a low level STI testing compared to other groups.
- c) Increase level of awareness of HIV and testing to respond to (small increase) in cases of late diagnosis in heterosexual groups by increase the level of HIV testing in the ISHS.
- d) Better recording of demographic data to ensure equity access to PrEP in all high-risk groups (Including Black women).

3.23 A detailed service-level review is to be completed by July 2024 of our existing practice against best practice guidance (based on a desktop review alongside in-depth interviews with clinicians and service managers). This will inform the service specification.

Engagement with residents and stakeholders

3.24 Service patient satisfaction information shows a high level of satisfaction across the in-clinic service, with all areas reporting over 93% satisfaction 22-23.

3.25 The current model was developed following engagement with over 5,000 residents across north east London (NEL). Furthermore, more recent engagement and 'Mystery Shopping' work undertaken by NEL commissioners in collaboration with providers indicated that the quality of the service was almost universally high across clinic settings.

3.26 Service user feedback gathered via a NEL-wide survey in 2022, and a mystery shopping exercise shows that participants highly rated the ISHR service. Feedback from these includes that clinic staff are excellent; simple booking processes; appointments available; choice of available appointments; short waiting time to be seen (same day / 48 hours); short waits for telephones to be answered; appointments are easy to cancel / rearrange; and people feel safe in the clinic environment.

Commissioning intentions for in-clinic integrated SRH service

3.27 The following commissioning intentions set out the nature of the service that will be commissioned after the current contract ends.

3.28 **Service locations:** The current service locations, including our centre of excellence based at the Ambrose King Centre in Whitechapel, and satellite location at Mile End hospital, as well as other locations in Newham and Waltham Forest, will be maintained, for the reasons set out in 3.23-3.24.

- 3.29 **Jointly-held contract:** Tower Hamlets, Waltham Forest, Newham, and Redbridge will continue to hold a joint contract with a single Integrated Sexual and Reproductive Health Service provider.
- 3.30 The procurement exercise will be led by LB Newham, but with each individual Borough entering into the joint contract. Other boroughs will provide similar authorisation to enter into a joint contract.
- 3.31 The collaborative arrangement allows for cost containment and contract control across sites in other boroughs that our residents use, improves patient access, ensures a coherent system, reduced the risk of fragmentation (multiple providers) and aligning the aims of multiple commissioners. Other benefits include greater efficiencies in contract management with our provider. LB Newham acts as the lead commissioner on behalf of the other sub regions and the lead for NEL representing at London level to support commissioning sexual health services efficiently.
- 3.32 **Contract length:** The intended contract length is for five years, with three extensions of 12 months each to be available within the contract. Given very limited competitive market for these services, there is limited benefit to shorter contracts. This contract length would also provide some protection against inflationary cost pressures: as new procurements are an opportunity for providers to review internal costs, with an associated risk of requests to increase budgets. Enabling more sustainable, longer-term services delivers us good value for money. These are very complex services, requiring clinical governance and complex pathways with other clinical services, which require a long contract in order be established appropriately. As contracting these services therefore incurs substantial costs to both the Council and providers, minimising the frequency of costly re-procurements enables best value for money.
- 3.33 Contract lengths of 5+3 years have been the norm in this market for many years. Risks associated with shorter contracts are:
- a) Reduced ability of providers to offer permanent contracts to staff – and hence less scope to recruit and retain high quality staff. This is particularly relevant in the current climate, where the NHS as a whole is facing widespread problems related to training and retention of clinicians.
 - b) Likelihood of no interest from the market due to greater uncertainty attached to shorter contract terms. Increased risk of a failed procurement.
 - c) Deterioration of clinical pathways to and from other essential services.
- 3.34 **Contract value:** The annual contract value is based on the activity baselines within the current contract. The current contract (if 100% of the performance-related elements were paid) is £2,900,450 in 2023-24. Applying two years' of increases for population growth (2%) and Agenda for Change staff costs increases (2.5%) gives an estimated first-year 2025-26 contract value of £3,303,652. Throughout the contract, we forecast annual 2% growth to account for the increasing size in our population, and 2.5% inflationary increases (covering NHS salary costs and tariffs) giving the maximum total

contract value of the life of the 8 year contract to be an estimated £30,988,015. Any variations to baselines or tariffs that would affect this Contract Value will be agreed by the DPH Oversight Group for North East London, and approved for Tower Hamlets by the DPH in consultation with the Head of Finance.

3.35 Payment mechanism: The contracts will be structured as 'modified block with incentive payments' model. 80% of the contract value will be paid on block, based on baseline estimates based on previous years' activity plus an uplift for growth based on the substantial population growth expected over the coming years. A proportion will be paid based on performance. This payment model gives the best balance of stability for provider (especially given very tight financial viability of these services) while minimising risk for the Council of Commissioner. Commissioners can use annual reviews of KPIs to amend the 'incentive payments' and therefore focus provision on the most important types of activity for addressing health need and reducing inequalities, including long-acting contraception, HIV prophylaxis (PrEP), and recall / partner notification to prevent onward transmission of STIs.

3.36 Scope of new service. The new service will provide specialist, integrated sexual and reproductive health provision, including provision of the following:

1. Genito-Urinary Medicine (GUM): prevention, testing and treatment for all forms of sexually transmitted infections (STIs) and HIV (including provision of pre- and post-exposure prophylaxis for HIV (PrEP and PEPSE).
2. Contraception: All methods of contraception, with an emphasis on the most effective 'LARC' methods.
3. Testing and treatment for Hepatitis B and C and immunisation for Hepatitis B.
4. Psycho-sexual support comprising individual and group-based counselling.
5. Additional Optional Work Packages for:
 - a) System leadership in primary care
 - b) Targeted research and interventions for high risk and/or vulnerable groups.
 - c) Community-based outreach for prevention and screening of STIs.
 - d) Specialist SRH for children and young people.
 - e) Testing kits for use in the community by other providers in the wider SRH community.

3.37 The detailed service specification will be finalised by August 2024 after the analysis of: a detailed service-level review of existing practices against best practice guidance (based on a desktop review alongside in-depth interviews with clinicians and service managers), and benchmarking against other high-performing services known to commissioners.

Procurement of the new contract for in-clinic services

3.38 Procurement regulations for health and care services changed significantly in January 2024 with the introduction of the NHS 'Provider Selection Regime'

(PSR). Sexual and Reproductive Health services fall within the scope of the PSR. The PSR must therefore be followed in order to contract these services.

- 3.39 The PSR affords the commissioning Authority different options around contract award – including three different routes to Direct Award, a Most Suitable Provider option, or Competitive award process.
- 3.40 The procurement will be led by LB Newham, as hosts of the Shared Service, on the behalf of itself and the other participating Councils. The contract will be awarded using the most advantageous method available under PSR.
- 3.41 Commissioners, legal and procurement colleagues from all INEL authorities will collaboratively agree the most appropriate procurement route. This decision will be informed by the results of a 'Prior Information Notice' (PIN) to assess interest and capability within the market.
- 3.42 Social Value considerations including around local employment (work placements, apprenticeships and support for local schools/colleges), support for local businesses through the supply chain, environmental impacts and wider community benefits will form part of the Procurement contracting process.

RECOMMISSIONING AND PROCUREMENT OF ONLINE LONDON SEXUAL HEALTH E-SERVICE SHL.UK

- 3.43 The London sexual health and contraception e-service, SHL.UK, was launched in 2018 'to manage and deliver an efficient virtual service as part of a wider healthcare system that responds effectively to the sexual and reproductive health needs of London's residents'.
- 3.44 SHL.UK is a remote contraception and sexually transmitted infections (STIs), HIV and blood borne viruses (BBV) testing and results management service, for sexually active individuals aged 16 years and older, residing in the commissioning boroughs.
- 3.45 The service contract was awarded on 15 August 2017, for a minimum 5-year term with options to extend by a maximum of 4 years to August 2026. The contract is currently its eighth year and discussions across London partners around using the 12-month allowable contract extension are already underway.
- 3.46 The COVID-19 pandemic and subsequent Mpox outbreak resulted in a notable shift in people's service seeking behaviours, with many seeking STI testing and contraception services online. SHL.UK has evolved and adapted to new needs, adverse events and requirements with agility and has embedded resilience into London's sexual health system.
- 3.47 City of London Corporation has agreed in principle, as Lead Authority, to procure the service on the behalf of all participating London Boroughs; to

award and manage the contract with the appointed supplier and continue to host the London Sexual Health Programme.

Commissioning Intentions for new SHL service specification

- 3.48 **Contract length:** The contract will be for an initial period of 5 years from 2026/27 to 2031/32, with the option for extension by two further periods of two years each. See paragraph 3.32 for rationale.
- 3.49 **Contract Value:** The service is an Activity-based contract. Service activity and therefore spend on the contract has plateaued over recent years and so it is estimated that the total contract value (across London boroughs) will be in the region of £205m over the nine years, which is approximately £21-£25m per annum.
- 3.50 Tower Hamlets Council's proportion of the total contract spend over the nine years will be based on activity levels, which are estimated to be in the range of £1.1m to £1.4m per annum, based on our 2023-24 outturn of £1.040m and accounting for additional spend on Trichomonas vaginalis (TV) testing and treatment as well as a 2% year on year growth in activity. This represents a combined total of £11m over 9 years.
- 3.51 It is anticipated that the new service contract and affiliated programme costs will continue to be funded from the Public Health Grant, within the approved budget in the Health and Adult Social Care Directorate.
- 3.52 **Scope of new service.** The existing service is comprised of the following:
- A digital 'front door' for sexual health services;
 - Online registration and sexual history risk assessment
 - Sexually Transmitted Infection (STI) kits assembly and order fulfilment
 - Laboratory services and negative results notification
 - Remote telephonic support and referral to local services
 - Remote treatment for uncomplicated Chlamydia infection
 - Results and patient record system
 - Electronic activity portal and dashboard for boroughs
- 3.53 The new service procured will be an evolution of the current contract so that it is reflective of London's current context, needs and makes best use of available technologies. It is likely to continue to be comprised of a core and standardised service offer across London, with additional service modules that commissioning Authorities can elect to 'turn on' for their residents.
- 3.54 A centralised appointment booking system, a universal patient identification system, HIV prevention medication (PrEP) and renal monitoring as well as TV testing and treatment for symptomatic females are currently being considered as additional service requirements in the procured contract. Implementation of any service developments and innovations will continue to be agreed by the programme's E-Service Management Board.

3.55 **Payment mechanism:** This is an activity-based contract.

Arrangements for the new contract

3.56 Following the procurement exercise, City of London Corporation will sign the contract with the appointed supplier. Related Authorities will have access to the contracted services upon signing the IAA with City of London Corporation. Payment for provision of service will likely continue to be based on activity.

3.57 City of London will bill Related Authorities for their service activity on a monthly basis.

3.58 Levers in the contract will continue to be in place for commissioning Authorities to regulate service activity and spend. The London Sexual Health Programme will manage the contract thereafter and service performance against key performance indicators, for the duration of the contract.

Procurement of the new contract:

3.59 The procurement will be undertaken by City of London Corporation, as the Lead Authority, on the behalf of itself and the other participating Councils. The contract will be awarded using the most advantageous method available under PSR.

3.60 Responses from suppliers to a soft market testing exercise in 2024 suggest there is a market for provision of this service; and so, after much deliberation around the merits of each of the procurement routes available, London Directors and Commissioning Officers have expressed interest in procuring the service through open competitive procedure.

3.61 Weighting for price, quality and social value as well as evaluation panel members will be agreed for the tender at London level.

3.62 Tenderers will be required to meet the Council's suitability assessment at the Selection Questionnaire (SQ) stage in order for their tender to be considered against the award criteria.

3.63 The award of this contract will be approved by the Category Board at City of London Corporation, under delegated authority.

3.64 The indicative procurement timelines would be as follows:

Invitation to tender published (FTS/Contracts Finder)	Mid- February 2025
Tender deadline	Early April 2025
Tender Evaluation	Late April to Late May 2025
Service contract and IAA signed	Mid October 2025
New contract start date	1 st April 2026

4 EQUALITIES IMPLICATIONS

- 4.1 There are significant inequalities in sexual health with higher rates of STIs, unwanted pregnancies and poorer access to contraception overrepresented in some groups including gay and bisexual men, young people and people from specific ethnic groups including people from black ethnic origins.
- 4.2 Maintaining open access service to sexual health services, monitoring uptake and utilisation of services by the nine protected characteristics alongside specific targeted prevention and health improvement programmes will reduce health inequalities.
- 4.3 Equity of in-clinic service delivery is monitored on a continual basis via:
- a) Annual Equity Reports from Barts Health NHS Trust
 - b) Monthly 'line-by-line' resident-level backing data including age and sex
- 4.4 Significant work has been undertaken by the in-clinic provider in order to understand the equity of provision within the service. The Lead Consultant for the service is a city-wide leader for initiatives to improve the equity of sexual and reproductive health services. This represents significant 'added value' for the Barts Health sexual health offer. Specific examples of equity-focused work undertaken to-date include:
- Targeted, co-developed engagement programmes to increase PrEP uptake among Black African women (the 'Women 4 Women' project).
 - Focus groups and 1:1 interviews to increase understanding, awareness and equity of LARC uptake among women of colour.
 - Dedicated clinics for high-risk and vulnerable residents with issues linked to chemsex (the E1 Clinic).
 - Barts Health and Homerton University Trust are currently collaborating on a specific clinic for Trans and non-binary residents, focusing on STI and contraceptive needs with consideration of wider psycho-sexual issues.
 - Service KPIs set on improving inequalities in access (Hepatitis treatments, LARC and PrEP).
- 4.5. Finally, the modified block payment model for specialist SRH services serves to further incentivise an ongoing drive towards equity of service uptake by linking financial benefits to widening access to PrEP, increasing coverage of Hepatitis vaccinations and improving LARC provision among women of colour.

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 paper outlines the plans for the recommissioning of the Integrated Sexual Health and Reproductive Health in-clinic Services under a collaborative commissioning agreement with the London Boroughs of Newham, Tower Hamlets, Waltham Forest, and Redbridge.

6.2 The recommissioning will be led by L.B. Newham on behalf of the collaboration on a 5-year contract period, with further extension periods of 3 1-year extensions, making a total contract period of 8 years. The contract figures build in assumptions of 2% for growth in population and 2.5% Agenda for Change staff wage increases per annum. The contract is based on an 80% block payment and 20% for incentive (performance) payment. The first year of the contract (2025/26) has two years of growth and Agenda for Change uplifts included to account for the 24/25 increases.

6.3 The contract is paid from within the ring-fenced Public Health Grant allocation in each financial year, as a statutory service that must be paid for within the grant. The total cost of the contract in 2023/24 was £2.950m against a budget of £2.956m. This was made up of £2.833m block payment and £0.117m incentive (performance) payment.

6.4 The Public Health Grant allocation for 24/25 is £39.2m, within which the budget for the ISHS contract is £2.959m. The grant allocation for 25/26 onwards is not known yet, however, the contract budget will be set as soon as the grant allocation is announced. Costs associated with this contract will be fully funded within the Public Health Grant allocation for each financial year of the contract.

6.5 The Table below shows the total contract values for each Local Authority in the collaboration agreement and is based on the profile of demand in each area. Tower Hamlets has the highest demand of the Local Authorities in the collaboration agreement due the makeup of its population with high levels of high-need groups (young people, BAME, and gay/bisexual and other men who have sex with men (GBMSM)).

Table: Total Contract Values by Local Authority

Local Authority/ financial Year	LB Newham	LB Tower Hamlets	LB Waltham Forest	LB Redbridge	Total
2025/26 Yr 1	£3,281,018.36	£3,303,621.50	£1,723,761.61	£483,726.55	£8,792,128.01
2026/27 Yr 2	£3,428,664.18	£3,452,284.47	£1,801,330.88	£505,494.24	£9,187,773.77
2027/28 Yr 3	£3,582,954.07	£3,607,637.27	£1,882,390.77	£528,241.48	£9,601,223.59
2028/29 Yr 4	£3,744,187.00	£3,769,980.95	£1,967,098.35	£552,012.35	£10,033,278.66
2029/30 Yr 5	£3,912,675.42	£3,939,630.09	£2,055,617.78	£576,852.91	£10,484,776.20
Total 5 Year Contract Period	£17,949,499.04	£18,073,154.27	£9,430,199.39	£2,646,327.53	£48,099,180.24
2030/31 Yr 6	£4,088,745.81	£4,116,913.44	£2,148,120.58	£602,811.29	£10,956,591.12
2031/32 Yr 7	£4,272,739.38	£4,302,174.55	£2,244,786.01	£629,937.80	£11,449,637.73
2032/33 Yr 8	£4,465,012.65	£4,495,772.40	£2,345,801.38	£658,285.00	£11,964,871.42
Total 5 Yr + 3 * 1 Yr Extensions	£30,775,996.87	£30,988,014.67	£16,168,907.36	£4,537,361.61	£82,470,280.51
Total Tower Hamlets	Block 80%	£24,790,411.74			
	Incentive 20% (Max)	£6,197,602.93			

6.6 The total contract value for Tower Hamlets for the 8-year period 2025/26 to 3032/33 is £30.988m made of £24.790m block payment and a maximum of £6.198m incentive (performance) payment.

6.7 The collaborative arrangement approach allows for cost containment and contract control across sites in other boroughs that our residents use. The modified block payment arrangement allows commissioners to use annual review of KPIs to amend the ‘incentive payments’ and therefore focus provision on the most important types of activity for addressing health need and reducing inequalities.

Online London Sexual Health e-service

6.8 The London sexual health and contraception e-service, (SHL.UK), is a remote contraception and sexually transmitted infections (STIs), HIV and blood borne viruses (BBV) testing and results management service, for sexually active individuals aged 16 years and older, residing in the commissioning boroughs. City of London Corporation has agreed in principle, as Lead Authority, to procure the service on the behalf of all participating London Boroughs; to award and manage the contract with the appointed supplier and continue to host the London Sexual Health Programme.

6.9 The costs of this service are activity based, i.e. dependent upon how many people use the service. In 2023-24 the costs of the service to Tower Hamlets was £1.040m against a budget of £1.028m. The contract will be let for a period of 5 years with 2 further periods of extensions for 2 years each, making a total

of 11 years. The total costs of the new contract will range from £1.1m to £1.4m per annum, allowing for a 2% growth factor (population and testing of new conditions). The total costs of the new contract will be £11m over the 9-year period.

- 6.10 The Public Health Grant allocation for 24/25 is £39.2m, within which the budget for the ISHS E-contract is £1.028m. The grant allocation for 25/26 onwards is not known yet, however, the contract budget will be set as soon as the grant allocation is announced. Costs associated with this contract will be fully funded within the Public Health Grant allocation for each financial year of the contract.

7 COMMENTS OF LEGAL SERVICES

- 7.1 It is a legal function of the Council to provide sexual health services relating for both sexually transmitted infections (testing and treatment) and for contraception. Both services referred to in this report fall under that function
- 7.2 The Council has a legal duty to ensure Best Value in the delivery of its functions in terms of economy efficiency and effectiveness. Prior to the change in law the Council in collaboration with others would have tendered the services on the open market with the contractor being chosen as the best bidder when evaluated on a pre-advertised blend of quality and price. This would also have assisted the Council to demonstrate that the resultant contract was the best available at that point in the market in terms of economy efficiency and effectiveness. However, the services which are the subject of this report now fall under the new Provider Selection Regime.
- 7.3 Where services fall under the Provider Selection Regime the Council must follow the PSR routes of procurement which can lead to more limited methods of competition. Therefore, the Council may need to resort to other methodologies to demonstrate Best Value such as comparison with similar services and other concluded contracts.
- 7.4 The Council will need to include robust arrangements with the partner authorities for the monitoring of the delivered services to tower hamlets residents where such services are accessed within the other partner boroughs. The Council will also need to make appropriate arrangements for the sharing of information between the boroughs in order to manage both the best interests of the individuals as well as appropriately monitor the delivery of the services
- 7.5 The Council will need to ensure that the services remain within the scope and terms of the Public Health Grant in as far as it relates to sexual health services as it changes throughout the contract period.
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Linked Reports, Appendices and Background Documents

Linked Report

- Health & Adults Scrutiny Sub-committee Report March 2020 “Sexual Health Services- update on new services”: LONDON BOROUGH OF TOWER HAMLETS
- Cabinet Paper January 2016 “Collaborative agreement on sexual health”: LONDON BOROUGH OF TOWER HAMLETS

Appendices

- NONE.


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

- NONE.

Officer contact details for documents:

Dr Somen Banerjee, (Director of Public Health)
Liam Crosby (Associate Director of Public Health)

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Cabinet Wednesday, 24 July 2024	 TOWER HAMLETS
Report of: Paul Patterson, Interim Corporate Director, Housing and Regeneration	Classification: Unrestricted
Strategic Asset Management Plan 2024-29	

Lead Member	Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living
Originating Officer(s)	Dave Hughes, Interim Director, Regeneration & Assets Thomas Smith, Strategy & Policy Officer
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	19/06/2024
Exempt information	None
Strategic Plan Priority / Outcome	All priorities

Executive Summary

This report introduces the council's Strategic Asset Management Plan 2024-29 ('SAMP'). By reviewing the operating context both within and outside the Council, the SAMP sets out the main priorities and high-level actions by which the Council intends to manage its property assets over a 5-year period.

The aim of the SAMP is to enable the council to review its property assets to better pursue its corporate goals, which may enable existing sites to be repurposed for other priorities such as housing delivery. It will also allow us to focus on Best Value in relation to property – through aspects such as improving occupancy of our service buildings and optimising the income received through our leased estate.

The Tower Hamlets Strategic Asset Management Plan 2024-29 is appended in full at the end of this report as Appendix A.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the proposed Strategic Asset Management Plan 2024-29 ('SAMP') and the high-level actions which flow from the Plan.

1 REASONS FOR THE DECISIONS

- 1.1 The Council's previous Asset Strategy was adopted in 2015 and ran until 2020. While some longstanding challenges have remained since that time, much has changed in terms of the Council's overall strategy on investment in public services and in how we prioritise our finances. It was therefore felt to be an opportune moment to renew this Strategy.
- 1.2 More generally, a strategic document allows the Council to set out longer-term goals in respect of its property assets, thereby aligning property to key corporate strategies such as the Strategic Plan, Medium Term Financial Strategy and Local Plan.
- 1.3 A renewed strategy will also provide the opportunity for the Council to develop new workstreams to help us reach our goals.

2 ALTERNATIVE OPTIONS

- 2.1 The Council could choose not to adopt the Strategic Asset Management Plan. This would mean that our aims for our property assets are not explicitly articulated in council policy and long-term actions would be taken forward in a less coordinated fashion.

3 DETAILS OF THE REPORT

Context

- 3.1 Tower Hamlets owns over 1100 separately listed non-dwelling building and land assets, with a book value of over £1.3bn.
- 3.2 Property assets play a critical 'enabling' role within the Council: accommodating services; underpinning our finances; and supporting our wider aims of local economic and social development.
- 3.3 The SAMP reviews the context with relevance to property assets, in particular:
 - External trends such as economic and population growth.
 - The strategies and policies which influence the need for property and what benefits the council expects to realise from property.
 - The operational context of our assets – such as building condition, running costs and usage patterns.

Priorities

3.4 Following analysis of our ambitions and the key challenges facing the council, four priorities are proposed for the next 5 years:

- Responding to changing property need – reviewing council services’ forecast needs for property over the next 5 years
- Supporting the council’s financial sustainability – setting out the interaction of the council’s financial strategy with our asset planning
- Managing our estate as a corporate landlord – ensuring that we take a ‘corporate view’ of assets through our Corporate Landlord Model framework
- Responding to the Net Zero challenge – reviewing the implications of the Net Zero Council target, in view of the significance of buildings to the need for decarbonisation

Implementation

3.5 The SAMP includes sections under the heading of ‘What We Will Do’. These sections set out the high-level actions which will be required to implement the SAMP. The Property & Major Programmes division will lead on these, in partnership with services.

3.6 Following adoption of the SAMP, these will be further developed by the Property & Major Programmes division into a detailed ‘Living Action Plan’. This action planning will ultimately be integrated into the work programmes of the corporate property services – Facilities Management, Asset Management, and Capital Delivery – as appropriate.

3.7 As part of the above, an Asset Review project will be undertaken, the first phase of which will categorise individual assets using a recognised methodology. This will then guide a future phase in terms of deciding which assets to retain, which to make further investment in, which to repurpose for other uses, and so forth.

4 EQUALITIES IMPLICATIONS

4.1 An Equalities Impact Analysis Screening Tool is appended at Appendix C.

4.2 There are no immediate equalities implications arising from the SAMP. Any new decisions, policies or plans flowing from the action plan will be reviewed for any equalities impacts.

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 Best Value Implications: The Strategic Asset Management Plan is focused on achieving financial efficiency (optimising income and reducing running costs) and on efficiency of use (re-purposing or improving occupancy of underused spaces). It aims to ensure that property assets are allocated to their most effective uses – be that service delivery, contributing to housing targets or for income generation.

5.3 As such the SAMP forms part of the council’s “arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”.

5.4 Consultation: As this is principally an internal strategy, most of the consultation has taken place with directorates and services. If an outcome of the implementation of the strategy impacts on service users or residents, the appropriate consultation and engagement will need to be carried out.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no financial implications from this report which seeks approval of the proposed Strategic Asset Management Plan 2024-29. Costs associated with developing the plan are contained within existing budget provision.

7 COMMENTS OF LEGAL SERVICES

7.1 Section 120 of the Local Government Act 1972 gives councils the power to acquire property by agreement for the purpose of any of its functions or for the benefit, improvement, or development of the area.

7.2 Section 1 of the Localism Act 2011, known as the general power of competence, enables a local authority to do anything that an individual generally may do (subject to prohibitions, restrictions, and limitations in existing statute which are not applicable in the circumstances set out in the report).

7.3 The council also has the power to invest for the purpose of the prudent management of its financial affairs under Section 12 of the Local Government Act 2003.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix A – Strategic Asset Management Plan, 2024-29
- Appendix B – Service Needs
- Appendix C – Equality Impact Analysis Screening Tool

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

- NONE

Officer contact details for documents:

Dave Hughes, Interim Director, Regeneration & Assets
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Strategic Asset Management Plan

2024-29



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Introduction

Local authorities hold large portfolios of assets made up of buildings and land. Tower Hamlets is no different. We own or operate a total of 1155 assets with a book value of c. £1.3bn*.

How we use our assets is critical in delivering our strategic priorities and is even more crucial against a backdrop of reduced resources and increased demand amongst residents with diverse needs.

To achieve this and adopt a more co-ordinated approach in how we maximise the use of our assets, the council is adopting a Strategic Asset Management Plan (SAMP) which:

- Sets the operating context and demand on the council's assets
- Summarises how the council's property portfolio is arranged
- Reviews strategic needs and services' plans with respect to property
- Formulates some priorities to guide our future decisions
- Develops high-level actions to guide the first year of the strategy period

Supporting the SAMP is a range of actions, under the headings 'What We Will Do'. These will form the basis of a living action plan to be used and adapted to manage our asset management programmes of work on a regular basis.

Scope of this document

The assets within the scope of this document are council-owned land and buildings, excluding residential dwellings, infrastructure assets, vehicles, plant, furniture and equipment.

Also included are assets which have been deemed surplus to our requirements.

*As of 1 April 2021. Excluding council dwellings, infrastructure assets, vehicles, plant, furniture and equipment. Source: Annual Financial Report 2021/22



Our land and buildings

Tower Hamlets views property assets as first and foremost an enabling resource, in the same way that our financial assets or our workforce enable us to achieve outcomes for our residents.

Assets in the form of land and buildings support our services, and take several forms, including:

- Customer-facing buildings where staff and residents interact
- Administrative space to enable staff to complete essential supporting tasks
- Buildings leased to third parties to generate a commercial income or to support groups in the community
- Surplus land or buildings held to enable regeneration or housing development

The council's portfolio book value is over £1.3bn. This is the amount that is included within the authority's accounts and is not necessarily the amount we would receive if we sold all our assets. Nevertheless, it demonstrates what a considerable resource our land and buildings are, and why they need to be carefully managed.

There is a wide range of assets in our current portfolio. It includes offices, schools, leisure centres, Idea Stores, depots, parks and open spaces, assets leased to community organisations and assets leased to generate a commercial income.

We don't hold assets for the sake of holding them: they need to have a purpose. The reasons for holding our assets will vary and, as a result, we may need to measure their performance in different ways. Performance of each asset must therefore be linked to the strategic purpose for holding it.

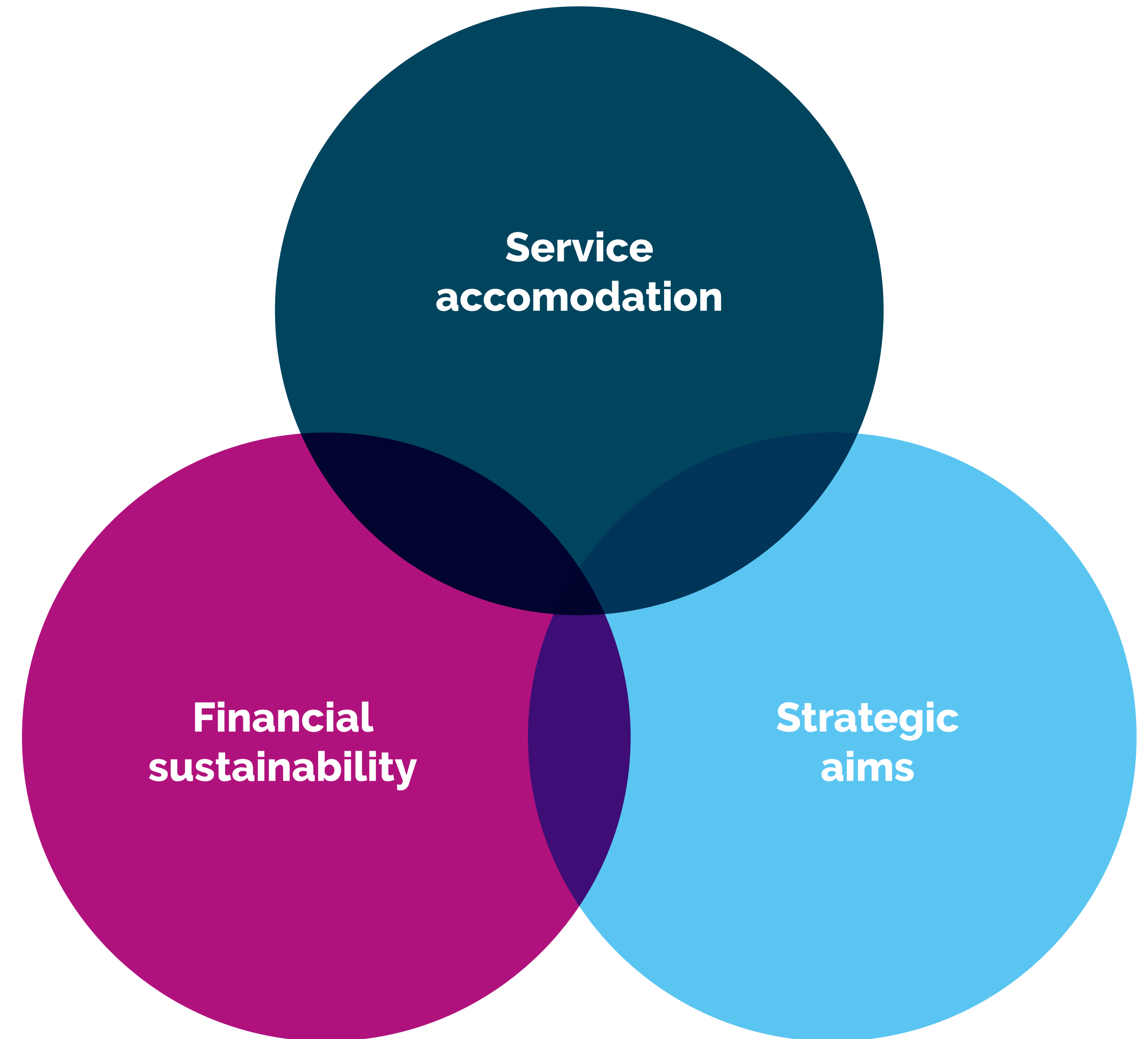


Roles of property

There are several general roles which property assets play:

1. To accommodate council services and meet day-to-day customer needs
2. To promote the council's longer-term strategic aims (such as economic or community development)
3. To underpin the council's financial sustainability

Many properties will play several roles and the emphasis will tend to reflect the property portfolio to which they belong.



Our main property portfolios



Operational estate

The operational estate is a diverse portfolio of properties whose primary purpose is to support the delivery of council services. Parts of some buildings may also be hired out to generate income.

In addition, these buildings need to be run in a cost-effective way to ensure value for money.

Performance measures:

- Suitability
- Utilisation rates
- Running costs
- Maintenance backlog
- Hire income (where relevant)



Commercial estate

This estate consists largely of retail units built into housing developments, as well as other commercial uses e.g. offices and multi-use schemes. These properties provide income to support the council's housing stock and council services more generally.

As well as rental income, the properties allow the council to promote economic development in town centres, providing local amenities for residents and accommodation for businesses.

Performance measures:

- Rental income
- Void rates



Community portfolio

The community portfolio consists of buildings historically occupied by community groups, faith groups or playgroups, as well as 5 directly-managed and hireable Community Hubs.

The main purpose of these buildings is to provide accommodation to the Voluntary & Community Sector and secure Community Benefit.

Performance measures:

- Community benefit
- Running costs to the council

Portfolio by usage type

The table on this page shows a breakdown of our land and buildings and includes both operational and non-operational property.

Operational property is used for the delivery of council services, whether customer-facing or administrative. This would also include property occupied by providers contracted to deliver a service on our behalf, as well as schools

Non-operational property is typically leased to third parties for mutual benefit for the council and tenant, whether in the commercial or community sector. This category would also include surplus and vacant buildings/land.

TYPE	AMOUNT
Administrative Buildings	7
Adult Education	1
Barrow Store	63
Business Park	2
Car Park	3
Car Pound	1
Cemetery	1
Children`s Centre	20
Children`s Home	1

TYPE	AMOUNT
City Farm	2
Climbing Centre	1
Commercial - Non-shop	4
Community Building - Community Hall	3
Community Building - TRA	1
Community Centre	73
Community Garden	1
Drug Treatment Centre	1
Depot	8
Depot & Offices	3
Education	16
Equipment Store	1
Gallery and Studios	1
Health Centre	4
Hotel	2
Idea Store	5
Infant School	6
Junior School	3
Leisure Centre	7
Library	3
Local Housing Office	2
Market	5
Mixed Use	3
Mortuary	2
Mosque	5
Nursery School	10
Offices	19

TYPE	AMOUNT
One Stop Shop	2
Open Space	159
Parents Advice Centre	1
Park Building	56
Playgroup	7
Primary School	95
Print Room	1
Public Convenience	3
Public House	11
Pupil Referral Unit	3
Residential Homes and Day Centres	9
School Keepers House	25
Secondary School	82
Shop	312
Shop - PH Leaseback	16
Shop - Trustees Mile End	8
Special Needs School	14
Sports Hall	1
Stadium	1
Storage	2
Storage Yard	7
Telecomms	7
THH Caretakers	3
Traveller Site	21
VACANT	4
VACANT - for redevelopment	4
Youth Centre	8

N.B. the tables count each individual asset not each site – e.g. separate blocks which make up a school would be counted as separate assets

Context summary

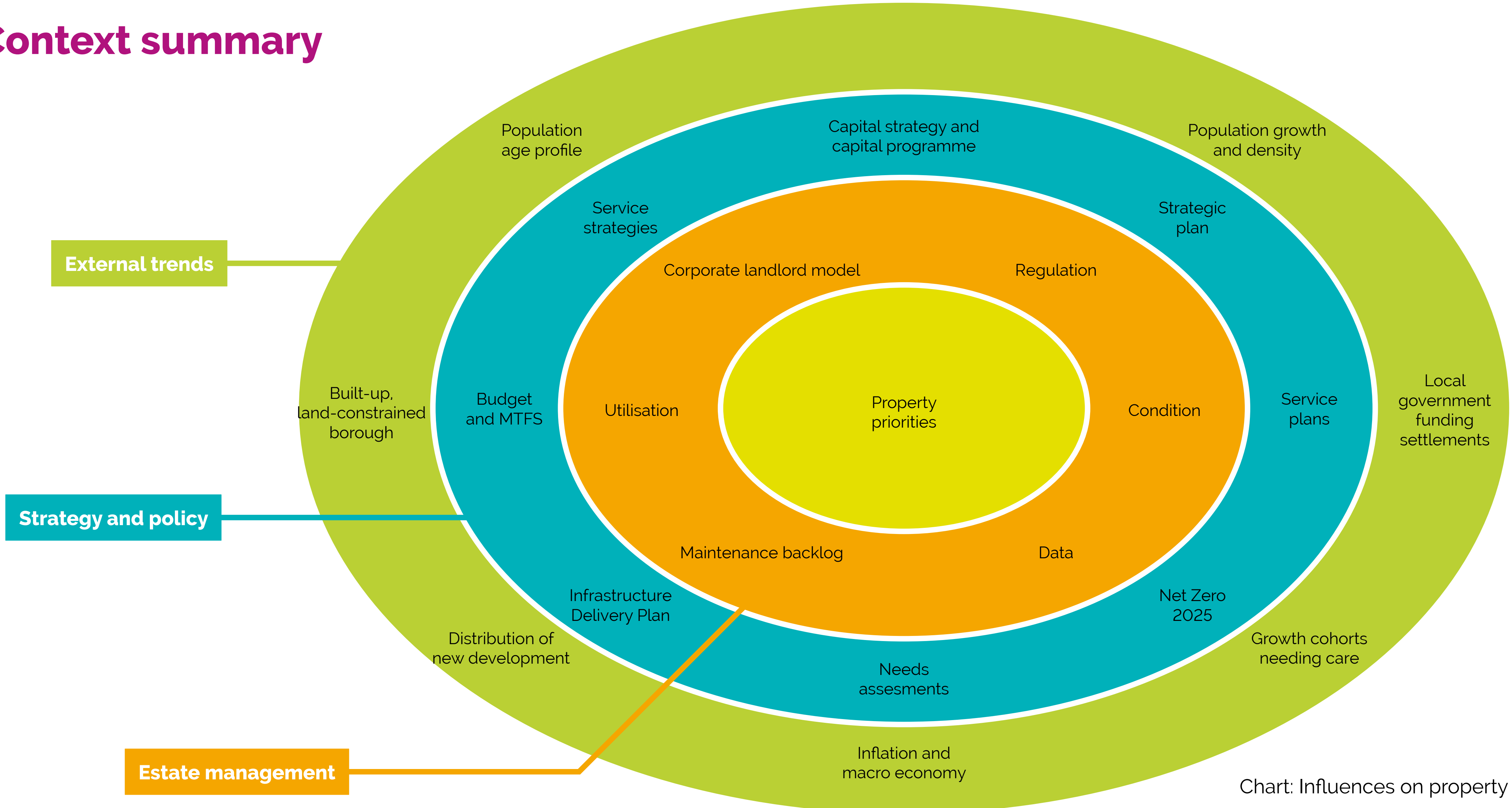


Chart: Influences on property priorities

Context: external trends

Population facts

The 2021 census for England and Wales recorded Tower Hamlets as having:

- The fastest-growing population between 2011 and 2021, at 22.1%, growing by 56,200 to reach 310,300
- The most densely-populated local authority, at over 15,000 residents per sq. km.
- The youngest population, with a median age of 30
- A population projected to reach 383,469 by 2038.

Most of the new growth will take place in the east and south-east of the borough, where most new housing is expected.

Changing population profile

The age profile of Tower Hamlets is slowly changing. Between 2011 and 2021:

- The number of children and young people continued to grow, from 62,106 to 72,600
- The 65+ population grew modestly from 15,570 to 17,300

Looking ahead:

- The birth rate is slowing
- The number of young people with SEND is increasing
- The 65+ and 85+ groups are set to increase, albeit from a low level

Inflation

The shocks of Covid and high inflation have had an impact on both our residents' needs (see later) and council finances.

Construction and maintenance costs have been caught up in an inflationary dynamic, which will have a direct impact on our Capital Programme and repairs and maintenance costs. In the short-term, we expect contractual inflation and, given the many calls on our capital funding, may need to reprofile or reprioritise some of our projects.

High energy costs also make the council's buildings more expensive to run, especially the energy-inefficient ones.

Context: strategy and policy

Strategic Plan

The Strategic Plan is the council's corporate business plan and translates the administration's pledges into a high-level policy framework and delivery plan to guide the council's work over the four-year period.

Key priorities with relevance to assets include:

- **Insourcing projects** – such as leisure services, where planning for investment will need to take place
- **Service expansion** – such as youth services, with planning for additional property investment to take place
- **New services** – such as the Community Language Service, which may have property implications
- **Supporting the acquisition of buildings for community use** – where we have committed to identifying property for others
- **Housing** – while residential dwellings are outside the scope of this document, it is an overriding priority of the council and therefore in some cases our existing land and buildings may be earmarked for housing development.



Budget and MTFS

In February 2024, the council adopted its budget and MTFS. This set out the main budgets for revenue and capital expenditure for the years 2024-27, including expenditure on youth services, leisure services and the waste emergency, among others.

At the same time, the MTFS identifies c. £42m of recurring revenue savings to be delivered over the 2024-27 period.

Almost half of the identified new savings are categorised as 'income generation', reflecting a council-wide focus on optimising returns on all our assets.

Context: strategy and policy

Capital Strategy and Capital Programme

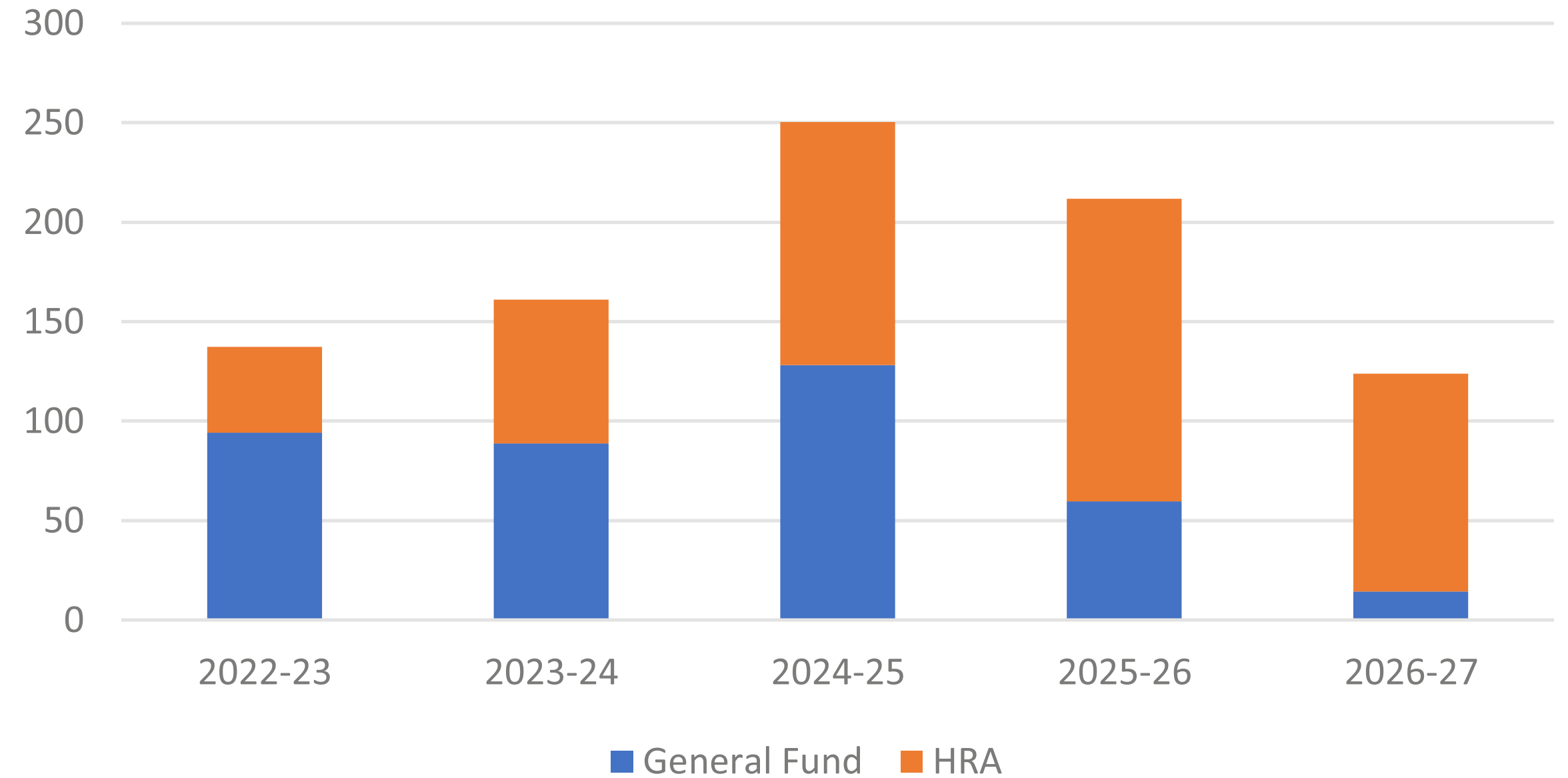
The Capital Strategy provides an overview of how capital expenditure is financed. In the context of this document, this could include the construction of new assets or investment in existing assets.

Capital expenditure is planned to increase up to 2025 (see chart). This expenditure includes General Fund projects such as a new leisure centre and HRA-funded new housing development.

A new Capital Programme was adopted in February 2024, which included:

- A General Fund (GF) 2024-27 capital programme of £202m
- General Fund Annual Rolling Programmes for 2023-27 of £53m. These ensure the council's assets are maintained to avoid deterioration, address ongoing health and safety requirements and to meet statutory duties.

Graph: Estimates of Capital Expenditure (£ millions)



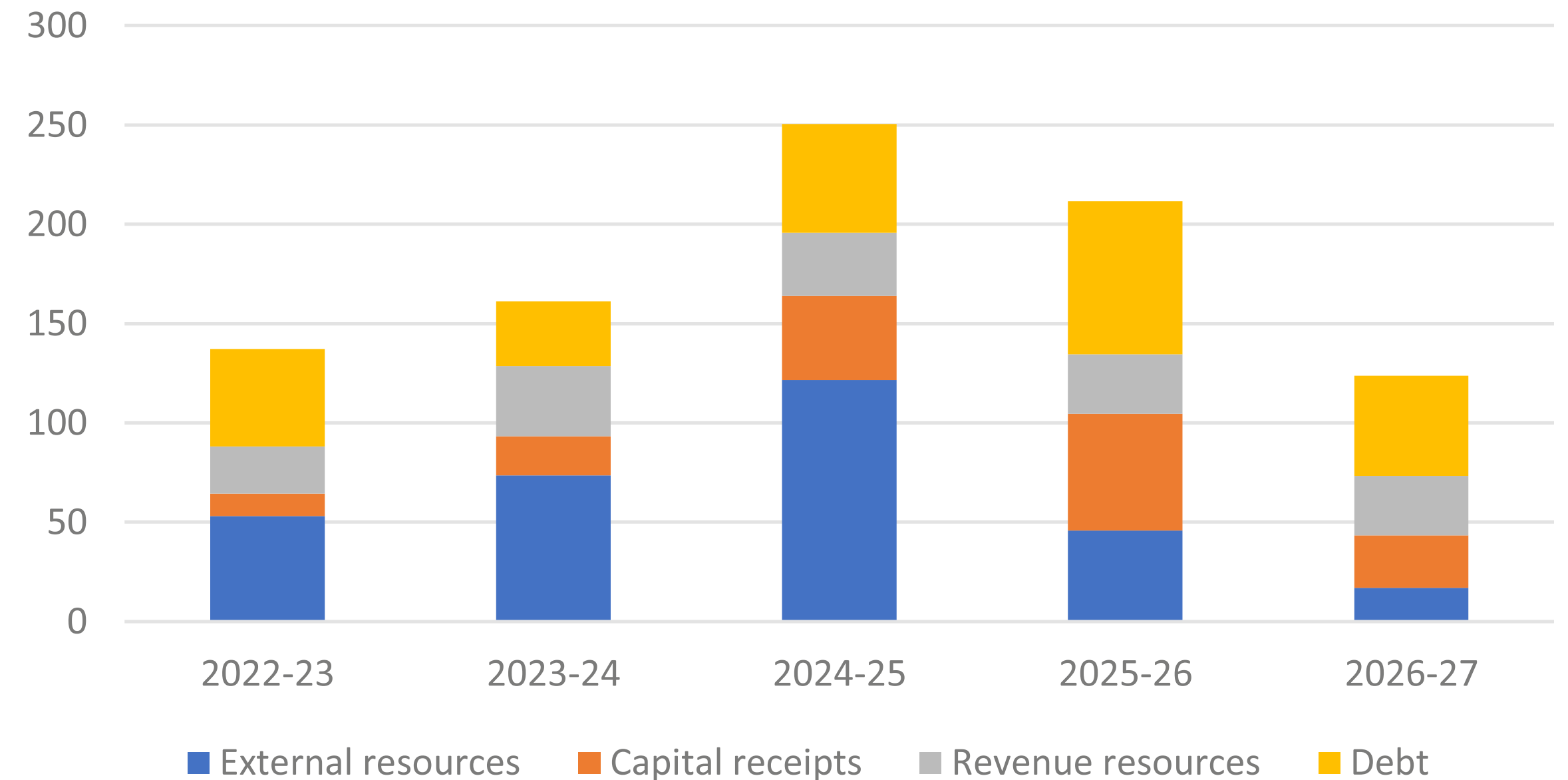
Context: strategy and policy

The Capital Strategy outlines how the Capital Programme will be financed over the course of the MTFs. This will involve an increased, though sustainable, level of borrowing over the period. Another element of financing which has relevance to property is capital receipts.

The previous MTFs outlined 6 additional 'priority projects' which are being funded and progressed over the Strategy's lifetime:

- **Institute for Academic Excellence** – a new selective 6th form which will aim to increase access to 'top third' universities
- **Children's Residential Care Provision** – a new in-borough children's home for children with medium-high needs
- **Adults Housing With Care** – specialist housing for those with extra care needs
- **Drug and Alcohol Recovery** – a specialist recovery service for those in BAME communities
- **Bangladeshi Women's Centre** – a dedicated resource centre with a culturally sensitive approach to the needs of Bangladeshi women
- **Somali Resource Hub** – a resource hub for the borough's growing Somali community

Graph: Capital financing (£ millions)



Context: strategy and policy

Needs assessments for property infrastructure

The council's Infrastructure Delivery Plan (IDP) sets out our estimated need for economic and social infrastructure (including council-owned property assets) over the Local Plan period (2023-38).

The IDP identifies the total need for approximately £2bn of additional such infrastructure over the 15-year period (although not all of this will need to be council-funded).

Key council property-related considerations include:

- Declining general need for primary and secondary school places (though forecasts can be volatile)
- Increase in demand for SEND and alternative provision
- Need for more extra-care housing schemes in the borough
- Forecast deficits in provision in leisure, Idea Stores and open space as the population grows

Further details can be found in Priority 1.

Net Zero council target

The council has committed to achieving Net Zero carbon emissions from its direct operations by 2025, much of which will come from buildings.

This will require the assessment of our buildings and identification of funding to upgrade the buildings to reduce their emissions (see Priority 4).



Context: estate management

Condition of our estate

Like many authorities, we hold a very diverse property estate which ranges across the spectrum of age, condition, intensity of use, efficiency etc.

As with all portfolios, there are outliers which present ongoing challenges relating to their age, condition and suitability.

In all cases, however, we aim to keep our buildings at a minimum standard of safe and compliant.

Further details can be found in priority 3 below.



Our property priorities

Below, we summarise our main priorities for property over the next 5 years, as well as the main considerations and evidence to be considered.

Responding to changing property need

- Population changes
- Local policy framework
- Capital Programme
- Service assessments of future needs

Managing our estate as a corporate landlord

- Importance of corporate decision making
- Building condition
- Regulatory compliance

Supporting the council's financial sustainability

- Economic Context
- Budget and MTFS - savings
- Utilisation, cost, income

Responding to the Net Zero challenge

- Net zero carbon borough 2025
- Retrofitting our estate





Priority 1:

**Responding to changing
property need**

Strategic property needs

Considering the context discussed (population, strategic plan and Capital Programme), services continually review and project their property needs.

Service Plans and Strategies

Sitting beneath the Strategic Plan, local service plans and strategies enable individual services to identify their future activity.

Of relevance in terms of property will be pressures for expansion or consolidation – but may also involve projects to upgrade the building condition or make buildings more suitable for evolving user needs.

N.B. general repairs and maintenance is covered at greater length in priority 3.

Service Needs

As part of this section, the key property-related needs of services were reviewed using several sources:

- The service strategies (where available)
- Direct engagement with services
- Review of internal decision papers
- Review of public decisions (e.g. Cabinet)
- Review of Local Plan and its evidence base (including Infrastructure Delivery Plan)

What follows is the main needs of those services which have major property requirements.

A more detailed account can be found in **Appendix B**.



Strategic property needs

Education

Demand for school places can be challenging to predict and projections are liable to change, sometimes dramatically. Despite planned housing growth in some areas, we know that:

- The boroughwide birth rate is slowing
- 'Yield' from new housing developments is lower than anticipated
- Patterns of migration can be unpredictable
- This has fed through into a declining demand for school places – primary places in the first instance but predicted to feed through to secondary places over this decade.

The implication of this at a boroughwide level is the need to coordinate with schools on the challenges of consolidation, while ensuring we maintain a degree of flexibility and tolerance in the school system.

While it is expected that new housing developments in the south and south-east of the borough will be a driver of localised demand, we will need to keep projections under continual review to ensure sites are allocated to the right uses and to avoid over- or under-supply.

In special needs and alternative provision, there is a clear pattern of rising demand, which has been visible over the last decade.

While predictions in this area are subject to much uncertainty, the number of pupils in need of a special school place could increase by 255 (equivalent to 2 or 3 special schools) up to 2028/29.

Again, the implication is the need for close coordination with schools and with colleagues in Planning to ensure the sites are in place to deliver expansions or new schools as required.

Adults Care

As noted in the External Trends section, the 65+ and 85+ cohorts are growing and projected to increase over the next decade (by 65% and 55% respectively).

In addition, the populations of adults living with a learning disability or mental health problem are also predicted to increase sharply as the rising numbers of young people with such needs transition to adulthood.

The implications for such growth are:

- A minimum of 3 additional extra-care housing schemes (240 flats) in the borough
- An additional nursing home facility with between 25-30 additional beds
- Additional requirements for supported living for those with a learning disability or mental health condition

While these new provisions will not necessarily have to be funded or built by the council, it is nevertheless important to be aware from the perspective of asset planning.

The Housing With Care Strategy (forthcoming, 2024) will set out our needs in full in this area.

Strategic property needs

Community facilities

The council maintains 43 community centres occupied by community groups, faith groups or playgroups, as well as 5 directly-managed and hireable Community Hubs.

Our community buildings support the aims of our Voluntary and Community Sector (VCS) Strategy, in particular 'improving access to statutory sector buildings for the VCS'.

Looking ahead, we will be commissioning a community centres needs assessment study to update our understanding of the local need.

Work is also underway in this area to deliver specific pledges to local community groups.

Office accommodation

Following a successful move in early 2023, the council's principal administrative office is the new Town Hall in Whitechapel.

The current accommodation provides more than enough long-term space for all our administrative needs.

In late 2023, the council undertook a study to understand how the building is being utilised and will shortly propose options for optimising future use (see Priority 2).



Strategic property needs

Main depot facility

The Blackwall Depot facility is the council's main depot for waste, recycling, cleansing, passenger transport, fleet management and winter maintenance. It is considered not fit for purpose to meet all future needs, including statutory environmental requirements and operational efficiencies.

Options are currently under review for the redevelopment or relocation of the site, with the aim to develop or acquire a fit for purpose depot along with office accommodation and staff welfare facilities.

Youth services

Youth Service need is difficult to assess precisely but given Tower Hamlets has the youngest population in England and high levels of deprivation, it is likely to be substantial.

The council relaunched its youth offer in 2023 under the name Young Tower Hamlets. The new package of investment included £3m in capital funding to refurbish all 7 of our youth centres.

Leisure services

The council has, in line with many other London boroughs, a recognised deficit of swimming pools and sports halls owing to a combination of a high and growing population and the many competing demands on land-use.



Our six operational leisure centres are being brought under in-house management in May 2024 (St. George's Leisure Centre closed in 2019 and GLL handed over responsibility shortly after that time).

More than half of these leisure centres are over 40 years old, which can make them more expensive and challenging to keep in good repair. There is a backlog of condition issues estimated in 2019 at £11.3m needing to be funded over the next decade. £3m was allocated across 4 years from 2024/25.

A round of condition surveys were due to complete in late 2023 and are likely to identify a similar amount of works once again. The Culture division have also commissioned Sports England Facilities Planning Model audits of our pools and hall facilities to quantify the scale of the deficit, along with a borough-wide leisure needs assessment, all of which will inform asset planning and a refreshed Sports and Leisure Strategy.

As part of the council's investment in leisure, plans for a rebuilt leisure centre on the St George's site are also underway. This site is planned to include housing, providing state-of-the-art facilities for the borough's residents. Completion is planned for 2026.

Strategic property needs

Idea Stores and libraries

The demand for Idea Store, libraries and archives services is also projected to outstrip supply over the next 15 years, owing to population growth.

In the short-term we are refurbishing or redeveloping elements of all 5 of our Idea Stores and the Local History Library to make them fit for the future.

In the longer-term there may be the possibility for new Idea Store provision at Crossharbour – dependent on development.

An Idea Stores review is underway, focusing on maximising these assets and feeding into the Idea Stores Strategy refresh (due in 2024).



Parks and Open Spaces

Owing to its intensely built-up nature and growing population, Tower Hamlets has a longstanding and somewhat unavoidable deficit of open space provision.

Most publicly accessible open space now comes about as a byproduct of the planning process rather than acquisition of land by the council.

In accordance with the need for savings we will be ensuring that we optimise the income generating potential of our outdoor spaces.

In November 2023, the Cabinet approved an additional £5.2m to be spent on the Parks and Open Spaces Capital Programme.

Many of the existing parks include park buildings of varying uses, which require ongoing maintenance and management. These buildings are being actively managed to maximise income.

Strategic property needs

Commercial portfolio

As well as holding property for direct social and community benefit, the council maintains a portfolio of commercial properties, with an income target of c. £5m.

These properties are held for the purpose of local economic development and to provide income either for services and facilities for the council's housing tenants, or for council services more generally. For more on income optimisation, see priority 2.

Growth and economic development

The portfolio of commercial units plays a role in the promotion of local economic and social development by providing shopping and employment facilities for local people and accommodation for local businesses.

The council is undertaking additional work in the following areas with relevance to these properties:

- **Social value** – working to embed the principles of Social Value across a number of areas of council activity, including potentially the letting of property.
- **Affordable workspace** – the Local Plan has proposed a model with the council holding a head-lease for new 'large' spaces secured through major developments. The responsibilities of the council as head lessee under such a model will need to be explored. Unlike the majority of the commercial units, these affordable workspaces will not be run for income maximisation purposes and will offer below-market rent to tenants.
- **Meanwhile use** – the council can use vacant commercial units for 'meanwhile use' (temporary occupation until the space is turned to a longer-term lease). This approach to temporary letting has been trialled and there may be lessons to be learned to improve the process as we go forward.



Long-term infrastructure needs

Our projected long-term infrastructure needs (to 2038) outstrip our projected available funding by over £200m. In light of this, the council may need to consider creative approaches to delivering these long-term needs, with implications for council-owned (or part-owned) assets.

Co-location

This involves utilising the same assets jointly by both the council and other public sector or third sector organisations.

One Public Estate is a national initiative which aims to support co-location through unlocking efficiencies, generating savings and freeing up underutilised assets.

Increased use of grant funding

While the council uses grants widely, there may be scope for engaging more with public and private funding organisations to build a comprehensive forward view of the grant funding landscape.

Leveraging income from assets

This involves maximising income from our existing assets and using the income to fund future infrastructure. More detail on asset maximisation can be found in priority 2.

Invest to save

These are projects that involve allocating financial resources to infrastructure that has the potential to deliver financial returns or operational efficiencies over time.

Private financing

This could involve pooling resources for mutual benefit through public-private partnerships (PPPs) or seeking other sources of private finance such as pension funds.

Delivery capacity

Finally, it is important that we review our capacity to deliver the required infrastructure. This involves having the necessary skills, governance structures and leadership to plan and deliver for the long term.

What we will do

- To keep the population projections under consideration when developing the Capital Programme

To consider the implications of the Strategic Plan in terms of:

- Matching capital delivery support to requirements
 - Need for new increased facilities management support to insourced, expanded or new services
 - Asset Management support for acquiring, leasing or valuing buildings
 - The potential for our existing portfolio to support property-intensive strategic priorities – in particular, delivery of new affordable housing
-
- In addition to the agreed Capital Programme, work with services to deliver the administration's six priority projects.
 - To work with services through the Asset Management & Capital Delivery governance structure to ensure their property needs are met as far as is possible.
 - To engage in project boards where major reconfigurations of services are taking place
 - Work with colleagues in Growth & Economic Development around council commitments to social value, affordable workspace and meanwhile use.
 - Explore creative and innovative approaches to delivering long-term infrastructure, as well as our organisational capacity to deliver.



Priority 2:

Supporting the council's financial sustainability

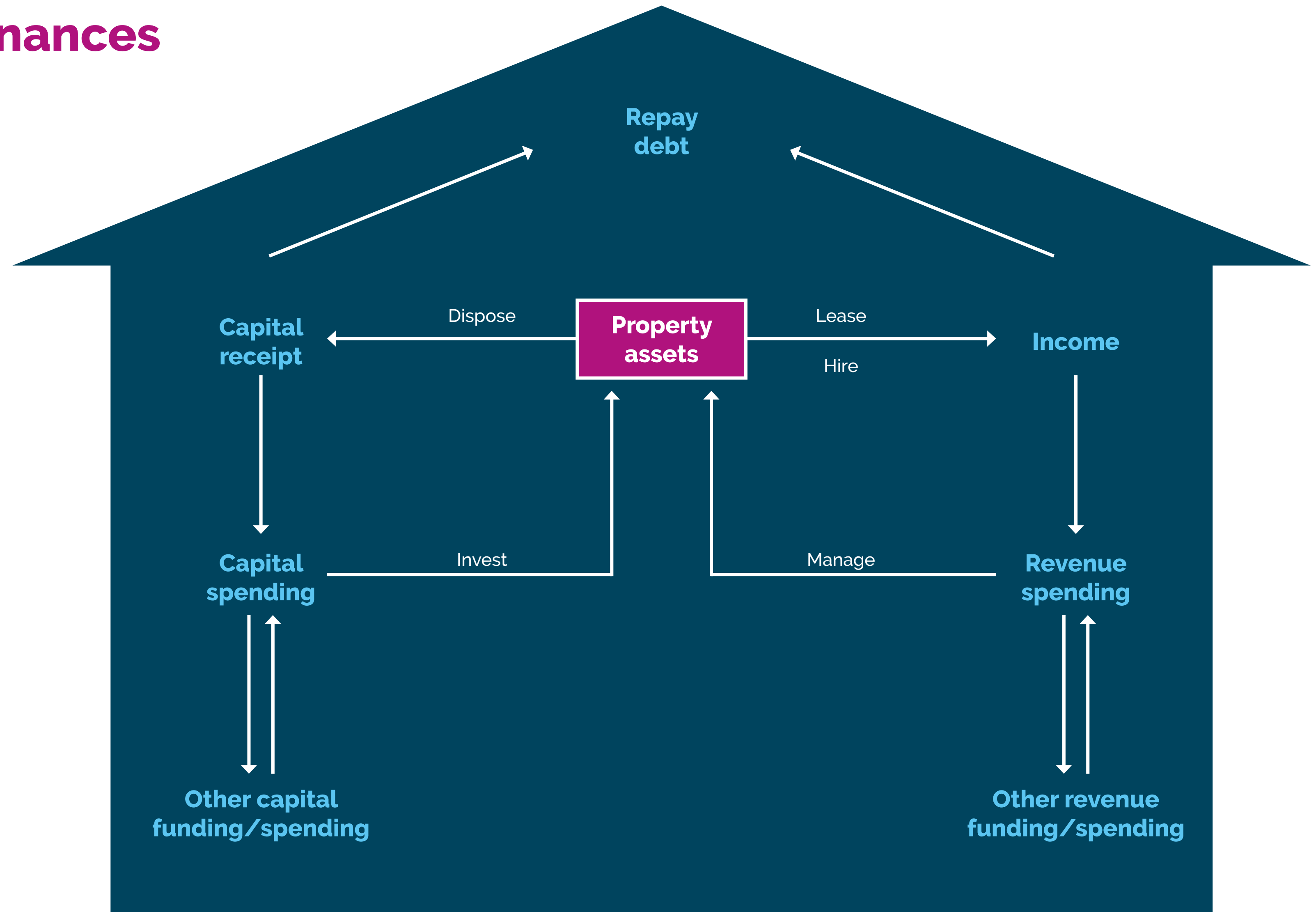
Assets supporting our finances

Property assets play a key role in underpinning the council's finances.

Key processes include:

- Investment
- Management (day-to-day)
- Leasing
- Hiring out
- Disposal
- Supporting non-property capital and revenue budgets
- Debt repayment

Optimising our assets involves ensuring these processes are working as effectively as they could be.



Optimising our assets

Considering the need for savings and capital investment described earlier, the council is evaluating options for:

- Increasing income
- Reducing expenditure
- Releasing surplus capital
- Funding capital investment

Income generation and commercialisation

The council recognises that every pound not collected in potential income is a pound lost for the use of services which our residents need.

Income generation involves reviewing the full range of opportunities to raise income from our land and building assets. These opportunities could include:

- Hiring out of spaces within our new Town Hall for events (under consideration)
- Reviewing hiring charges for our existing spaces
- Leasing parts of our Town Hall office space to third parties (under consideration)
- Leasing out underutilised or vacant buildings
- Amending the Major Events Policy for Victoria Park to permit more and higher capacity events to take place (adopted at December 2023 Cabinet)

Rent reviews and lease renewals

As a matter of good practice, it is important that we review the rent levels for our income-generating properties in a timely manner, when lease terms allow, in order to maximise benefit for our housing tenants and residents more broadly.

We also need to consider our approach to leases which have expired or are coming up to expiry. These should be either renewed or re-let in a timely manner.



Optimising our assets

When re-letting property, while we are not legally obliged to accept the highest offer in every case, overall income maximisation is clearly the predominant consideration.

Finally, we need to review our approach to outstanding, historic peppercorn rents in the community buildings sector.

Running costs

The council aims to minimise the overall running costs of its buildings while recognising the need for investment in property it intends to retain for the long term.

Part of this process will involve challenging the use of properties which are clear outliers (see graph on the next page) in terms of running costs and which therefore represent a significant drain on revenue.

These may also be properties which are energy inefficient and represent a disproportionate quantity of our carbon emissions (see priority 4).

In these circumstances, officers may need to review the business case for retention of these assets and recommend options for refurbishment, redevelopment or disposal.

Utilisation and efficiency

It's key that the utilisation of our property is optimised to its fullest possible extent in order to achieve value for money.

This involves the ongoing corporate monitoring of our operational buildings to measure the level of occupancy. It will also involve the implementation of space management policies which ensure corporate oversight when significant changes are proposed to the occupation of our buildings.

Following the recent move to the new Town Hall, the council has been reviewing the utilisation of this building and will take the results forward into a decision on letting and hiring opportunities within parts of the building.

Optimising our assets

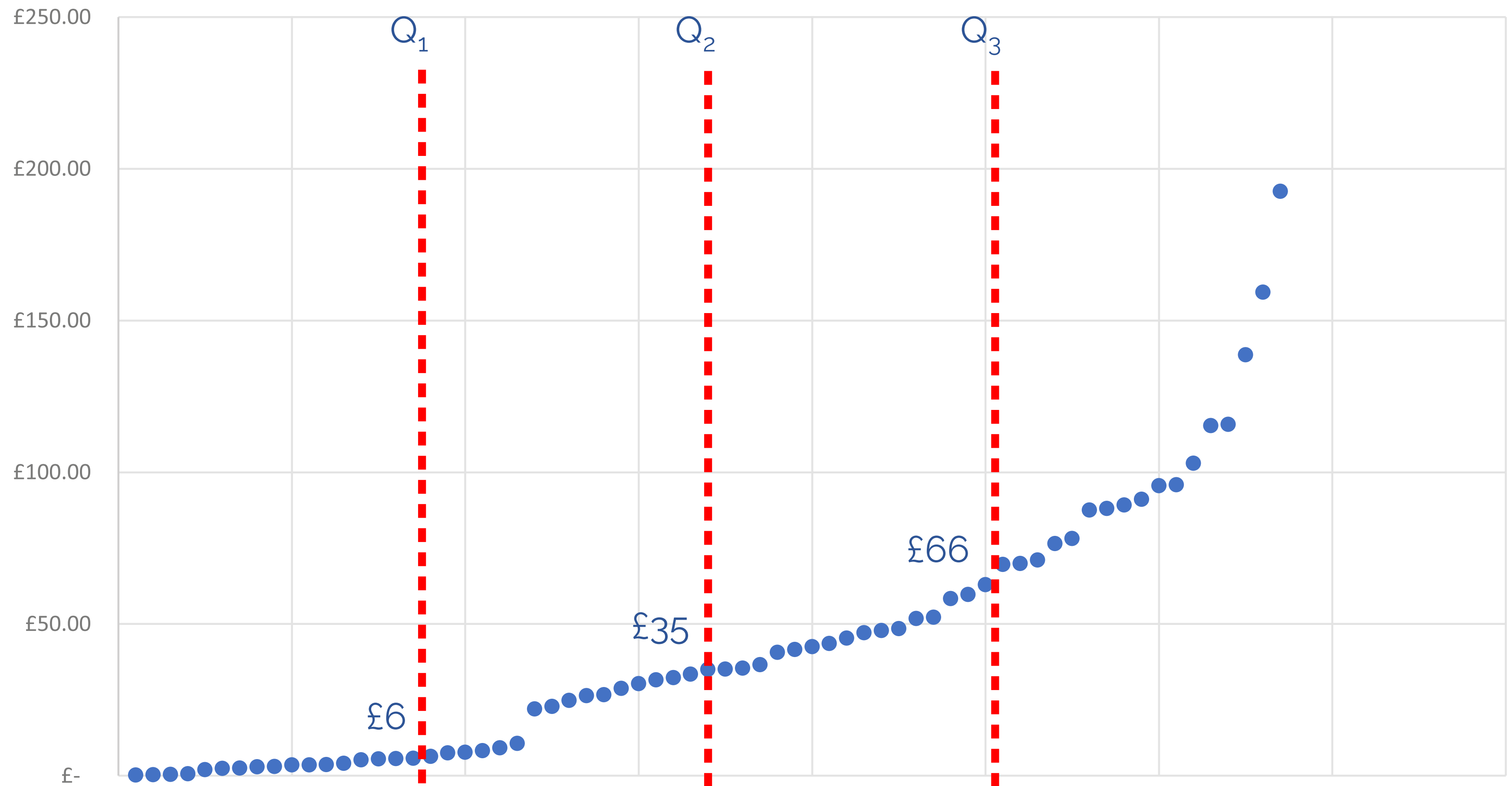
The chart opposite shows a selection of 67 of our managed buildings for which adequate costs data was available.

The median annual running cost (excluding rates) was £35/m².

Most buildings had a running cost below £50/m².

The highest cost was £192/m².

Annual running cost per m² (excluding rates) (averaged over last 3 years)



Optimising our assets

Retention and disposal

In the first instance, the council is focused on retaining and maximising the potential of the existing council-owned property portfolio, whether these are operational or non-operational properties.

In some cases, a property may be declared surplus and a proposal submitted for disposal on the open market (subject to mayoral approval). "Disposal" in this context denotes the sale of the freehold or the grant of a long lease of more than 25 years.

Relevant considerations for officers when proposing property for disposal include, but are not limited to:

- Current and potential utilisation of the space
- Condition of the building / maintenance backlog
- Investment required to bring the property up to standards required to reach our net zero target
- Potential for income generation, if retained
- Suitability of building for future service delivery.
- Suitability for use as part of housing development or regeneration scheme
- Potential for any capital receipt to be re-invested in other key priorities



What we will do

- Respond to inflation in materials and labour costs, reprioritising or reprofiling where necessary
- Monitor energy costs and review options to contain these
- Support the delivery of savings identified in the 2023/24 and 2024/25 budgets.
- Monitor occupancy and utilisation to ensure buildings are being used to their maximum efficiency
- Challenge the use and justification for retention of assets
- Review assets with services to identify which are surplus to requirements
- Procure a contract for external support with rent reviews and lease renewals
- Ensure we maximise income collected, reduce rent arrears and void periods
- Maintain the principle of setting market rents as the predominant consideration in the commercial portfolio
- Conduct a review of VCS Premises Policies and Procedures, including aspects such as:
 - Level of Community Rent
 - Working of the Community Benefit Rent Reduction scheme
 - Historic peppercorn rent arrangements
- Ensure we plan well in advance of vacating a building to avoid long void periods in our operational properties

An architectural rendering of a modern, multi-story building with a courtyard. The building features a mix of brick and grey panels, with large windows and balconies. A central courtyard contains a green sports court with white markings, surrounded by trees and a paved walkway. People are shown walking and playing on the court. The sky is clear and blue.

Priority 3:

**Managing our estate as
a corporate landlord**



Managing our estate

Corporate landlord model

The way we manage our assets is important. We need to ensure that our land and buildings are managed as corporate resources, the right stakeholders are involved, and decisions are made in the context of the council's priorities and objectives.

The concept of a corporate landlord model is that the ownership of an asset and the responsibility for its management and maintenance is transferred from service areas into the corporate centre. The service area then becomes a corporate tenant, and their priority is to plan and deliver their service to the best of their ability.

The corporate landlord is responsible for the following functions:

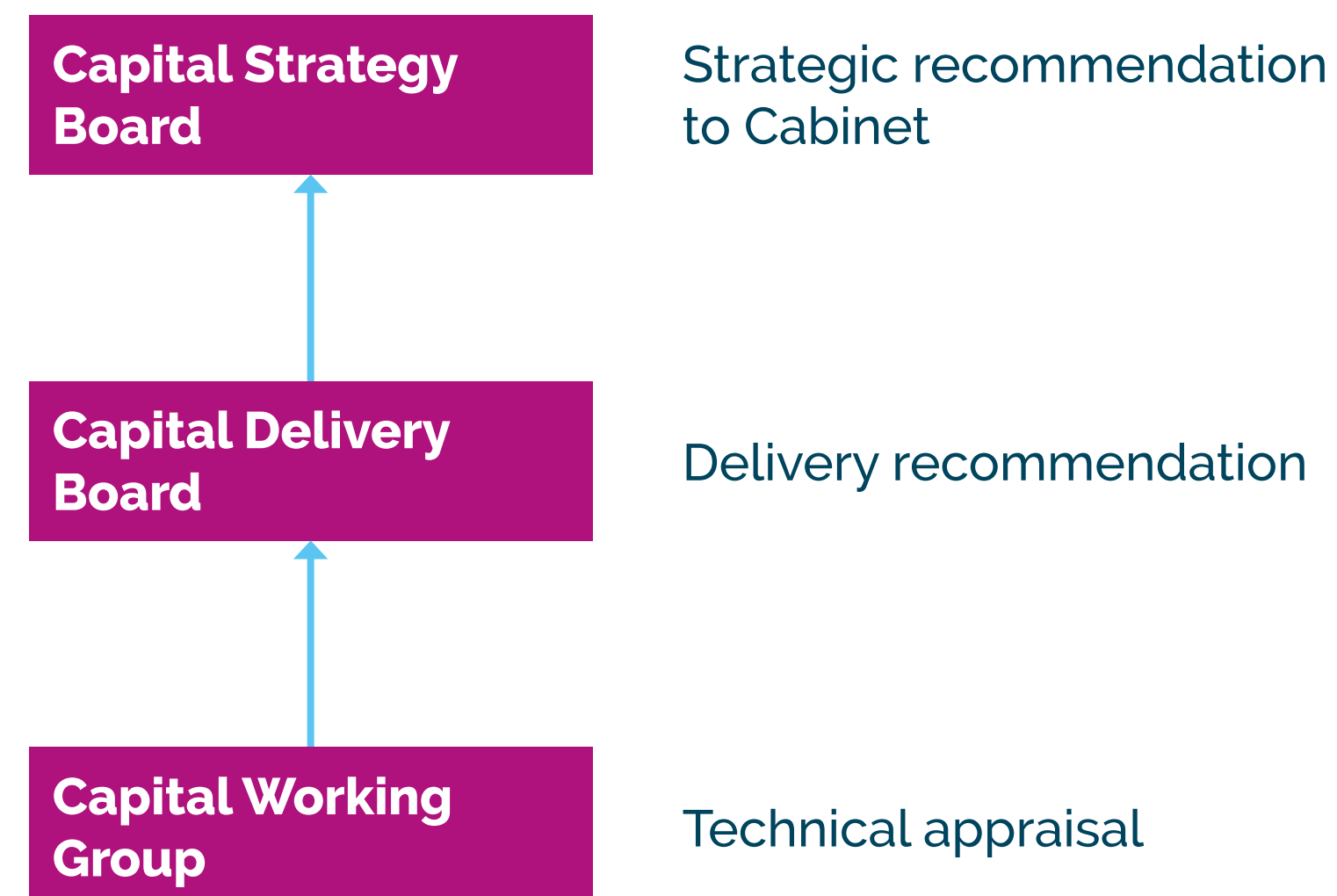
- Strategic asset management planning
- Capital programme – client, contract and project management
- Statutory compliance of buildings
- Hard facilities management – reactive, statutory and planned preventative maintenance; procurement and project management of building works
- Soft facilities management – cleaning, catering, security, caretaking, utilities
- Planning and maximising the safe mode of occupation of our buildings in line with the accommodation and space management policy
- Estates and valuation services
- Management of the commercial portfolio

Above all, the model should coordinate decision making so that decisions align with our strategic priorities.

Maintaining our estate

Governance process

Management of the estate is embedded into 'business-as-usual' within facilities and asset management. There is a separate structure for governing the capital programme:



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Data management

The Corporate Landlord also collects data to manage the portfolio effectively:

- Location and unique asset identifiers
- Tenure and legal impediments
- Lease arrangements
- Physical characteristics (e.g. size, age construction, type)
- Fitness for purpose (e.g. condition, suitability, capacity, accessibility)
- Performance information (e.g. utilisation, running costs, carbon emissions)
- Environmental constraints (e.g. listed building status)
- Opportunity cost (e.g. land value for alternative uses, social value to the business or the community)

Maintaining our estate

Like many other councils, Tower Hamlets has experienced significant government funding reductions, and we need to make careful choices in where we prioritise the money we spend. This is especially true in relation to property.

Corporate estate

The Property division take full responsibility for the maintenance of 226 corporate estate assets. It is vitally important that these assets are maintained to ensure a safe and appropriate environment to deliver services, support service users and the workforce. We maintain the corporate estate to ensure it is safe and compliant, although this does not always address fundamental underlying challenges and consequently may result in occasional closures to deal with repairs.

The approach taken to maintenance has been to ensure the estate meets the various requirements of statutory and regulatory compliance in terms of health and safety.

The consequences of this over the years has meant that many elements of buildings have been repaired where possible but not replaced as they reach the end of their life. As these elements continue to age, parts of the estate are now in a position where various components are now beyond economic repair and are causing a drain on existing financial resources.

In the year 2022/23 the corporate estate cost c £5.9m in day-to-day expenditure (excluding staffing costs, rent, rates and service charges). Energy, cleaning and repairs and maintenance represented the largest items of expenditure.

In addition to this revenue funding, there is also £2m available annually for capital investment as part of our rolling programmes.

Condition surveys help us to build a better understanding of items of repair and help the council identify and prioritise its resources. We aim to carry out these surveys over a five-year cycle.

The council is working to develop a revised rolling programme of condition surveys to better inform its investment and provide a greater clarity for forecasting future spend.

Maintaining our estate

Education Estate

Each Local Authority-maintained school receives funding as part of their core budget which is intended to contribute to maintenance activity.

Each school is expected to directly fund their own planned preventative maintenance and capital improvement activity. However, schools have an opportunity to bid for council funding to support works exceeding £10k.

The council receives an annual ring-fenced School Condition Allocation (SCA) from the DfE, which is then adopted into the Capital Programme's rolling Programmes.

The most recent Capital Programme allocated c. £3m per annum to address the necessary condition and improvement activity to keep our schools safe and operational. The total funding for the programme for the years 2023-26 is £9m.

Given this limited budget, priority is given to maintained schools with the most severe condition need or significant improvement need to deliver education to an acceptable standard. Investment in our estate is expected to increase as assets age and elements reach end of life.

With increasing revenue pressures across the council and significant alternative calls on the available capital financing, it is becoming increasingly challenging for the council to provide the additional funding required to keep ahead of the curve in ensuring our schools remain safe and operational.



What we will do

- Uphold clear corporate decision making and challenge on all property matters, led by the Property and Major Programmes division, supported by robust internal processes
- Aim to achieve an effective balance between corporate and service priorities
- Ensure that property information is accurate, current and comprehensive
- Develop mechanisms to ensure asset considerations are properly embedded in council-wide decision-making. This could include adopting a business partnering approach or adding an additional 'asset consideration' section on key-decision making templates.
- Ensure that all properties are – as a minimum – safe for the people who use them and compliant with statutory regulations (including fire safety).
- Undertake condition surveys, where funding becomes available, to ascertain the full picture of any maintenance backlog
- Prioritise works to assets which if not undertaken may impact on critical services delivered by the council
- Review the implementation of the corporate landlord model particularly in respect of data, governance and Asset Review.



Priority 4: Responding to the Net Zero challenge

Local policy

Net zero carbon council

The council has an ambitious target to become a net zero council by 2025, implying a significant reduction in carbon emissions from our buildings, external uses (street lighting) and transport fuel.

Carbon emissions from our buildings form the majority of the council's total operational emissions and therefore how we manage, maintain, refurbish, redevelop, or dispose of our buildings has great significance to the achievement of the council's net zero aims.

The council owns a number of buildings of significant age which were designed to be used with heating and plumbing systems which have long become obsolete. In addition to their energy inefficiency, some of these buildings represent a significant revenue drain in terms of repairs and energy costs.

In such instances therefore, the net zero and value-for-money agendas reinforce each other and may point towards either redevelopment or disposal of our buildings, although this will have to be assessed on a case-by-case basis.

Through the Public Sector Retrofit scheme, the council has replaced gas boilers with air source heat pumps in four council buildings to provide decarbonised heating. Solar panel installation is planned at 10 of our council buildings.



A Cleaner and Greener Future for Tower Hamlets

In February 2023 the council launched a Net Zero Buildings Action Group. The purpose of this group is to bring together all stakeholders across the council to agree an approach to retrofitting our buildings.

Looking ahead, the focus will be on:

- Surveys of our buildings
- Capital financing for the retrofitting of our buildings (est. cost £563M)

What we will do

- Ensure that assets' Net Zero impacts are considered as part of all review processes and put in place mitigation where possible
- Conduct site-specific surveys across our estate against a Net Zero benchmark, where revenue funding allows this – starting with 11 of our more highly-emitting buildings
- Retrofit our properties with solar panels, green heating systems and adequate insulation where sufficient funding has been identified
- In some cases, where the investment required outweighs the long-term benefit to the council, we may propose disposal
- Ensure newly-commissioned council buildings are built to be highly energy efficient and use a heat pump as the primary heat source
- Ensure we take into account climate risks such as overheating and flooding in existing and new buildings
- Explore a power purchasing agreement scheme so our electricity is from renewable sources
- Consider whether disposals could fund a re-investment programme for the buildings we retain

Reviewing our assets

Asset Challenge

Asset Challenge is an ongoing process whereby the justification for our assets is reviewed against a common set of criteria.

The ultimate aims of Asset Challenge are to reduce costs, identify assets that should be retained for use and/or invested in, identify those that are surplus to requirements and can be considered for disposal or repurposing.

Criteria include:

- Building condition
- Energy efficiency
- Accessibility/location
- Running costs
- Sufficiency
- Suitability

Criteria will vary depending on the fundamental purpose of the asset – commercial assets will need to be measured against different benchmarks than operational property.

A range of outcome options arise from an asset challenge exercise, including:

- Retain and continue business-as-usual
- Retain and improve usage
- Make major capital investment
- Repurpose for a different use (e.g. housing)
- Declare surplus and dispose on the open market or transfer to a third sector partner

The tables on the following pages (drawn from CIPFA best practice guidance) outline the criteria to be considered and the suggested outcomes which arise from this process.

Reviewing our operational assets

Front-line service usage / public access	Suitability / Sufficiency			Sensitivity – Civic / Community importance	Tenure / Restrictions on use	Value	Condition			Overall
	Access / location	Ways of working / operating Model	Utilisation / Space				Running Costs	Capital investment requirements	Ability to be Carbon Neutral	
Not used for front-line service	Not in right location / not accessible	Does not suit ways of working / operating model	Poor utilisation or too little space	No sensitivity or likely objection to disposal	No restrictions or issues that would prevent disposal	High value	Very high running costs	Major capital investment required	Unlikely to ever be carbon neutral	Strong evidence for either repurposing or disposal
Some front-line service use and/or public access	Some issues with location / accessibility	Reasonable for ways of working / operating model	Reasonable utilisation and sufficient space	No sensitivity but no real challenge to disposal	Minor issues that may delay a disposal	Some value but would not achieve a significant capital receipt	Above average running costs	Some investment required but not significant	Significant investment required to be carbon neutral	Some merit in considering repurposing or disposal
Fully used for front-line service with public access	In right location and easily accessible	Good for current ways of working / operating model	Good utilisation and space sufficient for all requirements	Potential of significant challenge or objection to a disposal	Significant issues that may prevent or delay a disposal e.g. 3rd party leases in place	Low or very little value e.g. due to very poor condition	Low or below average running costs	In good condition, only minor maintenance required	Very energy efficient and/or only minor investment required	Evidence suggests retention with current operating model (potentially with some investment)

Reviewing our commercial assets

Held purely for yield or for wider socioeconomic benefits, including in or out of area	Suitability – Access/ location for tenants	Suitability – Ways of Working for tenants	Utilisation – including if currently void or doubts about renewal	Sensitivity – Civil importance/ attitude to any repurposing/ disposal	Tenure/Value – Commercial model	Return on investment, based on rental income and carrying value and/or market value	Condition – Annual running costs	Condition – capital programme costs	Sustainability – Ability to achieve Net Zero – which impacts on ability to rent out	Market appetite to purchase	Ability to repurpose to operational property	Overall
Held purely for yield and out of area	Not in the right location / not accessible	Does not suit ways of working	Poor utilisation / currently or significant voids / doubts about renewals	No sensitivity to a disposal	No reason why cannot be disposed of. Also, high value	Poor return on investment – sub borrowing costs	High annual running costs	Major capital investment required to improve condition	Unlikely to achieve Net Zero	Strong market appetite to take on, resulting in good return for the Council	Are opportunities to repurpose (hence transfer to op. property)	Strong evidence for disposal/ repurposing
Held partly for yield, partly S-E benefits, and in area	Some issues with location / accessibility	Reasonable for ways of working	Reasonable utilisation and voids	Some sensitivity but not a major issue	Some minor reasons why cannot dispose of	OK return on investment, but uncertainties	Somewhat high running costs	Some capital investment required	Significant work required to achieve Net Zero	Some appetite to take on, resulting in OK return or slight loss	Limited opportunities to repurpose	Some evidence for disposal/ repurposing
Held for socioeconomic benefits and in area	In the right location / good accessibility	Good / best practice for current ways of working	Good utilisation, no real voids	Potential challenge if looked to dispose of	Significant reason why cannot dispose of – e.g. existing commitments	Good return on investment	Low/average running costs	Good condition	Limited work to achieve Net Zero	No appetite to take on or a significant loss to the Council	No opportunities to repurpose	Retain (potentially with some investment)

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Appendix B – Service Needs

Early Help

The Council owns a number of Children & Family Centres across the borough. These offer a range of services to families with children up to 19 years old (or up to 25 for children with SEND). The offer includes:

- Family support
- Early education training
- Child and family health services
- Childcare advice
- Employment advice
- Volunteering options
- Training Support

We are currently piloting a new government-supported approach in some of our centres called Family Hubs, which aims to integrate a wide range of early help services at a locality level.

Youth Facilities

As part of the Mayor's manifesto commitments, the Tower Hamlets youth offer was relaunched in 2023 under the name Young Tower Hamlets, with a total of £13.7m to be invested into the new service.

From a property perspective, this involves investment in seven Youth Centre projects. The aim is to deliver exemplar centres in each ward.

The project may change from refurbishment of existing centres to redevelopment aimed at providing state-of-the-art youth centres, increasing the capacity to accommodate far more users.

Community Premises

The Council owns a range of assets which are leased to Voluntary and Community Sector (VCS) organisations and are organised into a defined set of buildings called the Community Premises Portfolio.

The standard form of lease for an occupier of one of these premises is a Community Lease, a 3-5 year lease with a fixed below-market rate rent.

In addition to the above, tenants may also be eligible for our Community Benefit Rent Reduction Scheme, which applies an up to 80% discount on the rent level, subject to criteria.

Our community buildings support the aims of our VCS (Voluntary & Community Sector) Strategy, in particular 'improving access to statutory sector buildings for the VCS'.

Idea Stores and Libraries

Idea Store (IS) is Tower Hamlets' unique offer of integrated library, adult learning and information services. There are five Idea Stores, at Bow, Canary Wharf, Chrisp St, Whitechapel and Watney Market. There are two Libraries at Bethnal Green and Cubitt Town, and a Local History Library and Archives Service at Bancroft Road.

As well as a very strong, modern library offer, customers can also enjoy 800+ courses for adults and families, book groups, art exhibitions, cultural celebrations, under 5s and 50+ sessions, access to the Council's online services and much more.

A range of improvements are being carried out, including:

- Creation of new Learning Labs at IS Watney Market
- A programme of works at IS Whitechapel as part of the Whitechapel Cultural Campus
- Remedial works to IS Chrisp St
- Improvement works to IS Bow
- Refurbishment works at IS Canary Wharf
- Refurbishment works at Local History Library and Archives

Delivery of these projects will enable us to continue providing an excellent service at all our sites in the years ahead.

Adult Residential

In early 2024, Adult Social Care (ASC) will launch a Housing with Care Strategy which will set out the requirements for bed-based care facilities over the next ten years (2023-32) across the full range of types of accommodation including care homes (both residential and nursing), Extra Care Housing (ECH), Shared Lives (adult placement), and Supported Living.

The draft projections show that there will be significant increases in ageing across the population of Tower Hamlets particularly in the age groups 65 + (65%) and 85+ (55%) over the next ten years (2023-2032) which is likely to lead to increased demand for care and support services. Alongside this, the population of those living with learning disability and/or mental health problem are also projected to increase significantly as children and young people transition into adulthood.

Whilst increased investment and transformation of the prevention and early intervention services and the introduction of Technology Enabled Care (TEC) in the community will mitigate some of the pressures on bed-based care settings, there will still be a need for additional accommodation.

The draft projections show that within the next ten years ASC will need a minimum of three additional ECH schemes (240 flats) to be built in the Borough to accommodate a greater proportion of those needing care and support across all disability and older age groups and to reduce the reliance on residential care homes over the same period. These ECH schemes could be provided using capital funds from the Councils programme or by attracting inward investment into the Borough from the private and independent sector. Typically, the development of a new ECH scheme will take from 3-5 years to develop from the initial planning and site acquisition/ identification stage.

The strategy also shows that we need an additional Nursing care home facility with between 25-30 additional beds over the ten-year period.

These projections also show that there will be additional requirements for Supported Living for those with a learning disability (LD) and/or Mental Health condition. The current range of in-borough supported accommodation and registered care provision for people with LD is limited. There is a priority aspiration to support people closer to home as set out in the Adult Learning Disability (ALD) Strategy and most recent Market Position Statement, and for increasing a range of provision in order to achieve this; including registered care for people with high complex needs who are coming through transitions and for those who are in out of area placements due to limited local options. A mixture of provision is required so people have choice and can have the right level of support to meet their needs.

This includes provision in which personal care can be delivered. This could be met through scaling within ECH and smaller developments that meet Care Quality Commission (CQC) care standards.

Residential and nursing care requirements are also projected to increase over the strategy period. However, these requirements could be mitigated by additional expansion of ECH provision over and above the additional schemes mentioned above, alongside an enhanced 'home for life' care and support model within these schemes to support people through to End of Life Care with complex health interventions working alongside NHS partners and deployed through the locality based Primary Care Network (PCN) arrangements.

All of the above requirements need to be planned as far as possible as multi- purpose facilities and aligned with wider health and social care needs. For example, an ECH scheme could be provided on the same footprint as a primary care facility, day opportunities centre, dentists and health/ leisure provision and there are already many examples across the UK where this is working well as an approach.

Substance Misuse

As part of the work being taken forward by the Tower Hamlets Combating Drugs Partnership, a review of the substance misuse treatment and recovery system is taking place. While the Mayor's Six Priority Projects already include one project related to substance misuse, this review has the potential to identify other gaps which may have implications for our provision and how we use our buildings in relation to this area. The results of this work will be captured into the council's wider asset planning process as they both progress.

Education

The Council has a statutory duty to provide sufficient school places for the local population. The Tower Hamlets area continues to experience the fastest population growth in the UK. In the ten-year period between 2006 and 2016, the borough gained around 82,500 new residents and its population grew by 38%. This was more than double the rate of population growth seen in London as a whole (15%) and five times the growth in England (8%). During this period the borough's primary school provision was expanded to meet both this increase and the further anticipated rise in demand. However, from 2016 onwards the picture for schools has been changing with the continued growth in the borough's general population not translating into a need for additional primary school places.

As Tower Hamlets feels the impacts of a fall in birth rates, reduced child yield from housing developments and higher migration, it is evident we must consider how we might establish options and a process for addressing how we can make better use of assets with surplus accommodation. This must also align with the growing need for Special Education Need provision, which requires short- and long-term capital investment.

We have established a School Organisation Strategy Group to enable effective engagement with school leaders, with a key priority being to advise on the prioritisation/ implementation of capital projects to increase school places in areas of need (e.g. expansions, new schools) and to rationalise and improve the educational estate (e.g. amalgamations, refurbishments, site disposal).

Our current priorities for capital investment in schools are as follows, in order of priority:

1. Supporting growth to respond to increased demand for places in areas of the borough with demonstrable need;

2. Targeted investment in mainstream and special schools to increase/improve provision for pupils with SEND or other high needs;
3. Strategic improvement of the schools' estate, including funding projects to improve suitability, address health and safety issues, building compliance and poor building condition;
4. Changes to establish new modes of school organisation, aimed at sustaining high quality provision across a local planning area.

The principal source of capital funding for providing additional school places is the DfE Basic Need capital grant. Funding is allocated each year on a rolling basis. It is formula-based and does not reflect post-16 need or specific growth in numbers of pupils with high needs. Additional central funding is available to fund facilities for children and young people with Special Educational Needs (SEN). Further funding sources include Community Infrastructure Levy (CIL), Local Infrastructure Fund (LIF), reserves, capital receipts and prudential borrowing and development contributions in the form of Section 106 development contributions.

There are 95 schools in Tower Hamlets. This includes 66 primary schools (including 4 infant and junior schools), 18 secondary schools, 7 special schools (including 2 alternative provisions) and 4 LA-maintained nurseries. The council has an indirect relationship with others such as academies, faith schools and free schools.

In 2022, Central Government put forward a white paper policy including a 2030 academisation target for all schools. Although abandoned, external policies and government directives will have an impact on how we manage the education estate and sufficiency requirements, and we must be mindful of this. We must also acknowledge that our relationship with maintained schools is not static, and this may have implications on our asset portfolio. As financial pressures on schools deepen, many will see academisation as an option for sustainability, which requires the handing over, or long lease of assets to new responsible bodies.

As we continue to experience a decrease in the demand for mainstream school places, our work with planning colleagues on s106 sites is essential. The Local Plan identifies a sustained development plan for the current period, including options for delivering education provision as part of s106 agreements. Our ongoing review of these options will enable us to effectively forecast the requirement of these sites, ensuring that they align with the fluctuating demands for pupil places and types of provision required. A careful approach to the allocation of sites for educational use is required, and decisions for non-education use will be bolstered by our pupil place planning and asset suitability findings. In addition, our work with colleagues in Special Educational Needs (SEN) and Alternative Provision (AP) is integral to address sufficiency needs in our borough. As we observe a steep demand for SEN and AP resources, our collaboration is crucial in how we invest in both new and existing assets. The increasing requirement for this type of provision has shifted our focus towards this area in the short and medium term. Creativity in how we utilise the limited funds we have is necessary and a suite of resource bases within existing provisions will be explored.

Alongside our own identified need we need to continue to work with partner organisations such as the DfE to ensure the site availability within Tower Hamlets can support where possible the wider educational need.

Considering the above, we must be smart in how we work with schools to make better use of assets and the potential for a higher level of surplus accommodation. We are seeing a shift in attitude amongst our schools and in some areas an urgency to identify third party income generation to

counter the loss of income from pupil placements. Whilst being supportive of this option, we must be careful that any arrangement does not create potential to cause a future shortage of accommodation for statutory age pupils. Tower Hamlets operates a surplus place policy of around 10%, which is crucial to maintaining parental choice and in-year movement.

Looking ahead, it may become necessary for placement reviews and schools may need to close; usually, in circumstances where there are surplus places elsewhere in the local area, which can accommodate displaced pupils and there is no predicted demand for the school in the medium to long term. Once a school site has been declared surplus for education purposes, it goes through the usual asset management mechanisms to determine whether other council services can make use of the site. If it is then established that they cannot, the site will be put forward for disposal. There are limitations on the use of such sites for non-education purposes; these require a S77 application and Secretary of State approval.

Capital receipts from site disposal will be used support to the improvement of other parts of the council's education estate.

We will continue to deliver basic needs expansions across the borough where need arises. In addition to which there is a rolling programme of condition & improvements for our school estate to ensure the delivery of education for our pupils.

Schools Maintenance

Tower Hamlets is the responsible body for 54 schools, which includes 40 primary schools, 5 secondary schools, 5 Special/AP schools and 4 LA-maintained nurseries. Voluntary Aided, Academy Trusts, and Free Schools are responsible for their own asset strategies.

Each local authority maintained school receives funding as part of their core budget which is intended to contribute to capital maintenance activity. The expectation on each school is for them to directly fund their own planned preventative maintenance and capital improvement activities. Local authority maintained schools have an opportunity to bid for council funding to support works exceeding £10k.

On an annual basis the Council receives a ring-fenced School Condition Allocation (SCA) from the Department for Education (DfE), which is referred to in the capital programme as the Annual Rolling Conditions & Improvement programme. Over the past number of years the SCA allocation we receive has increased year on year from £2.7m in 2019/20 to £4.7m in 2023/24.

The capital programme allocates c.£3m per annum to address the necessary condition & improvement activity to keep our schools maintained to a baseline acceptable standard of safe and operational. The funding for the programme over the next three years is £9m 2023-26.

Given this limited budget, priority is given to maintained schools with the most severe condition need or significant improvement need to deliver education to an acceptable standard. Investment in our estate is expected to increase as assets age and elements reach end of life. The DfE recognises this in its capital maintenance methodology, as it accounts for location and condition band (based on high-level condition data it collects).

The schemes identified within the annual Condition & Improvement programme are considered high priority works based on data from the corporate asset management database, technical officer's recommendations and school's bids that have relevant supporting evidence.

Condition surveys help build a better understanding of items of repair and help the council identify and prioritise its resources. The Council is working to develop a revised rolling programme of condition surveys to better inform its investment and provide a greater clarity for forecasting future spend and highlight periods of significant need/resource. This rolling programme requires an annual revenue commitment which is currently not in place.

With increasing revenue pressures across the Council and significant alternative calls on the available capital financing required to drive service transformation, achieve revenue savings and to respond to other areas of need it is becoming increasingly challenging for the council to provide the additional funding required to keep ahead of the curve in ensuring our schools remain safe and operational.

Leisure

The council owns a total of seven leisure facilities across the borough, currently operated under contract by leisure provider GLL/Better. These comprise:

- John Orwell
- Mile End
- Poplar Baths
- Tiller
- Whitechapel
- York Hall
- St George's (closed for rebuilding)

More than half of the leisure centres are over 40 years old, which can make these buildings more expensive and challenging to keep in good repair. There is a backlog of condition issues estimated in 2022 at £11.3m needing to be funded over the next decade.

As part of the administration's plans, the leisure service will be brought in-house when the current contract expires in April 2024. In the short term we are focused on the achievement of a smooth transition from outsourced to in-house management of the service and its buildings.

As part of the council's investment in leisure, plans for a rebuilt leisure centre on the St George's site are also underway. The Culture and Leisure team are working with the Capital Delivery team to deliver this project, which is planned to include housing, providing state of the art facilities for the borough's residents. Completion is planned for 2026.

Parks & Open Spaces

There will be a comprehensive programme of upgrading the parks within the borough to ensure the health and well-being of residents, including funds to replace benches, bins, painting railings and lamp posts at sites across the borough. The parks programme includes upgrading sports facilities in parks. The programme is designed to refurbish sports areas across Tower Hamlets (kickabout areas, tennis courts, basketball courts) and installing outdoor gyms. In addition to this there is a programme of works for inclusive playgrounds which will renovate playgrounds across Tower Hamlets, making them accessible to children with a wide range of needs.

These programmes are planned to interlink, and address priorities across the borough's 120 parks. Extensive consultation has been carried out with residents and stakeholders since 2018, with all programmed for delivery across the 3 years of the Capital Programme (2023-26).

Given the recognised shortage of open space in the borough and the difficulty of providing new large areas of open space in such a built-up borough, the council's approach is to secure new areas of publicly accessible open space through the planning process.

The parks also host a local programme of outdoor events such as festivals and music concerts. In accordance with the need for savings we will be ensuring that we optimise the income generating potential of our outdoor spaces.

Many of existing parks include park buildings of varying uses, which require ongoing maintenance and management. These buildings are being actively managed to maximise income generation.

Waste Depot

The Blackwall depot facility is the council's main depot for waste, recycling, cleansing, passenger transport, fleet management and winter maintenance. It is considered not fit for purpose to meet all future needs, including statutory environmental requirements and operational efficiencies.

Options are currently under review for the redevelopment or relocation of the site, with the aim to develop or acquire a fit for purpose waste, recycling, cleansing, winter maintenance and passenger transport depot, office accommodation and welfare facilities.

Customer Service

In 2022, the council began to pilot a new face-to-face customer service offer – Residents' Hubs. These hubs bring together advice on council services such as housing and welfare benefits, along with key local partners such as DWP and voluntary and community organisations.

Following the pilot, the 2023 Budget approved funding for 5 Residents' Hubs to operate from a variety of sites, including Libraries, Idea Stores and the new Town Hall.

The Customer Service Strategy, published in September 2023, reaffirmed this commitment to ensure face-to-face access was widely available across the borough.

Commercial Estate

As well as holding property for direct social and community benefit, the council maintains an investment portfolio of commercial properties, with an income target of c. £5m.

These properties are held for the purpose of providing income either for services and facilities for the council's housing tenants, or for council services more generally.

The portfolio consists of approximately 260 shops as well as a small number of other spaces such as office workspaces and multi-occupied schemes.

A programme of commercial lease renewals and rent reviews is underway to maximise the income to the council from the commercial portfolio. In addition to maximising annual rental income, this also ensures income is secured, by locking tenants into current leases at market level rent rates.

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Equality Impact Analysis Screening Tool

Section 1: Introduction

Name of proposal For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Strategic Asset Management Plan 2024-29
Service area and Directorate responsible
Property & Major Programmes / Housing & Regeneration Directorate
Name of completing officer
Thomas Smith
Head of Service
Dave Hughes (Interim Director)

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster 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

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

The Strategic Asset Management Plan sets out the priorities and high-level actions by which the council proposes to manage its property assets over the period 2024-29. The adoption of the paper itself will not have any impacts on the protected groups. However, any projects (e.g. a

disposal or office move) that arise out of its implementation will be required to assess the impact of the project across all the protected groups.

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"/>	
<ul style="list-style-type: none"> ▪ Age 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ Race 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ Religion or Philosophical belief 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ Sexual Orientation 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<ul style="list-style-type: none"> ▪ Gender re-assignment status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ People who have a Disability (physical, learning difficulties, mental health and medical conditions) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> ▪ People who are Pregnant and on Maternity 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> • People who have Care Experience 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<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"/>	

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 exception to this is if you can 'justify' the discrimination (Section 4).

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 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 type="checkbox"/>	<input checked="" 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

The outcome of the screening shows that no immediate equality impacts are expected from the adoption of the SAMP. However, as noted above, any projects arising out of its implementation will be required to screen separately for impacts.

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Agenda Item 6.9

Cabinet 24 July 2024	 TOWER HAMLETS
Report of: Steve Reddy, Corporate Director, Children Services	Classification: Unrestricted
Conversion to Academy Status: Bishop Challoner RC Secondary, St Anne's and Guardian Angels RC Primary and St Elizabeth RC Primary Schools	

Lead Member	Councillor Maium Talukdar, Cabinet Member for Education and Lifelong Learning
Originating Officer(s)	Terry Bryan, Service Head for Pupil Access and School Sufficiency and Tracy Routledge, Head of School Building Development.
Wards affected	All wards
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	04/06/2024
Exempt information	N/A
Strategic Plan Priority / Outcome	Accelerating Education

Executive Summary

The purpose of this report is to formally notify Cabinet of the Academy Orders issued by the Secretary of State for Education on 24th October 2023, in respect of three maintained catholic schools:

- Bishop Challoner RC Secondary,
- St Anne’s Guardian Angels RC Primary, and
- St Elizabeth RC Primary;

and to obtain the necessary authority to delegate responsibility required to named officers to facilitate the academy conversion process for and on behalf of the Council.

Recommendations:

This report makes the following recommendations to the Mayor in Cabinet:

1. Note the decision of the Secretary of State for Education on 24 October 2023 to approve the applications from the Governing Bodies of Bishop Challoner RC, St Anne’s and Guardian Angels RC, and St Elizabeth RC to convert the schools to academy status, and that the Council has a statutory duty under law to facilitate the conversion process.

2. Delegate to the Corporate Director for Children's Services, in consultation with the Executive Mayor, the overall management and timing of the conversion process working with all relevant parties.
3. Authorise the council to enter into a commercial transfer agreement, if necessary and if agreed by all parties, on suitably agreed terms, as well as any other necessary agreements with relevant third parties, as described in paragraphs 3.1 – 3.11.
4. Authorise the council to negotiate with the Academy Sponsor – Lux Mundi Trust and the Department for Education to agree the form and detailed terms of the appropriate documentation in relation to any council owned land to allow for the operation of the Academy from the transfer date. Depending on the type of land and any directions received from the Secretary of State for Education, this may take the form of freehold transfers or the grant of leases for a period of 125 years for a 'peppercorn rent', in accordance with the relevant standard documentation produced by the Department for Education
5. Authorise the Divisional Director, Legal (Monitoring Officer), to execute all documentation required to implement the decisions
6. Note the equalities considerations as set out in Paragraph 5.1.

1 REASONS FOR THE DECISIONS

- 1.1 The Council has a statutory duty to facilitate the conversion of a school into an academy when an Academy Order has been issued by the Secretary of State. Under such a circumstance, agreement of Cabinet is required to enable officers to take necessary steps to facilitate the conversion of such schools to academy status as required by law, on receipt of the Academy Order.

2 ALTERNATIVE OPTIONS

- 2.1 The legislative framework for schools converting to Academy status does not provide the Council with options other than to facilitate the processes leading up to conversion by working in collaboration with all relevant stakeholders to ensure a smooth transfer of staff, contracts, services and assets to the Academy Sponsor by the agreed conversion date.

3 DETAILS OF THE REPORT

Background and Context

- 3.1 The Academies Act 2010 makes provision for existing maintained schools to convert to Academy status. Bishop Challoner, St Anne's and Guardian Angels, and St Elizabeth are catholic voluntary aided schools that are currently maintained by the local authority. They have applied to convert to academy status and join the Lux Mundi Multi Academy Trust. Their applications were initially reviewed by the Department of Education (DfE) and subsequently approved by the Secretary of State for Education. Academy Orders for the three schools were then issued on the 24 October 2023 and they are provided in the Appendices to this report.
- 3.2 The DfE sets out the process of academy conversion and the key dates by which these must be completed, relative to chosen conversion date(s). In the case of these three schools there is an expectation that the conversion date will be as soon as possible, as it is recognised that any unnecessary delays would not be in the best interests of the parties involved in the conversion process, particularly the schools whose main focus is the provision of high quality education. All parties are

currently in agreement that it would be possible to complete the conversion process for the three schools by 1 September 2024.

- 3.3 In carrying out the requirements of the Academies Act 2010 the Council is obliged to cease maintaining a school on the date it opens as an Academy and must take all reasonable steps to facilitate the conversion of a school into an Academy once an Academy Order has been made. In this regard, all necessary legal agreements associated with the conversion must be completed and confirmed to the DfE well in advance so that the conversion process can be completed by 1 September 2024.

Transfer of Staff, SLAs and Contracts

When a maintained school converts to academy status a Commercial Transfer Agreement is entered into to address the transfer of staff and contracts. There is a model DfE template for the CTA. Where the maintained school is a community school or a voluntary controlled school where staff are employed by the local authority then the local authority will need to be a party to that agreement. Where the maintained schools are voluntary aided schools, as is the case for the schools subject to this report, and the governing body is the employer of the staff it is not a requirement that the local authority is a party to the CTA. In the case of these schools the Academy Trust has confirmed that it wishes to proceed to enter into the CTAs as between it and the relevant governing bodies, without the Council being a party. This does not preclude the Council working collaboratively with the governing bodies and Academy Trust to effect the conversions, as is set out otherwise in this report.

- 3.4 The process for academy conversions therefore makes provision for a Commercial Transfer Agreement (CTA) between the current employer and the Academy Sponsor (Lux Mundi Trust) of a converting school to deal with transfer of staff, services and contracts. The detailed arrangements for this are part of model agreements published by the DfE.
- 3.5 The staff at each of the three schools are employed by their Governing Body who is responsible for the movement of employees from the schools to the Lux Mundi Trust. A TUPE consultation will need to be undertaken as part of the process. The Governing Body as the current 'Employer' within the School is responsible for this along with the Trust. Consultation with the Council's trade unions will also be necessary in respect of any effects of the TUPE transfer to Council employees.
- 3.6 Under the requirements of TUPE, there is a legal obligation upon Governing Body of each school to provide written information about the transfer to their employee representatives (which will be their trade union). The information that the Governing Body must provide in writing to the employee representatives is as follows:
- The fact that the transfer is to take place, when and why.
 - The "legal, economic and social implications" of the transfer for the affected employees.
 - The "measures" which the Governing Body envisages it will take in connection with the transfer or, if no measures are envisaged, that fact; and
 - Any measures which the Governing Body envisages the Lux Mundi Trust envisages taking in connection with the transfer in respect of the transferring employees or, if no measures are envisaged, that fact.
- 3.7 By virtue of TUPE, terms and conditions of employment should be protected in

accordance with the legislation. The Lux Mundi Trust will be required to provide full details to each school's Governing Body to allow meaningful consultation. No specific timescale is provided for consultation, but it must be meaningful with legal penalties and remedies in respect of consultation if it does not take place as required.

- 3.8 Again, by virtue of TUPE, the terms and conditions for employees should be protected. The contractual documentation should address this. Pension issues should also be addressed accordingly in the process between the Governing Bodies and the Lux Mundi Trust.
- 3.9 The schools are provided with a number of services through Service Level Agreements ("SLAs") with the Council. It may be that the schools will confirm their intention to carry on with these arrangements post conversion, at which point they will be able to enter into new SLAs with the Council, like other schools.
- 3.10 All other contracts and licences currently held by the schools are being confirmed, along with the schools' intentions regarding the continuation of the contracts post conversion.
- 3.11 If the contracts are to cease, they will cease prior to transfer and any liabilities accounted for from the schools pre-transfer budget.

Transfer of Land and Buildings

- 3.12 For each of these schools the principal operational site (land) where their buildings are located is owned by the Roman Catholic Diocese of Westminster. The land will remain under the ownership of the Diocese, who will grant the academy trust a licence to use the land under a 'Church Supplemental Agreement'. This agreement is entered into by the Secretary of State (DfE), the Diocese and the Lux Mundi Trust, and sets out the terms upon which the Academy may occupy the school site. It also acts to protect the religious designation of the schools and aims to allow the land arrangements to continue 'as is' following their academy conversion. The Council is not a party to this land use agreement.
- 3.13 Title due diligence has revealed that parts of the St Anne's and Guardian Angels and St Elizabeth's sites are owned by the Council. The Council, the Academy Trust and the DfE are negotiating the appropriate way in which this Council land will be made available to the Academy. DfE Guidance provides that the expectation for land at voluntary aided schools is that there would be a freehold transfer of any non-playing field land and that a 125-year lease would be granted of any playing field land.
- 3.14 The land owned by the Council at St Anne's and Guardian Angels does not appear to include playing field land, and the DfE and the Academy Trust have therefore confirmed that their expectation is that the freehold of the parcels of land currently owned by the Council on this site would be transferred to the Diocese. The Diocese would then be able to include the whole school site in the Church Supplemental Agreement granted by the Diocese to the Academy, giving it licence to use the site for the purposes of the school.
- 3.15 The land owned by the Council at St Elizabeth's is understood to be used for the purposes of recreation. The parties are working to determine whether this area is properly defined as 'playing field land' or 'non-playing field land'. If it is non-playing field land, then the expectation is that the freehold will transfer to the Diocese. If it is 'playing field land' then statutory guidance suggests that a 125-year lease of the land will be granted by the Council. Notwithstanding this, the Secretary of State

has the power to make a direction under the Academies Act 2010 that such land should transfer freehold in any event.

- 3.16 The DfE and the Academy Trust have indicated that their preference is for a freehold transfer of this land. The Council has indicated that if the land is 'playing field land' then their preference would be to grant a 125-year lease but that if directed to transfer the freehold by the Secretary of State then it will do so.
- 3.17 Failure to transfer or to delay transferring can lead to intervention by the DfE under the Academies Act 2010.
- 3.18 If it is agreed between the parties that it is appropriate to put an academy lease in place, then in summary such lease seeks to protect the Council's interests in the following ways:
- The stipulated use in the lease is for education purposes and community, fundraising and recreational purposes ancillary to the provision of education services;
 - Not to assign/transfer the lease to anybody other than the successor charitable or public body approved by the Secretary of State;
 - Not to take out any charge or loan on the land without prior approval by the council;
 - Not to underlet the whole of the land or underlet part for a term in excess of seven years;
 - The lease will automatically end upon termination of the funding agreement between the school and the DfE.
- 3.19 The 125-year lease will be in line with a prescribed template provided by the DfE.

4. CONTINUING RELATIONSHIP FOLLOWING CONVERSION

Pupil Admissions

- 4.1 Academies are required to adopt clear and fair admission arrangements in line with school admissions law and the School Admissions Code. This will involve periodic public consultation as well as reviewing and publishing their admission arrangements on an annual basis.
- 4.2 The Council retains the responsibility for ensuring that all children and young people in the borough have a school place. On conversion these academy schools will continue to be part of the Council's coordinated admissions arrangements for the normal points of school entry, as well as participate in the local 'Fair Access' arrangements to ensure that children and young people can be placed in school quickly.

Pupils with Special Education Needs and Disabilities

- 4.3 Local authorities retain responsibility for pupils with Education, Health and Care (EHC) plans in academies on the same basis as for such pupils in maintained schools. The Council will continue to commission special places and they must:
- Ensure that academy pupils are appropriately assessed and have EHC plans as part of the entry criteria
 - Consider parents' representations for an academy to be named on an EHC plan and act reasonably in response to those representations

- Fund any individually assigned SEN Top up resources
- Monitor arrangements for SEN pupils in academies
- Conduct reviews of EHC plans for children in academies at least annually and each six months for children under five.

Pupil Exclusions

- 4.4 The DfE statutory Guidance on Exclusion is equally applicable to Academies and Free Schools. Whilst academies are not required to have Local Authority (LA) representation at exclusion review hearings, parents can request the attendance of the LA's Exclusions Officer. Schools often seek advice on the use of exclusions especially as much greater emphasis is now placed on avoiding indirect (or direct) discrimination against vulnerable groups of pupils. Where the review process finds that an exclusion has not been carried out correctly there can be additional financial implications for the school, on top of any funding that would normally follow an excluded pupil.

Trading

- 4.5 The Council will continue to offer a range of support services to academies and free schools on a traded basis. Academies are currently charged an additional 10% for services as there are additional administrative costs to the Council.

School Forum

- 4.6 Under the School Forum Regulations 2012, the Council was required to secure representation from academies in proportion to the number of pupils. The LBTH School Forum reviews the membership regularly to ensure proportionality and makes the appropriate changes to membership.

Governance

- 4.7 The Governing Body of an academy must currently have two parent governors.

Insurance

- 4.8 Schools must ensure that adequate insurance cover has been arranged prior to conversion, to take effect from midnight at the date of conversion. The DfE has produced a guidance note on the issues arising from this and the way in which costs are reimbursed.

Landlord responsibilities

- 4.9 Where there is a lease of the buildings and or land for 125 years, the Council retains the responsibility for landlord functions under this arrangement. In general terms this is about ensuring the academy has adequate insurance, due regard to health and safety of staff and pupils, and maintains the buildings in a fit and proper state etc.

Policies

- 4.10 Academies are required to have a number of policies and other documents in place, by law. This includes, but is not limited to, policies for admissions arrangements, data protection, school complaints, charging and remissions, school behaviour, special educational needs and disability, health and safety, school exclusion, child protection and health and safety. Academies are also covered by the Public Sector Equality Duty (PSED), and they must also have a policy in place for relationships education, relationships and sex education (RSE) and health education.

5. EQUALITIES IMPLICATIONS

- 5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.

6. OTHER RELEVANT STATUTORY IMPLICATIONS

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.

Safeguarding

- 6.1 The statutory guidance, 'Keeping Children Safe in Education', sets out the legal duties schools must follow to safeguard and promote the welfare of children and young people under the age of 18. On conversion, the local authority will continue to work collaboratively with these schools to safeguard and promote the welfare of all children in the borough.

Data Protection

- 6.2 The terms of the CTA will include the sharing of personal data relating to staff and pupils at the schools being transferred, in accordance with the requirements of the relevant data protection legislation.

7. COMMENTS OF THE CHIEF FINANCE OFFICER

- 7.1 When schools convert to academies, the revenue funding will still be met from the allocated Dedicated Schools Grant (DSG) but it will be paid directly to them by the Education and Skills Funding Agency and not by the Local Authority. The calculated budgets for the schools are recouped from the gross DSG and the net grant is then paid to the Council. A contribution made by the schools to support central services and de delegated budgets would cease from the date of conversion. If the schools converted on 1 September 2024, this would equate to a combined reduction in income of £59,950 to the Council.
- 7.2 Tower Hamlets Council will retain the responsibility of funding additional costs in relation to pupils with EHC plans.
- 7.3 The Council will no longer receive capital funding for school maintenance which would be funded to the Academy Trust and would therefore no longer have responsibility for the maintenance of the buildings. Any required capital investment to secure additional places in the Authority would continue to be funded by the Council if this was to secure the statutory basic needs duty.
- 7.4 At the end of the 2023/24 financial year, St Elizabeth RC Primary School reported a deficit position of -£230,624 and this is likely to increase by the proposed conversion date. The DfE's policy would be to reimburse the Local Authority the final deficit

position and recover the money back from the academy through abatement of General Annual Grant (GAG). The Council is not intending to absorb any of the schools' deficit. An extract from the DfE's guidance is below:

“Deficit balances unlike surplus balances are not covered in the same way by primary legislation and regulations. The Department’s policy, however, is to treat deficits in a similar way, so the Department reimburses LAs and recovers the money back from the academy through abatement of General Annual Grant (GAG). The Department has to ensure the amount due is a true reflection of what is owed and will only pay once the amount is agreed by both parties. In the event of a disputed deficit balance, the Academy Trust (AT) may apply to the Secretary of State (SoS) for a review. The SoS will base his decision on the evidence provided by both parties.

If a school is concerned that the size of its deficit could prevent it from converting, but the school is not eligible for intervention or otherwise eligible to be treated as a sponsored academy, it is open to the LA to agree to absorb part or all of the deficit rather than insist on it being repaid by the school. This is most likely to apply where the school is joining the AT of an external sponsor, but as a converter academy.”

8. COMMENTS OF LEGAL SERVICES

- 8.1 When the Secretary Of State grants an academy order under the law the Council is legally obliged to provide appropriate levels of assistance relating to the conversion of the school into an Academy. The contents of this report shows compliance with this duty although it should be noted that the secretary of state has further powers that could be invoked should it be necessary to enforce the transfer of assets and other items in order to form the new academy.
- 8.2 The Council is required to transfer to the academy trust such land and other assets and items as are held by the Council for the purposes of running the schools immediately prior to the date of academy transfer. DFE guidance goes further to say that these are assets and other items which are required to ensure that on the first day following the conversion the Academy has the same level of facilities as the maintained school previously. The proposed commercial transfer agreement and land transactions (where the land is owned by the Council) will put this transfer into effect.
- 8.3 The principal area of land used as a school is owned by the Diocese. Therefore the CTA will need to be completed at the same time as the diocese grants access to the diocese owned land. The Council is not a party to this land transaction although there may be other areas of land used by the school and reasonably necessary for the assets to continue to operate as a school post transfer in which case the Council will need to grant a lease of these associated areas to the Trust in order to comply with the academy order
- 8.4 It is anticipated that the existing staff at the school will transfer to the academy under the Transfer Of Undertakings (Transfer of Employment) Regulations 2006. Therefore, the Council is undertaking appropriate levels of consultation with affected members of staff and is compliant with the requirements of the regulations.
- 8.5 Access to the Local Government Pension Scheme is expected. However, admission to the scheme will be subject to separate approvals and admission agreement in accordance with the relevant pensions law if the trust has not already achieved admitted body status.

Appendices

Appendix A	Academy Order for Bishop Challoner RC Secondary School
Appendix B	Academy Order for St Anne's and Guardian Angels RC Primary School
Appendix C	Academy Order for St Elizabeth RC Primary School

Linked Reports and Background Documents

Linked Report

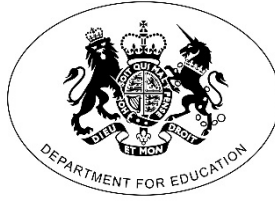
None

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

NONE

Officer contact details for documents: N/A

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The Rt Hon Gillian Keegan MP
Secretary of State for Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe

To: The Chair of Governors of Bishop Challoner Catholic School

Tower Hamlets London Borough Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4 of the Academies Act 2010.
2. I hereby order that on the conversion date Bishop Challoner Catholic School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Tower Hamlets London Borough Council shall cease to maintain Bishop Challoner Catholic School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:..... Date: 24 October 2023

Claire Burton,
Regional Director

The Chair of Governors
Bishop Challoner Catholic School
352 Commercial Road
London
E1 0LB

24 October 2023

ACADEMY ORDER FOR BISHOP CHALLONER CATHOLIC SCHOOL

Following the recent application of your governing body to convert your school to an academy, I am delighted to inform you that I am content to agree in principle to Bishop Challoner Catholic School becoming an academy. I enclose an Academy Order in respect of your school in order to enable it to convert to an academy.

The purpose of an Academy Order is to enable your school to convert to an academy. For actual conversion to take place, I will need to agree with the Academy Trust a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which your school will convert to an academy.

Your DfE delivery officer will work with you on the next steps set out in Annexes A and B, to enable the project to progress quickly. Under the provisions of the Academies Act 2010, schools are required to carry out a consultation with appropriate people on the question of whether they should convert into an academy. Your school is likely to have already started this consultation. You will need to confirm to your DfE delivery officer that the consultation has been carried out by the governing body prior to the Funding Agreement being signed and you should therefore keep all of the documentation relating to this consultation.

Further information and supporting documents are available on our website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I enclose a copy of this letter for you to pass onto the head teacher and I am writing to Tower Hamlets London Borough Council.



Claire Burton,

Regional Director, London Region



Department
for Education

Claire Burton
Regional Director's Office
London Region
Trafalgar House
1 Bedford Park
Croydon, CR0 2AQ

Mr James Thomas
Director of Children' and Culture
Tower Hamlets London Borough Council
5th Floor Mulberry Place
E14 2BG

24 October 2023

ACADEMY ORDER FOR BISHOP CHALLONER CATHOLIC SCHOOL

Following the recent application of the governing body of Bishop Challoner Catholic School to become an academy, I am delighted to confirm that I am agreeable to the conversion of this school to an academy.

I enclose a copy of an Academy Order, which will enable the school to convert to an academy. For conversion to take place, I will need to agree, with the Academy Trust that will run the academy, a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which the school will convert into an academy.

Formal TUPE consultations with staff, unions, and the employer should start as soon as possible. For schools where the governing body is the employer of staff, the governors will lead on the TUPE process, but they may require your support to do so. In all cases, you should please ensure that any personnel files which you hold for the schools are fully up-to-date, and that you have an accurate record of the staff employed at the schools and the terms and conditions of their employment.

It will be necessary for the land and buildings occupied by the school to be transferred to the Academy Trust so that they are available for use by the academy from the conversion date. The exact arrangements for achieving this will depend on whether the school is a community, foundation or trust school, or a voluntary school, and whether the land used by the school is public land, private land or a combination of the two.

In cases where you own the land and buildings currently occupied by the school, I am asking you to agree to lease these to the Academy Trust through a 125-year lease similar to that used for existing academies. As a first step, you should please start to gather land ownership and land registration

documentation and information if you have not already done so. My officials will also discuss with you the implications of any schools proposing to convert to academies that are involved in an existing PFI contract or BSF scheme. Model lease documents for Academy Trusts and local authorities to use as the basis for negotiations are available on the Department's website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I am writing to the chair of governors, copied to the head teacher, to give my agreement to the conversion.

A handwritten signature in black ink, appearing to read 'CBurton'.

Claire Burton,

Regional Director, London

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
- review your Management Information System (MIS). When you convert to an academy you can change supplier- there are many firms offering competitive licence and maintenance charges.
- set up a bank account for the newly-formed Trust and appoint an Accounting Officer, who must be the Principal of the academy and be in place from the day of opening as an Academy. Please note that bank accounts can take several weeks to set up. We advise you to identify your preferred bank and obtain the necessary paperwork in order to be able to set up a bank account as soon as possible after registering the Academy Trust at Companies House.
- agree land and building arrangements with the local authority or other landowner where appropriate. Lawyers acting for your governing body and the Academy Trust (when established) must prepare a land questionnaire, providing land ownership and other important details, and send a copy to the DfE project lead **as soon as possible**. It will enable DfE to work with your school and the lawyers to determine what arrangements should be made and what DfE documentation should be completed. A model lease and other model documents, including a land questionnaire, are available on our website and schools are advised to read the advice on land also published on the website;
- agree asset and property transfer arrangements with the local authority or other landowner (if applicable). A model Commercial Transfer Agreement is available on our website;
- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
- Ensuring your solicitors know the requirements for conversion by supplying them with the land transfer advice and 'Convert to an academy: guide for schools' document available on our website: <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>
- Our guidance states that converting schools are not expected to make changes to the model documentation. If you consider that changes are required then we suggest you discuss these with your project lead before approaching your solicitors as this can save time and considerable expense.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the <https://www.gov.uk/academies-risk-protection-arrangement-rpa>

Support Grant

The Secretary of State has agreed to allocate a grant under **Section 14** of the **Education Act 2002** of no more than £25,000, to contribute towards expenses incurred by your school in converting to an Academy.

The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
 - b) the costs of software licence transfers;
 - c) HR/TUPE advice;
 - d) re-branding costs; and
 - e) expenses incurred in setting up the Academy Trust.

2. You should retain records to show that the grant has been used for the purposes outlined in 1 above for 6 years after the end of the financial year in which the expenditure has taken place. The books and records relating to claiming and using the grant will be open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require.

3.
 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.

 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.

4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.

Annex B – Setting Up Financial and Governance Arrangements

We have put together a list of the main financial and governance arrangements that academies need to have in place, including highlighting the new requirements for academies. It may be that you have already set up many of these systems and processes, but this is an ideal opportunity to review all your school-based policies and to check their continuing suitability. The list below is intended to support your smooth start up and offers a helpful checklist but is not a substitute for published documents such as the Academies Financial Handbook, the Governors' Handbook and the Academies Accounts Direction which are available on the <https://www.gov.uk/schools-colleges/schools-types>.

As a new academy you will need to complete a Financial Management and Governance Self-Assessment (FMGS) within four months of opening, unless you agree an alternative with the ESFA. Feedback from academies that have completed the FMGS return shows that it is a very useful tool for new academies when setting up their financial management and governance arrangements, and provides helpful assurance to the board of trustees that arrangements meet the mandatory requirements. It will also help you create an action plan to address any areas of non-compliance identified.

ESFA's wall planner will help academy trusts plan for some of the requirements which are set out in more detail below.

1. Understanding the framework

- Be familiar with the statutory and regulatory basis of academy trusts. They are charitable companies and therefore must operate for public benefit rather than for the benefit of the people running them. They are also public sector bodies, and must apply high standards of accountability and transparency in the manner that Parliament expects. Much of this is set out in the Academies Financial Handbook (AFH).
- The Secretary of State is the Principal Regulator of Academy Trusts, Voluntary Aided Schools, Foundation Schools and Sixth Form Colleges. This duty requires him to promote and monitor the compliance of Academy Trustees with Charitable and Company Law and removed the requirement for them to register directly with the Charity Commission. There are some changes to an Academy's Memorandum and Articles that can only be agreed by the Commission. These are the amendments regulated by S198 of the Charities Act 2011. The Commission provides a significant amount of guidance on how Trustees should carry out their responsibilities on its website.
- Ensure that your governors know they are charity trustees **and** company directors and that they understand the responsibilities that this conveys. Again, the AFH, and also the Charity Commission's publication CC3: The Essential Trustee, provides information about this.
- It is important that you read both your **funding agreement** and the AFH thoroughly and review them regularly to ensure your academy remains compliant with all the terms of them. Non-compliance can happen simply because you fail or forget to do something which you are required to do, for example not getting approval to enter into a leasehold.

2. Reviewing your governance position

- Review your governance arrangements so that you are confident you have in place the skilled people, structures and delegated authorities you need to govern your academy effectively and ensure high standards of financial probity. It is particularly important that trusts, in their first year, review and improve their governance arrangements; you will need to set out in your first governance statement after conversion what you have done to review and develop your governance structure and the composition of the board of trustees.

- Establish a register of trustees' business interests so that any conflicts of interest can be identified and managed. Trustees should provide annual declarations of interest, as well as providing information on any changes which occur during the year. You will also need to ensure that future procurement contracts meet the Department's rules in relation to related party transactions and 'not for profit'. Further information can be found in the AFH.

3. Establishing roles

- You will need to appoint an **accounting officer**. This person is different to the school's bursar. In a single academy trust the accounting officer will normally be the head teacher. In a multi-academy trust it will normally be the chief executive or executive head teacher. The accounting officer is personally responsible for ensuring regularity, propriety and value for money in the use of the trust's funds. The role and responsibilities of academy accounting officers are set out in some detail in the AFH.
- Ensure that your **chief financial officer (CFO)** is suitably qualified or experienced to discharge the finance role required within the trust. It is not necessary for the CFO to perform the full range of financial duties personally - for example the CFO can be supported by an accountant to prepare your annual accounts; however, you should assess capacity against the requirements in the AFH and ensure that the right mix of qualifications and experience is available.

4. Developing controls

- Establish a scheme of financial delegations and have it approved by the board of trustees. This will also ensure the trust remains within its delegated authority limits set out in the AFH.
- As best practice put in place a financial procedures manual and have it approved by the board of trustees.
- Establish robust financial internal control arrangements (for example to cover segregation of duties; use of authorised signatories for ordering and payments; matching orders to invoices; monitoring and reconciliation of budgets and timely completion of VAT returns).
- Put in place a competitive tendering policy to ensure that all goods and services are procured by means of free and open competition.
- Set up a payroll system that includes adequate checks and controls to ensure the accuracy of data and that all statutory and contractual deductions are made.
- Set up and maintain a fixed assets register.

5. Handling money

- Set an annual budget, have it approved by the trustees and submit a copy to the ESFA in the form specified.
- Ensure that you can produce regular, reliable and accurate financial management information, based on accruals accounting principles, to inform your monitoring of the financial health of the academy and decisions.
- Reconcile all your bank accounts on a monthly basis as a minimum.
- Ensure correct accounting and monitoring of any restricted and unrestricted funds. For example, restricted funds should be used only for the purpose intended.
- Consider the need for a strategy for investing surplus cash that also ensures access to cash

when required.

6. Being transparent

- Do the work necessary to enable you to prepare and produce annual accounts and have them audited:
 - Appoint external auditors as soon as possible after opening to ensure you have access to the necessary financial advice on the production and audit of accounts.
 - Ensure your accounting period ends on 31 August, unless DfE has specified in writing that another date can be used, and ensure it is recorded as this date at Companies House.
 - In conjunction with your auditor review the Academies Accounts Direction and ensure you know when you need to start preparing the trust's first set of accounts.
 - Bear in mind that your accounts will need to be sent to the ESFA by 31 December and must be published on your website.
- From September 2012, *Schedule 4 of the School Information (England) (Amendment) Regulations 2012* requires all schools (including academies), to publish additional information online. This includes the schools: name, address, named contact for enquiries, admission arrangements, academic performance and how its Pupil Premium funding has been spent.
- Ensure you have a complaints procedure which is compliant with Part 7 of *The Education (Independent School Standards) Regulations 2010*. This factsheet can help you put in place a compliant procedure.
- You should also have a whistle blowing policy.
- You should tell the Information Commissioner's Office (ICO) in writing that the academy is opening and will now be responsible for processing personal and pupil data (*failure to do so is a criminal offence*).

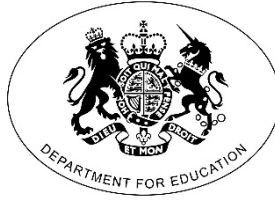
7. Thinking about risks

- Ensure that the academy trust has in place an adequate risk management process to monitor and manage risks including financial risks.
- Establish an audit committee or, if permitted under the AFH, ensure that one of the academy's other committees (for example the finance committee) adopts terms of reference which will permit it to fulfil the responsibilities of an audit committee.
- Ensure that your audit committee (or other committee, as above) puts in place a process for independent checking of financial controls, systems, transactions and risks - for example the appointment of an internal auditor or equivalent, as described in the AFH.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the Department's Risk Protection Arrangements.
 - If you don't already have a business continuity plan you will need to put one in place and have it approved by your board of trustees.

8. Other

- On opening please complete the online contacts form confirming to the ESFA the key people to contact in your academy.

- Remember that as an academy you will still need to comply with the School Admissions Code and School Admission Appeals Code.



The Rt Hon Gillian Keegan MP
Secretary of State for Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/df

**To: The Chair of Governors of St Anne's and Guardian Angels Catholic
Primary School**

Tower Hamlets London Borough Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4 of the Academies Act 2010.
2. I hereby order that on the conversion date St Anne's and Guardian Angels Catholic Primary School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Tower Hamlets London Borough Council shall cease to maintain St Anne's and Guardian Angels Catholic Primary School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:.....

Date: 24 October 2023

**Claire Burton,
Regional Director**

The Chair of Governors
St Anne's and Guardian Angels Catholic Primary School
Underwood Road
Whitechapel
London
E1 5AW

24 October 2023

ACADEMY ORDER FOR ST ANNE'S AND GUARDIAN ANGELS CATHOLIC PRIMARY SCHOOL

Following the recent application of your governing body to convert your school to an academy, I am delighted to inform you that I am content to agree in principle to St Anne's and Guardian Angels Catholic Primary School becoming an academy. I enclose an Academy Order in respect of your school in order to enable it to convert to an academy.

The purpose of an Academy Order is to enable your school to convert to an academy. For actual conversion to take place, I will need to agree with the Academy Trust a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which your school will convert to an academy.

Your DfE delivery officer will work with you on the next steps set out in Annexes A and B, to enable the project to progress quickly. Under the provisions of the Academies Act 2010, schools are required to carry out a consultation with appropriate people on the question of whether they should convert into an academy. Your school is likely to have already started this consultation. You will need to confirm to your DfE delivery officer that the consultation has been carried out by the governing body prior to the Funding Agreement being signed and you should therefore keep all of the documentation relating to this consultation.

Further information and supporting documents are available on our website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I enclose a copy of this letter for you to pass onto the head teacher and I am writing to Tower Hamlets London Borough Council.



Claire Burton,

Regional Director, London Region



Department
for Education

Claire Burton
Regional Director's Office
London Region
Trafalgar House
1 Bedford Park
Croydon, CR0 2AQ

Mr James Thomas
Director of Children' and Culture
Tower Hamlets London Borough Council
5th Floor Mulberry Place
E14 2BG

24 October 2023

**ACADEMY ORDER FOR ST ANNE'S AND GUARDIAN ANGELS
CATHOLIC PRIMARY SCHOOL**

Following the recent application of the governing body of St Anne's and Guardian Angels Catholic Primary School to become an academy, I am delighted to confirm that I am agreeable to the conversion of this school to an academy.

I enclose a copy of an Academy Order, which will enable the school to convert to an academy. For conversion to take place, I will need to agree, with the Academy Trust that will run the academy, a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which the school will convert into an academy.

Formal TUPE consultations with staff, unions, and the employer should start as soon as possible. For schools where the governing body is the employer of staff, the governors will lead on the TUPE process, but they may require your support to do so. In all cases, you should please ensure that any personnel files which you hold for the schools are fully up-to-date, and that you have an accurate record of the staff employed at the schools and the terms and conditions of their employment.

It will be necessary for the land and buildings occupied by the school to be transferred to the Academy Trust so that they are available for use by the academy from the conversion date. The exact arrangements for achieving this will depend on whether the school is a community, foundation or trust school, or a voluntary school, and whether the land used by the school is public land, private land or a combination of the two.

In cases where you own the land and buildings currently occupied by the school, I am asking you to agree to lease these to the Academy Trust through

a 125-year lease similar to that used for existing academies. As a first step, you should please start to gather land ownership and land registration documentation and information if you have not already done so. My officials will also discuss with you the implications of any schools proposing to convert to academies that are involved in an existing PFI contract or BSF scheme. Model lease documents for Academy Trusts and local authorities to use as the basis for negotiations are available on the Department's website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I am writing to the chair of governors, copied to the head teacher, to give my agreement to the conversion.

A handwritten signature in black ink, appearing to read 'CBurton'.

Claire Burton,

Regional Director, London

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
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- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
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Support Grant

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The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
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 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.

 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.

4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.

Annex B – Setting Up Financial and Governance Arrangements

We have put together a list of the main financial and governance arrangements that academies need to have in place, including highlighting the new requirements for academies. It may be that you have already set up many of these systems and processes, but this is an ideal opportunity to review all your school-based policies and to check their continuing suitability. The list below is intended to support your smooth start up and offers a helpful checklist but is not a substitute for published documents such as the Academies Financial Handbook, the Governors' Handbook and the Academies Accounts Direction which are available on the <https://www.gov.uk/schools-colleges/schools-types>.

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ESFA's wall planner will help academy trusts plan for some of the requirements which are set out in more detail below.

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- Review your governance arrangements so that you are confident you have in place the skilled people, structures and delegated authorities you need to govern your academy effectively and ensure high standards of financial probity. It is particularly important that trusts, in their first year, review and improve their governance arrangements; you will need to set out in your first governance statement after conversion what you have done to review and develop your governance structure and the composition of the board of trustees.

- Establish a register of trustees' business interests so that any conflicts of interest can be identified and managed. Trustees should provide annual declarations of interest, as well as providing information on any changes which occur during the year. You will also need to ensure that future procurement contracts meet the Department's rules in relation to related party transactions and 'not for profit'. Further information can be found in the AFH.

3. Establishing roles

- You will need to appoint an **accounting officer**. This person is different to the school's bursar. In a single academy trust the accounting officer will normally be the head teacher. In a multi-academy trust it will normally be the chief executive or executive head teacher. The accounting officer is personally responsible for ensuring regularity, propriety and value for money in the use of the trust's funds. The role and responsibilities of academy accounting officers are set out in some detail in the AFH.
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4. Developing controls

- Establish a scheme of financial delegations and have it approved by the board of trustees. This will also ensure the trust remains within its delegated authority limits set out in the AFH.
- As best practice put in place a financial procedures manual and have it approved by the board of trustees.
- Establish robust financial internal control arrangements (for example to cover segregation of duties; use of authorised signatories for ordering and payments; matching orders to invoices; monitoring and reconciliation of budgets and timely completion of VAT returns).
- Put in place a competitive tendering policy to ensure that all goods and services are procured by means of free and open competition.
- Set up a payroll system that includes adequate checks and controls to ensure the accuracy of data and that all statutory and contractual deductions are made.
- Set up and maintain a fixed assets register.

5. Handling money

- Set an annual budget, have it approved by the trustees and submit a copy to the ESFA in the form specified.
- Ensure that you can produce regular, reliable and accurate financial management information, based on accruals accounting principles, to inform your monitoring of the financial health of the academy and decisions.
- Reconcile all your bank accounts on a monthly basis as a minimum.
- Ensure correct accounting and monitoring of any restricted and unrestricted funds. For example, restricted funds should be used only for the purpose intended.
- Consider the need for a strategy for investing surplus cash that also ensures access to cash

when required.

6. Being transparent

- Do the work necessary to enable you to prepare and produce annual accounts and have them audited:
 - Appoint external auditors as soon as possible after opening to ensure you have access to the necessary financial advice on the production and audit of accounts.
 - Ensure your accounting period ends on 31 August, unless DfE has specified in writing that another date can be used, and ensure it is recorded as this date at Companies House.
 - In conjunction with your auditor review the Academies Accounts Direction and ensure you know when you need to start preparing the trust's first set of accounts.
 - Bear in mind that your accounts will need to be sent to the ESFA by 31 December and must be published on your website.
- From September 2012, *Schedule 4 of the School Information (England) (Amendment) Regulations 2012* requires all schools (including academies), to publish additional information online. This includes the schools: name, address, named contact for enquiries, admission arrangements, academic performance and how its Pupil Premium funding has been spent.
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- You should also have a whistle blowing policy.
- You should tell the Information Commissioner's Office (ICO) in writing that the academy is opening and will now be responsible for processing personal and pupil data (*failure to do so is a criminal offence*).

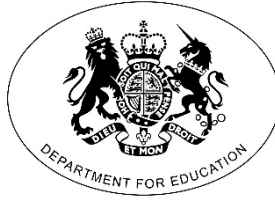
7. Thinking about risks

- Ensure that the academy trust has in place an adequate risk management process to monitor and manage risks including financial risks.
- Establish an audit committee or, if permitted under the AFH, ensure that one of the academy's other committees (for example the finance committee) adopts terms of reference which will permit it to fulfil the responsibilities of an audit committee.
- Ensure that your audit committee (or other committee, as above) puts in place a process for independent checking of financial controls, systems, transactions and risks - for example the appointment of an internal auditor or equivalent, as described in the AFH.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the Department's Risk Protection Arrangements.
 - If you don't already have a business continuity plan you will need to put one in place and have it approved by your board of trustees.

8. Other

- On opening please complete the online contacts form confirming to the ESFA the key people to contact in your academy.

- Remember that as an academy you will still need to comply with the School Admissions Code and School Admission Appeals Code.



The Rt Hon Gillian Keegan MP
Secretary of State for Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe

To: The Chair of Governors of St Elizabeth Catholic Primary School

Tower Hamlets London Borough Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4 of the Academies Act 2010.
2. I hereby order that on the conversion date St Elizabeth Catholic Primary School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Tower Hamlets London Borough Council shall cease to maintain St Elizabeth Catholic Primary School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:..... Date: 24 October 2023

Claire Burton,
Regional Director

The Chair of Governors
St Elizabeth Catholic Primary School
Bonner Road
Bethnal Green
London
E2 9JY

24 October 2023

ACADEMY ORDER FOR ST ELIZABETH CATHOLIC PRIMARY SCHOOL

Following the recent application of your governing body to convert your school to an academy, I am delighted to inform you that I am content to agree in principle to St Elizabeth Catholic Primary School becoming an academy. I enclose an Academy Order in respect of your school in order to enable it to convert to an academy.

The purpose of an Academy Order is to enable your school to convert to an academy. For actual conversion to take place, I will need to agree with the Academy Trust a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which your school will convert to an academy.

Your DfE delivery officer will work with you on the next steps set out in Annexes A and B, to enable the project to progress quickly. Under the provisions of the Academies Act 2010, schools are required to carry out a consultation with appropriate people on the question of whether they should convert into an academy. Your school is likely to have already started this consultation. You will need to confirm to your DfE delivery officer that the consultation has been carried out by the governing body prior to the Funding Agreement being signed and you should therefore keep all of the documentation relating to this consultation.

Further information and supporting documents are available on our website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I enclose a copy of this letter for you to pass onto the head teacher and I am writing to Tower Hamlets London Borough Council.



Claire Burton,

Regional Director, London Region



Department
for Education

Claire Burton
Regional Director's Office
London Region
Trafalgar House
1 Bedford Park
Croydon, CR0 2AQ

Mr James Thomas
Director of Children' and Culture
Tower Hamlets London Borough Council
5th Floor Mulberry Place
E14 2BG

24 October 2023

ACADEMY ORDER FOR ST ELIZABETH CATHOLIC PRIMARY SCHOOL

Following the recent application of the governing body of St Elizabeth Catholic Primary School to become an academy, I am delighted to confirm that I am agreeable to the conversion of this school to an academy.

I enclose a copy of an Academy Order, which will enable the school to convert to an academy. For conversion to take place, I will need to agree, with the Academy Trust that will run the academy, a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which the school will convert into an academy.

Formal TUPE consultations with staff, unions, and the employer should start as soon as possible. For schools where the governing body is the employer of staff, the governors will lead on the TUPE process, but they may require your support to do so. In all cases, you should please ensure that any personnel files which you hold for the schools are fully up-to-date, and that you have an accurate record of the staff employed at the schools and the terms and conditions of their employment.

It will be necessary for the land and buildings occupied by the school to be transferred to the Academy Trust so that they are available for use by the academy from the conversion date. The exact arrangements for achieving this will depend on whether the school is a community, foundation or trust school, or a voluntary school, and whether the land used by the school is public land, private land or a combination of the two.

In cases where you own the land and buildings currently occupied by the school, I am asking you to agree to lease these to the Academy Trust through a 125-year lease similar to that used for existing academies. As a first step, you should please start to gather land ownership and land registration

documentation and information if you have not already done so. My officials will also discuss with you the implications of any schools proposing to convert to academies that are involved in an existing PFI contract or BSF scheme. Model lease documents for Academy Trusts and local authorities to use as the basis for negotiations are available on the Department's website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I am writing to the chair of governors, copied to the head teacher, to give my agreement to the conversion.

A handwritten signature in black ink, appearing to read 'CBurton'.

Claire Burton,

Regional Director, London

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
- review your Management Information System (MIS). When you convert to an academy you can change supplier- there are many firms offering competitive licence and maintenance charges.
- set up a bank account for the newly-formed Trust and appoint an Accounting Officer, who must be the Principal of the academy and be in place from the day of opening as an Academy. Please note that bank accounts can take several weeks to set up. We advise you to identify your preferred bank and obtain the necessary paperwork in order to be able to set up a bank account as soon as possible after registering the Academy Trust at Companies House.
- agree land and building arrangements with the local authority or other landowner where appropriate. Lawyers acting for your governing body and the Academy Trust (when established) must prepare a land questionnaire, providing land ownership and other important details, and send a copy to the DfE project lead **as soon as possible**. It will enable DfE to work with your school and the lawyers to determine what arrangements should be made and what DfE documentation should be completed. A model lease and other model documents, including a land questionnaire, are available on our website and schools are advised to read the advice on land also published on the website;
- agree asset and property transfer arrangements with the local authority or other landowner (if applicable). A model Commercial Transfer Agreement is available on our website;
- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
- Ensuring your solicitors know the requirements for conversion by supplying them with the land transfer advice and 'Convert to an academy: guide for schools' document available on our website: <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>
- Our guidance states that converting schools are not expected to make changes to the model documentation. If you consider that changes are required then we suggest you discuss these with your project lead before approaching your solicitors as this can save time and considerable expense.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the <https://www.gov.uk/academies-risk-protection-arrangement-rpa>

Support Grant

The Secretary of State has agreed to allocate a grant under **Section 14** of the **Education Act 2002** of no more than £25,000, to contribute towards expenses incurred by your school in converting to an Academy.

The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
 - b) the costs of software licence transfers;
 - c) HR/TUPE advice;
 - d) re-branding costs; and
 - e) expenses incurred in setting up the Academy Trust.

2. You should retain records to show that the grant has been used for the purposes outlined in 1 above for 6 years after the end of the financial year in which the expenditure has taken place. The books and records relating to claiming and using the grant will be open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require.

3.
 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.

 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.

4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.

Annex B – Setting Up Financial and Governance Arrangements

We have put together a list of the main financial and governance arrangements that academies need to have in place, including highlighting the new requirements for academies. It may be that you have already set up many of these systems and processes, but this is an ideal opportunity to review all your school-based policies and to check their continuing suitability. The list below is intended to support your smooth start up and offers a helpful checklist but is not a substitute for published documents such as the Academies Financial Handbook, the Governors' Handbook and the Academies Accounts Direction which are available on the <https://www.gov.uk/schools-colleges/schools-types>.

As a new academy you will need to complete a Financial Management and Governance Self-Assessment (FMGS) within four months of opening, unless you agree an alternative with the ESFA. Feedback from academies that have completed the FMGS return shows that it is a very useful tool for new academies when setting up their financial management and governance arrangements, and provides helpful assurance to the board of trustees that arrangements meet the mandatory requirements. It will also help you create an action plan to address any areas of non-compliance identified.

ESFA's wall planner will help academy trusts plan for some of the requirements which are set out in more detail below.

1. Understanding the framework

- Be familiar with the statutory and regulatory basis of academy trusts. They are charitable companies and therefore must operate for public benefit rather than for the benefit of the people running them. They are also public sector bodies, and must apply high standards of accountability and transparency in the manner that Parliament expects. Much of this is set out in the Academies Financial Handbook (AFH).
- The Secretary of State is the Principal Regulator of Academy Trusts, Voluntary Aided Schools, Foundation Schools and Sixth Form Colleges. This duty requires him to promote and monitor the compliance of Academy Trustees with Charitable and Company Law and removed the requirement for them to register directly with the Charity Commission. There are some changes to an Academy's Memorandum and Articles that can only be agreed by the Commission. These are the amendments regulated by S198 of the Charities Act 2011. The Commission provides a significant amount of guidance on how Trustees should carry out their responsibilities on its website.
- Ensure that your governors know they are charity trustees **and** company directors and that they understand the responsibilities that this conveys. Again, the AFH, and also the Charity Commission's publication CC3: The Essential Trustee, provides information about this.
- It is important that you read both your **funding agreement** and the AFH thoroughly and review them regularly to ensure your academy remains compliant with all the terms of them. Non-compliance can happen simply because you fail or forget to do something which you are required to do, for example not getting approval to enter into a leasehold.

2. Reviewing your governance position

- Review your governance arrangements so that you are confident you have in place the skilled people, structures and delegated authorities you need to govern your academy effectively and ensure high standards of financial probity. It is particularly important that trusts, in their first year, review and improve their governance arrangements; you will need to set out in your first governance statement after conversion what you have done to review and develop your governance structure and the composition of the board of trustees.

- Establish a register of trustees' business interests so that any conflicts of interest can be identified and managed. Trustees should provide annual declarations of interest, as well as providing information on any changes which occur during the year. You will also need to ensure that future procurement contracts meet the Department's rules in relation to related party transactions and 'not for profit'. Further information can be found in the AFH.

3. Establishing roles

- You will need to appoint an **accounting officer**. This person is different to the school's bursar. In a single academy trust the accounting officer will normally be the head teacher. In a multi-academy trust it will normally be the chief executive or executive head teacher. The accounting officer is personally responsible for ensuring regularity, propriety and value for money in the use of the trust's funds. The role and responsibilities of academy accounting officers are set out in some detail in the AFH.
- Ensure that your **chief financial officer (CFO)** is suitably qualified or experienced to discharge the finance role required within the trust. It is not necessary for the CFO to perform the full range of financial duties personally - for example the CFO can be supported by an accountant to prepare your annual accounts; however, you should assess capacity against the requirements in the AFH and ensure that the right mix of qualifications and experience is available.

4. Developing controls

- Establish a scheme of financial delegations and have it approved by the board of trustees. This will also ensure the trust remains within its delegated authority limits set out in the AFH.
- As best practice put in place a financial procedures manual and have it approved by the board of trustees.
- Establish robust financial internal control arrangements (for example to cover segregation of duties; use of authorised signatories for ordering and payments; matching orders to invoices; monitoring and reconciliation of budgets and timely completion of VAT returns).
- Put in place a competitive tendering policy to ensure that all goods and services are procured by means of free and open competition.
- Set up a payroll system that includes adequate checks and controls to ensure the accuracy of data and that all statutory and contractual deductions are made.
- Set up and maintain a fixed assets register.

5. Handling money

- Set an annual budget, have it approved by the trustees and submit a copy to the ESFA in the form specified.
- Ensure that you can produce regular, reliable and accurate financial management information, based on accruals accounting principles, to inform your monitoring of the financial health of the academy and decisions.
- Reconcile all your bank accounts on a monthly basis as a minimum.
- Ensure correct accounting and monitoring of any restricted and unrestricted funds. For example, restricted funds should be used only for the purpose intended.
- Consider the need for a strategy for investing surplus cash that also ensures access to cash

when required.

6. Being transparent

- Do the work necessary to enable you to prepare and produce annual accounts and have them audited:
 - Appoint external auditors as soon as possible after opening to ensure you have access to the necessary financial advice on the production and audit of accounts.
 - Ensure your accounting period ends on 31 August, unless DfE has specified in writing that another date can be used, and ensure it is recorded as this date at Companies House.
 - In conjunction with your auditor review the Academies Accounts Direction and ensure you know when you need to start preparing the trust's first set of accounts.
 - Bear in mind that your accounts will need to be sent to the ESFA by 31 December and must be published on your website.
- From September 2012, *Schedule 4 of the School Information (England) (Amendment) Regulations 2012* requires all schools (including academies), to publish additional information online. This includes the schools: name, address, named contact for enquiries, admission arrangements, academic performance and how its Pupil Premium funding has been spent.
- Ensure you have a complaints procedure which is compliant with Part 7 of *The Education (Independent School Standards) Regulations 2010*. This factsheet can help you put in place a compliant procedure.
- You should also have a whistle blowing policy.
- You should tell the Information Commissioner's Office (ICO) in writing that the academy is opening and will now be responsible for processing personal and pupil data (*failure to do so is a criminal offence*).


7. Thinking about risks

- Ensure that the academy trust has in place an adequate risk management process to monitor and manage risks including financial risks.
- Establish an audit committee or, if permitted under the AFH, ensure that one of the academy's other committees (for example the finance committee) adopts terms of reference which will permit it to fulfil the responsibilities of an audit committee.
- Ensure that your audit committee (or other committee, as above) puts in place a process for independent checking of financial controls, systems, transactions and risks - for example the appointment of an internal auditor or equivalent, as described in the AFH.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the Department's Risk Protection Arrangements.
 - If you don't already have a business continuity plan you will need to put one in place and have it approved by your board of trustees.

8. Other

- On opening please complete the online contacts form confirming to the ESFA the key people to contact in your academy.

- Remember that as an academy you will still need to comply with the School Admissions Code and School Admission Appeals Code.

<p>Cabinet Decision</p> <p>24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Steve Reddy, Corporate Director, Children Services</p>	<p>Classification: Unrestricted</p>
<p>Conversion to Academy Status: Columbia Primary School and Hermitage Primary School</p>	

Lead Member	Councillor Maium Talukdar, Cabinet Member for Education and Lifelong Learning
Originating Officer(s)	Terry Bryan, Service Head for Pupil Access and School Sufficiency and Tracy Routledge, Head of School Building Development.
Wards affected	All wards
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	4 June 2024
Exempt information	N/A
Strategic Plan Priority / Outcome	Accelerating Education

Executive Summary

The purpose of this report is to formally notify Cabinet of the Academy Orders issued by the Secretary of State for Education in respect of two council maintained community schools, Columbia and Hermitage, and to obtain the necessary authority to delegate responsibility required to named officers to facilitate the academy conversion process for and on behalf of the Council.

Recommendations:

This report makes the following recommendations to the Mayor in Cabinet:

1. Note the decisions of the Secretary of State for Education on 13 December 2023 and 24 April 2024, to approve the applications from the Governing Bodies of Columbia and Hermitage to convert the schools to academy status, and that the Council has a statutory duty under law to facilitate the conversion process.
2. Delegate to the Corporate Director for Children's Services, in consultation with the Executive Mayor, the overall management and timing of the conversion process working with all relevant parties.
3. Authorise the Council to enter into a commercial transfer agreement on suitably agreed terms, as well as any other necessary agreements with relevant third parties, as described in paragraphs 3.4 – 3.25. The School Agreement, The Principal Agreement, The Deed of Variation to the Project Agreement and the LGCA Certificate.
4. Authorise the Council to negotiate with the Academy Sponsor – London East Teacher Training Alliance (LETTA) Trust and agree the detailed terms of the leases for the Council owned land, to allow for the operation of the Academy from the transfer date. To grant these leases for a period of 125 years for a 'peppercorn rent', in accordance with the relevant standard documentation produced by the Department for Education
5. Authorise the Council to negotiate and conclude the terms for a Licence for Alterations to sit alongside the 125-year Lease at the Hermitage site to capture the works currently being undertaken pursuant to the building contract for the SEN Unit.
6. Authorise the Council to negotiate and conclude a Deed of Assignment of the current Council underlease at the Columbia site, to be entered into alongside the 125-year Lease.
7. Authorise the Divisional Director, Legal (Monitoring Officer), to execute all documentation required to implement the decisions
8. Note the equalities considerations as set out in Paragraph 5.1.

1 REASONS FOR THE DECISIONS

- 1.1 The Council has a statutory duty to facilitate the conversion of a school into an academy when an Academy Order has been issued by the Secretary of State. Under such a circumstance, agreement of Cabinet is required to enable officers to take necessary steps to facilitate the conversion of such schools to academy status as required by law, on receipt of the Academy Order.

2 ALTERNATIVE OPTIONS

- 2.1 The legislative framework for schools converting to Academy status does not provide the Council with options other than to facilitate the processes leading up to conversion by working in collaboration with all relevant stakeholders to ensure a smooth transfer of staff, contracts, services and assets to the Academy Sponsor by the agreed conversion date.

3 DETAILS OF THE REPORT

Background and Context

- 3.1 The Academies Act 2010 makes provision for existing maintained schools to convert to Academy status. Columbia and Hermitage Schools are currently maintained by the local authority. They have applied to convert to academy status and join the LETTA Multi Academy Trust. Their applications were initially reviewed by the Department of Education (DFE) and subsequently approved by the Secretary of State for Education. Academy Orders were then issued for Columbia on the 13 December 2023, and for Hermitage on 25 April 2024. These are provided in the Appendices to this report.
- 3.2 The DFE sets out the process of academy conversion and the key dates by which these must be completed, relative to chosen conversion date(s). In the case of these two schools there is an expectation that the conversion date will be as soon as possible, as it is recognised that any unnecessary delays would not be in the best interests of the parties involved in the conversion process, particularly the schools whose main focus is the provision of high quality education. All parties are currently in agreement that it would be possible to complete the conversion process for the two schools by 1 September 2024.
- 3.3 In carrying out the requirements of the Academies Act 2010 the Council is obliged to cease maintaining a school on the date it opens as an Academy and must take all reasonable steps to facilitate the conversion of a school into an Academy once an Academy Order has been made. In this regard, all necessary legal agreements associated with the conversion must be completed and confirmed to the DfE well in advance so that the conversion process can be completed by 1 September 2024.

Transfer of Staff, SLAs and Contracts

- 3.4 The process for academy conversions makes provision for a Commercial Transfer Agreement (CTA) between the current employer and the Academy Sponsor (LETTA Trust) of a converting school to deal with transfer of staff, services and contracts. The detailed arrangements for this are part of model agreements published by the DfE.
- 3.5 In general, the CTA is intended to ensure that all information on the transferring staff is recorded and transferred to the academy trust so that the appropriate arrangements for payment of salaries, pension contributions, etc. can be made. The CTA also includes details of any assets, liabilities and contracts that will transfer to the academy trust and those that will remain with the local authority.
- 3.6 Staff are entitled to transfer under their existing employment terms and conditions, under the Transfer of Undertakings Protection of Employment (TUPE) regulations. The LETTA Trust must inform the local authority, as the current employer, in writing of any measures it envisages taking in relation to the staff after transfer. The Council understands that existing measures will remain on transfer and that the LETTA Trust will be adopting all relevant Council policies and procedures. Consultation with staff has been led by each of the schools and their governing bodies.
- 3.7 Upon achieving Academy status under the Academies Act 2010, a maintained school becomes an academy and the school is no longer funded through the local

authority and it will automatically be a separate Scheme Employer as listed in Part 1 of Schedule 2 of the Local Government Pension Scheme Regulations 2013.

- 3.8 All non-teaching staff (including new employees) have a legal right to become members of the Local Government Pensions Scheme (LGPS). At the date of conversion to Academy status, all existing members of the LGPS who transfer over to the Academy will have continuity of membership in the LGPS. Any non-pensionable eligible employees will need to be enrolled automatically at date of conversion.
- 3.9 Hence support staff who transfer will simply continue their membership of the Local Government Pension Scheme (LGPS) as an academy is a scheme employer in the LGPS.
- 3.10 All future non-teaching staff and support staff appointments carry contractual eligibility to be a member of the LGPS and must be enrolled into the Scheme. The Academy has no discretion to provide alternative pension arrangements for their employees who are eligible to be members of the LGPS. On conversion, a separate contribution rate will need to be calculated by the relevant LGPS fund.
- 3.11 The contribution rate is made up of two elements; the cost of future benefit accrual and a proportion of the cost of meeting the past service deficit. In setting the rate for recovery of the past service deficit, specific advice has been sought in relation to pensions liabilities. The recommended approach, in accordance with guidance from the Pensions Committee is to allow for a twenty-year recovery period for the amount of deficit attributable to deferred and pensioner members of the LBTH Local Government Pension Scheme, to all schools converting to academies on or after 1st April 2017.
- 3.12 The academy is also required to ensure procedures are in place to ensure all data required, by the 2013 LGPS regulations, is passed to the Pension Fund accurately and on time via the iconnect pensions portal.
- 3.13 Access to the Teachers' Pension Scheme (TPS) must also be provided for teaching staff, the academy must remit contributions to the TPS.
- 3.14 Upon conversion, teaching staff who have previously opted out of the TPS or are in non-pensionable employment (part-time employment or re-employment which commenced pre 1 January 2007 with no election to join), they must be contractually enrolled into the Teachers' Pension Scheme but employees can choose to opt out.
- 3.15 The schools are provided with a number of services through Service Level Agreements ("SLAs") with the Council. It may be that the schools will confirm their intention to carry on with these arrangements post conversion, at which point they will be able to enter into new SLAs with the Council, like other schools.
- 3.16 All other contracts and licences currently held by the schools are being confirmed, along with the schools' intentions regarding the continuation of the contracts post conversion.
- 3.17 If the contracts are to cease, they will cease prior to transfer and any liabilities accounted for from the schools pre-transfer budget.

3.18 The expectation is that the Council will transfer the land to the academy trust – in this case the LETTA Trust. The guidance from the DfE is for this to be by way of a 125-year lease for a peppercorn rent. Failure to transfer or to delay transferring can lead to intervention by the DfE under the Academies Act 2010. Each lease seeks to protect the council's interests in the following ways:

- The stipulated use in the lease is for education purposes and community, fundraising and recreational purposes ancillary to the provision of education services;
- Not to assign/transfer the lease to anybody other than the successor charitable or public body approved by the Secretary of State;
- Not to take out any charge or loan on the land without prior approval by the council;
- Not to underlet the whole of the land or underlet part for a term in excess of seven years;
- The lease will automatically end upon termination of the funding agreement between the school and the DfE.

3.19 The 125-year leases for each school will be in line with a prescribed template provided by the DfE, with a variation to the lease for Columbia Primary School as follows.

PFI contract arrangements – Columbia Primary

3.20 Columbia Primary School is currently included in the Tower Hamlets Grouped Schools PFI contract. The DfE has established arrangements for these circumstances whereby the school will remain part of the contract and new contractual arrangements between the school, the Council and the DfE are put in place to ensure that the existing PFI contract arrangements can continue. The PFI contract remains between the Council and the contractor. The new agreements will ensure that the Council will continue to receive the financial contributions from the school as it would have done without the academy conversion, and that there is no impact on the contractor or its funders.

- (i) The School Agreement: this is between the Council and the LETTA Trust. It sets out the school's liability for the continuing financial contribution for the contract services and the school's obligations relating to the contract.
- (ii) The Principal Agreement: this is between the DfE, the Council and the LETTA Trust. It provides that the Council can call on the DfE should the academy fail in its obligations, including payments, in relation to the contract.
- (iii) Deed of Variation to the PFI contract: this is between the Council and the PFI contractor. It allows for the change of status of a school, requires the LETTA Trust to be named on insurances and allows the contractor to retain access to the transferred land in order to provide the services. The Deed also includes (at Schedule 2) a Local Government (Contract) Act Certification, which certifies the vires (power) of the Council to enter into the contract.
- (iv) Deed of Assignment of the Council's PFI Underlease: the Deed will be entered into between the Council and the LETTA Trust and will assign to the LETTA Trust the Council's current Underlease of the Columbia site.

- 3.21 These documents will remain in force until the expiry of the Council's Grouped Schools PFI contract in 2027/28.
- 3.22 The 125 year lease granted to Columbia Primary School will therefore be granted subject to the PFI provisions set out above and to a principle already agreed and approved in prior PFI academy conversions

Building Works and SEN Resource Provision – Hermitage Primary

- 3.23 There is at present a building project in progress to provide an extension block at Hermitage Primary School, to house its SEN Resource for the Local Authority, which the Council is funding. These works will not be finished until after the academy conversion. The Council will therefore retain responsibility for the building contract and will assign the benefits to the academy trust in due course.
- 3.24 The CTA will include a separate Service Level Agreement between the Council and Hermitage Primary School, setting out the roles, responsibilities, accountabilities and funding conditions for both parties in relation to the delivery of the SEN Resource Provision on behalf of the Local Authority and for children across the borough.
- 3.25 The Council and the LETTA Trust will enter into a Licence for Alterations which will be entered into alongside the 125-year Lease and will provide for the works to be carried out on the site for the SEN Unit in accordance with the building contract. Upon conclusion of the works these will form part of the site covered by the 125-year Lease.

4 CONTINUING RELATIONSHIP FOLLOWING CONVERSION

Pupil Admissions

- 4.1 Academies are required to adopt clear and fair admission arrangements in line with school admissions law and the School Admissions Code. This will involve periodic public consultation as well as reviewing and publishing their admission arrangements on an annual basis.
- 4.2 The Council retains the responsibility for ensuring that all children and young people in the borough have a school place. On conversion these academy schools will continue to be part of the Council's coordinated admissions arrangements for the normal points of school entry, as well as participate in the local 'Fair Access' arrangements to ensure that children and young people can be placed in school quickly.

Pupils with Special Education Needs and Disabilities

- 4.3 Local authorities retain responsibility for pupils with Education, Health and Care (EHC) plans in academies on the same basis as for such pupils in maintained schools. The Council will continue to commission special places and they must:
- Ensure that academy pupils are appropriately assessed and have EHC plans as part of the entry criteria
 - Consider parents' representations for an academy to be named on an EHC plan and act reasonably in considering those representations

- Fund any individually assigned SEN Top up resources
- Monitor arrangements for SEN pupils in academies
- Conduct reviews of EHC plans for children in academies at least annually and each six months for children under five.

Pupil Exclusions

- 4.4 The DfE statutory Guidance on Exclusion is equally applicable to Academies and Free Schools. Whilst academies are not required to have Local Authority (LA) representation at exclusion review hearings, parents can request the attendance of the LA's Exclusions Officer. Schools often seek advice on the use of exclusions especially as much greater emphasis is now placed on avoiding indirect (or direct) discrimination against vulnerable groups of pupils. Where the review process finds that an exclusion has not been carried out correctly there can be additional financial implications for the school, on top of any funding that would normally follow an excluded pupil.

Trading

- 4.5 The Council will continue to offer a range of support services to academies and free schools on a traded basis. Academies are currently charged an additional 10% for services as there are additional administrative costs to the Council.

School Forum

- 4.6 Under the School Forum Regulations 2012, the Council was required to secure representation from academies in proportion to the number of pupils. The Tower Hamlets School Forum reviews the membership regularly to ensure proportionality and makes the appropriate changes to membership.

Governance

- 4.7 The Governing Body of an academy must currently have two parent governors.

Insurance

- 4.8 Schools must ensure that adequate insurance cover has been arranged prior to conversion, to take effect from midnight at the date of conversion. The DfE has produced a guidance note on the issues arising from this and the way in which costs are reimbursed.

Landlord responsibilities

- 4.9 Where there is a lease of the buildings and or land for 125 years, the Council retains the responsibility for landlord functions under this arrangement. In general terms this is about ensuring the academy has adequate insurance, due regard to health and safety of staff and pupils, and maintains the buildings in a fit and proper state etc.

Policies

- 4.10 Academies are required to have a number of policies and other documents in place, by law. This includes, but is not limited to, policies for admissions arrangements, data protection, school complaints, charging and remissions, school behaviour, special educational needs and disability, health and safety, school exclusion, child protection and health and safety. Academies are also covered by the Public Sector Equality Duty (PSED), and they must also have a policy in place for relationships education, relationships and sex education (RSE) and health education.

5. EQUALITIES IMPLICATIONS

- 5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.

6. OTHER SPECIFIC STATUTORY IMPLICATIONS

Safeguarding

- 8.1 The statutory guidance, 'Keeping Children Safe in Education', sets out the legal duties schools must follow to safeguard and promote the welfare of children and young people under the age of 18. On conversion, the local authority will continue to work collaboratively with these schools to safeguard and promote the welfare of all children in the borough.

Data Protection

- 8.2 The terms of the CTA will include the sharing of personal data relating to staff and pupils at the schools being transferred, in accordance with the requirements of the relevant data protection legislation.

7. COMMENTS OF THE CHIEF FINANCE OFFICER

- 7.1 When schools convert to academies, the revenue funding will still be met from the allocated Dedicated Schools Grant (DSG) but it will be paid directly to them by the Education and Skills Funding Agency and not by the Local Authority. The calculated budgets for the schools are recouped from the gross DSG and the net grant is then paid to the Council. A contribution made by the schools to support central services and de delegated budgets would cease from the date of conversion. If the schools converted on 1 September 2024, this would equate to a combined reduction in income of £25,571 to the Council.
- 7.2 Tower Hamlets Council will retain the responsibility of funding additional costs in relation to pupils with EHC plans.
- 7.3 The Council will no longer receive capital funding for school maintenance which would be funded to the Academy Trust and would therefore no longer have responsibility for the maintenance of the buildings. Any required capital investment to secure additional places in the Authority would continue to be funded by the Council if this was to secure the statutory basic needs duty.
- 7.4 As part of the Council's Capital Programme, £3m has been approved for works to the Hermitage SEN resource provision. To date, £0.52m has been spent on this project with the remaining budget profiled to be spent in 2024/25. The £3m is financed through DfE grants - £2.855m through the High Needs Provision Capital Allocation (HNPCA) and £145k through the Special Provision Capital Fund (SPCF). As works will not be completed until after the Academy conversion, it is prudent that the CTA ensures that a supplementary contract is in place to enable the works to be completed, along with suitable provisions of warranty and indemnity to protect the Council's capital investment and any future liabilities.
- 7.5 Regarding the Columbia Primary School's PFI contract; post conversion, the academy would continue to be part of the contract and make contributions on the same basis as maintained schools.

8. COMMENTS OF LEGAL SERVICES

- 8.1 When the Secretary Of State grants an academy order under the law the Council is legally obliged to provide appropriate levels of assistance relating to the conversion of the school into an Academy. The contents of this report shows compliance with this duty although it should be noted that the secretary of state has further powers that could be invoked should it be necessary to enforce the transfer of assets and other items in order to form the new academy.
- 8.2 The Council is required to transfer to the academy trust such land and other assets and items as are held by the Council for the purposes of running the schools immediately prior to the date of academy transfer. DFE guidance goes further to say that these are assets and other items which are required to ensure that on the first day following the conversion the Academy has the same level of facilities as the maintained school previously. The proposed commercial transfer agreement and land transactions (where the land is owned by the Council) will put this transfer into effect.
- 8.3 The principal area of land used as a school is owned by the Council. Therefore the Council will need to grant a lease of the land to the Trust in order to comply with the academy order
- 8.4 It is anticipated that the existing staff at the school will transfer to the academy under the Transfer Of Undertakings (Transfer of Employment) Regulations 2006. Therefore, the Council is undertaking appropriate levels of consultation with affected members of staff and is compliant with the requirements of the regulations.
- 8.5 Access to the Local Government Pension Scheme is expected. However, admission to the scheme will be subject to separate approvals and admission agreement in accordance with the relevant pensions law if the trust has not already achieved admitted body status.

Appendices

Appendix A	Academy Order Columbia Primary School
Appendix B	Academy Order Hermitage Primary School

Linked Reports and Background Documents

Linked Report

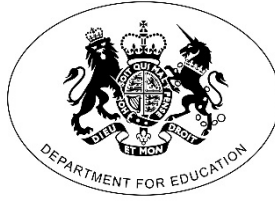
None

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

NONE

Officer contact details for documents: N/A

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The Rt Hon Gillian Keegan MP
Secretary of State for Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe

To: The Chair of Governors of Columbia Primary School

Tower Hamlets London Borough Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4 of the Academies Act 2010.
2. I hereby order that on the conversion date Columbia Primary School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Tower Hamlets London Borough Council shall cease to maintain Columbia Primary School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:..... Date: 18 December 2023

Claire Burton,
Regional Director

The Chair of Governors
Columbia Primary School
Columbia Road
Bethnal Green
London
Avon
E2 7RG

18 December 2023

ACADEMY ORDER FOR COLUMBIA PRIMARY SCHOOL

Following the recent application of your governing body to convert your school to an academy, I am delighted to inform you that I am content to agree in principle to Columbia Primary School becoming an academy. I enclose an Academy Order in respect of your school in order to enable it to convert to an academy.

The purpose of an Academy Order is to enable your school to convert to an academy. For actual conversion to take place, I will need to agree with the Academy Trust a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which your school will convert to an academy.

Your DfE delivery officer will work with you on the next steps set out in Annexes A and B, to enable the project to progress quickly. Under the provisions of the Academies Act 2010, schools are required to carry out a consultation with appropriate people on the question of whether they should convert into an academy. Your school is likely to have already started this consultation. You will need to confirm to your DfE delivery officer that the consultation has been carried out by the governing body prior to the Funding Agreement being signed and you should therefore keep all of the documentation relating to this consultation.

Further information and supporting documents are available on our website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I enclose a copy of this letter for you to pass onto the head teacher and I am writing to Tower Hamlets London Borough Council.



Claire Burton,

Regional Director, London Region



Department
for Education

Claire Burton
Regional Director's Office
London Region
Trafalgar House
1 Bedford Park
Croydon, CR0 2AQ

Ms Lisa Fraser
Acting Corporate Director of Children and Culture
Tower Hamlets London Borough Council
5th Floor Mulberry Place
E14 2BG

18 December 2023

ACADEMY ORDER FOR COLUMBIA PRIMARY SCHOOL

Following the recent application of the governing body of Columbia Primary School to become an academy, I am delighted to confirm that I am agreeable to the conversion of this school to an academy.

I enclose a copy of an Academy Order, which will enable the school to convert to an academy. For conversion to take place, I will need to agree, with the Academy Trust that will run the academy, a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which the school will convert into an academy.

Formal TUPE consultations with staff, unions, and the employer should start as soon as possible. For schools where the governing body is the employer of staff, the governors will lead on the TUPE process, but they may require your support to do so. In all cases, you should please ensure that any personnel files which you hold for the schools are fully up-to-date, and that you have an accurate record of the staff employed at the schools and the terms and conditions of their employment.

It will be necessary for the land and buildings occupied by the school to be transferred to the Academy Trust so that they are available for use by the academy from the conversion date. The exact arrangements for achieving this will depend on whether the school is a community, foundation or trust school, or a voluntary school, and whether the land used by the school is public land, private land or a combination of the two.

In cases where you own the land and buildings currently occupied by the school, I am asking you to agree to lease these to the Academy Trust through a 125-year lease similar to that used for existing academies. As a first step, you should please start to gather land ownership and land registration

documentation and information if you have not already done so. My officials will also discuss with you the implications of any schools proposing to convert to academies that are involved in an existing PFI contract or BSF scheme. Model lease documents for Academy Trusts and local authorities to use as the basis for negotiations are available on the Department's website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I am writing to the chair of governors, copied to the head teacher, to give my agreement to the conversion.

A handwritten signature in black ink, appearing to read 'CBurton'.

Claire Burton,

Regional Director, London

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
- review your Management Information System (MIS). When you convert to an academy you can change supplier- there are many firms offering competitive licence and maintenance charges.
- set up a bank account for the newly-formed Trust and appoint an Accounting Officer, who must be the Principal of the academy and be in place from the day of opening as an Academy. Please note that bank accounts can take several weeks to set up. We advise you to identify your preferred bank and obtain the necessary paperwork in order to be able to set up a bank account as soon as possible after registering the Academy Trust at Companies House.
- agree land and building arrangements with the local authority or other landowner where appropriate. Lawyers acting for your governing body and the Academy Trust (when established) must prepare a land questionnaire, providing land ownership and other important details, and send a copy to the DfE project lead **as soon as possible**. It will enable DfE to work with your school and the lawyers to determine what arrangements should be made and what DfE documentation should be completed. A model lease and other model documents, including a land questionnaire, are available on our website and schools are advised to read the advice on land also published on the website;
- agree asset and property transfer arrangements with the local authority or other landowner (if applicable). A model Commercial Transfer Agreement is available on our website;
- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
- Ensuring your solicitors know the requirements for conversion by supplying them with the land transfer advice and 'Convert to an academy: guide for schools' document available on our website: <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>
- Our guidance states that converting schools are not expected to make changes to the model documentation. If you consider that changes are required then we suggest you discuss these with your project lead before approaching your solicitors as this can save time and considerable expense.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the <https://www.gov.uk/academies-risk-protection-arrangement-rpa>

Support Grant

The Secretary of State has agreed to allocate a grant under **Section 14** of the **Education Act 2002** of no more than £25,000, to contribute towards expenses incurred by your school in converting to an Academy.

The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
 - b) the costs of software licence transfers;
 - c) HR/TUPE advice;
 - d) re-branding costs; and
 - e) expenses incurred in setting up the Academy Trust.

2. You should retain records to show that the grant has been used for the purposes outlined in 1 above for 6 years after the end of the financial year in which the expenditure has taken place. The books and records relating to claiming and using the grant will be open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require.

3.
 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.

 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.

4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.

Annex B – Setting Up Financial and Governance Arrangements

We have put together a list of the main financial and governance arrangements that academies need to have in place, including highlighting the new requirements for academies. It may be that you have already set up many of these systems and processes, but this is an ideal opportunity to review all your school-based policies and to check their continuing suitability. The list below is intended to support your smooth start up and offers a helpful checklist but is not a substitute for published documents such as the Academies Financial Handbook, the Governors' Handbook and the Academies Accounts Direction which are available on the <https://www.gov.uk/schools-colleges/schools-types>.

As a new academy you will need to complete a Financial Management and Governance Self-Assessment (FMGS) within four months of opening, unless you agree an alternative with the ESFA. Feedback from academies that have completed the FMGS return shows that it is a very useful tool for new academies when setting up their financial management and governance arrangements, and provides helpful assurance to the board of trustees that arrangements meet the mandatory requirements. It will also help you create an action plan to address any areas of non-compliance identified.

ESFA's wall planner will help academy trusts plan for some of the requirements which are set out in more detail below.

1. Understanding the framework

- Be familiar with the statutory and regulatory basis of academy trusts. They are charitable companies and therefore must operate for public benefit rather than for the benefit of the people running them. They are also public sector bodies, and must apply high standards of accountability and transparency in the manner that Parliament expects. Much of this is set out in the Academies Financial Handbook (AFH).
- The Secretary of State is the Principal Regulator of Academy Trusts, Voluntary Aided Schools, Foundation Schools and Sixth Form Colleges. This duty requires him to promote and monitor the compliance of Academy Trustees with Charitable and Company Law and removed the requirement for them to register directly with the Charity Commission. There are some changes to an Academy's Memorandum and Articles that can only be agreed by the Commission. These are the amendments regulated by S198 of the Charities Act 2011. The Commission provides a significant amount of guidance on how Trustees should carry out their responsibilities on its website.
- Ensure that your governors know they are charity trustees **and** company directors and that they understand the responsibilities that this conveys. Again, the AFH, and also the Charity Commission's publication CC3: The Essential Trustee, provides information about this.
- It is important that you read both your **funding agreement** and the AFH thoroughly and review them regularly to ensure your academy remains compliant with all the terms of them. Non-compliance can happen simply because you fail or forget to do something which you are required to do, for example not getting approval to enter into a leasehold.

2. Reviewing your governance position

- Review your governance arrangements so that you are confident you have in place the skilled people, structures and delegated authorities you need to govern your academy effectively and ensure high standards of financial probity. It is particularly important that trusts, in their first year, review and improve their governance arrangements; you will need to set out in your first governance statement after conversion what you have done to review and develop your governance structure and the composition of the board of trustees.

- Establish a register of trustees' business interests so that any conflicts of interest can be identified and managed. Trustees should provide annual declarations of interest, as well as providing information on any changes which occur during the year. You will also need to ensure that future procurement contracts meet the Department's rules in relation to related party transactions and 'not for profit'. Further information can be found in the AFH.

3. Establishing roles

- You will need to appoint an **accounting officer**. This person is different to the school's bursar. In a single academy trust the accounting officer will normally be the head teacher. In a multi-academy trust it will normally be the chief executive or executive head teacher. The accounting officer is personally responsible for ensuring regularity, propriety and value for money in the use of the trust's funds. The role and responsibilities of academy accounting officers are set out in some detail in the AFH.
- Ensure that your **chief financial officer (CFO)** is suitably qualified or experienced to discharge the finance role required within the trust. It is not necessary for the CFO to perform the full range of financial duties personally - for example the CFO can be supported by an accountant to prepare your annual accounts; however, you should assess capacity against the requirements in the AFH and ensure that the right mix of qualifications and experience is available.

4. Developing controls

- Establish a scheme of financial delegations and have it approved by the board of trustees. This will also ensure the trust remains within its delegated authority limits set out in the AFH.
- As best practice put in place a financial procedures manual and have it approved by the board of trustees.
- Establish robust financial internal control arrangements (for example to cover segregation of duties; use of authorised signatories for ordering and payments; matching orders to invoices; monitoring and reconciliation of budgets and timely completion of VAT returns).
- Put in place a competitive tendering policy to ensure that all goods and services are procured by means of free and open competition.
- Set up a payroll system that includes adequate checks and controls to ensure the accuracy of data and that all statutory and contractual deductions are made.
- Set up and maintain a fixed assets register.

5. Handling money

- Set an annual budget, have it approved by the trustees and submit a copy to the ESFA in the form specified.
- Ensure that you can produce regular, reliable and accurate financial management information, based on accruals accounting principles, to inform your monitoring of the financial health of the academy and decisions.
- Reconcile all your bank accounts on a monthly basis as a minimum.
- Ensure correct accounting and monitoring of any restricted and unrestricted funds. For example, restricted funds should be used only for the purpose intended.
- Consider the need for a strategy for investing surplus cash that also ensures access to cash

when required.

6. Being transparent

- Do the work necessary to enable you to prepare and produce annual accounts and have them audited:
 - Appoint external auditors as soon as possible after opening to ensure you have access to the necessary financial advice on the production and audit of accounts.
 - Ensure your accounting period ends on 31 August, unless DfE has specified in writing that another date can be used, and ensure it is recorded as this date at Companies House.
 - In conjunction with your auditor review the Academies Accounts Direction and ensure you know when you need to start preparing the trust's first set of accounts.
 - Bear in mind that your accounts will need to be sent to the ESFA by 31 December and must be published on your website.
- From September 2012, *Schedule 4 of the School Information (England) (Amendment) Regulations 2012* requires all schools (including academies), to publish additional information online. This includes the schools: name, address, named contact for enquiries, admission arrangements, academic performance and how its Pupil Premium funding has been spent.
- Ensure you have a complaints procedure which is compliant with Part 7 of *The Education (Independent School Standards) Regulations 2010*. This factsheet can help you put in place a compliant procedure.
- You should also have a whistle blowing policy.
- You should tell the Information Commissioner's Office (ICO) in writing that the academy is opening and will now be responsible for processing personal and pupil data (*failure to do so is a criminal offence*).

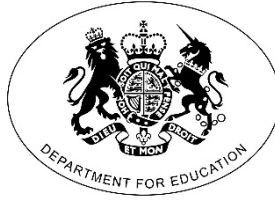
7. Thinking about risks

- Ensure that the academy trust has in place an adequate risk management process to monitor and manage risks including financial risks.
- Establish an audit committee or, if permitted under the AFH, ensure that one of the academy's other committees (for example the finance committee) adopts terms of reference which will permit it to fulfil the responsibilities of an audit committee.
- Ensure that your audit committee (or other committee, as above) puts in place a process for independent checking of financial controls, systems, transactions and risks - for example the appointment of an internal auditor or equivalent, as described in the AFH.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the Department's Risk Protection Arrangements.
 - If you don't already have a business continuity plan you will need to put one in place and have it approved by your board of trustees.

8. Other

- On opening please complete the online contacts form confirming to the ESFA the key people to contact in your academy.

- Remember that as an academy you will still need to comply with the School Admissions Code and School Admission Appeals Code.



The Rt Hon Gillian Keegan MP
Secretary of State for Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe


To: The Chair of Governors of Hermitage Primary School

Tower Hamlets London Borough Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4 of the Academies Act 2010.
2. I hereby order that on the conversion date Hermitage Primary School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Tower Hamlets London Borough Council shall cease to maintain Hermitage Primary School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:.....  Date: 25 April 2024

Claire Burton,
Regional Director

The Chair of Governors
Hermitage Primary School
Vaughan Way
London
E1W 2PT

25 April 2024

ACADEMY ORDER FOR HERMITAGE PRIMARY SCHOOL

Following the recent application of your governing body to convert your school to an academy, I am delighted to inform you that I am content to agree in principle to Hermitage Primary School becoming an academy. I enclose an Academy Order in respect of your school in order to enable it to convert to an academy.

The purpose of an Academy Order is to enable your school to convert to an academy. For actual conversion to take place, I will need to agree with the Academy Trust a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which your school will convert to an academy.

Your DfE delivery officer will work with you on the next steps set out in Annexes A and B, to enable the project to progress quickly. Under the provisions of the Academies Act 2010, schools are required to carry out a consultation with appropriate people on the question of whether they should convert into an academy. Your school is likely to have already started this consultation. You will need to confirm to your DfE delivery officer that the consultation has been carried out by the governing body prior to the Funding Agreement being signed and you should therefore keep all of the documentation relating to this consultation.

Further information and supporting documents are available on our website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I enclose a copy of this letter for you to pass onto the head teacher and I am writing to Tower Hamlets London Borough Council.



Claire Burton,

Regional Director, London Region

Mr Steve Reddy
Interim Corporate Director - Children's Services
Tower Hamlets London Borough Council
5th Floor Mulberry Place
E14 2BG

25 April 2024

ACADEMY ORDER FOR HERMITAGE PRIMARY SCHOOL

Following the recent application of the governing body of Hermitage Primary School to become an academy, I am delighted to confirm that I am agreeable to the conversion of this school to an academy.

I enclose a copy of an Academy Order, which will enable the school to convert to an academy. For conversion to take place, I will need to agree, with the Academy Trust that will run the academy, a Funding Agreement and the Articles of Association of the Academy Trust. The Funding Agreement will record the date on which the school will convert into an academy.

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It will be necessary for the land and buildings occupied by the school to be transferred to the Academy Trust so that they are available for use by the academy from the conversion date. The exact arrangements for achieving this will depend on whether the school is a community, foundation or trust school, or a voluntary school, and whether the land used by the school is public land, private land or a combination of the two.

In cases where you own the land and buildings currently occupied by the school, I am asking you to agree to lease these to the Academy Trust through a 125-year lease similar to that used for existing academies. As a first step,

you should please start to gather land ownership and land registration documentation and information if you have not already done so. My officials will also discuss with you the implications of any schools proposing to convert to academies that are involved in an existing PFI contract or BSF scheme. Model lease documents for Academy Trusts and local authorities to use as the basis for negotiations are available on the Department's website at <http://www.education.gov.uk/schools/leadership/typesofschools/academies>

I am writing to the chair of governors, copied to the head teacher, to give my agreement to the conversion.

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Claire Burton,

Regional Director, London

Annex A: Next Steps

Having received agreement in principle, you can now work towards your Funding Agreement between the Academy Trust and the Secretary of State. The Funding Agreement will stipulate the date when the Academy will open.

The actions listed below will need to be completed before reaching Funding Agreement:

- set up the Academy Trust, completing the Memorandum and Articles of Association (available on our website);
- use these to register the Academy Trust with Companies House. This normally takes between 8 – 10 working days and costs £20. It can, however, be done on the basis of same day incorporation for a fee of £50;
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- set up a bank account for the newly-formed Trust and appoint an Accounting Officer, who must be the Principal of the academy and be in place from the day of opening as an Academy. Please note that bank accounts can take several weeks to set up. We advise you to identify your preferred bank and obtain the necessary paperwork in order to be able to set up a bank account as soon as possible after registering the Academy Trust at Companies House.
- agree land and building arrangements with the local authority or other landowner where appropriate. Lawyers acting for your governing body and the Academy Trust (when established) must prepare a land questionnaire, providing land ownership and other important details, and send a copy to the DfE project lead **as soon as possible**. It will enable DfE to work with your school and the lawyers to determine what arrangements should be made and what DfE documentation should be completed. A model lease and other model documents, including a land questionnaire, are available on our website and schools are advised to read the advice on land also published on the website;
- agree asset and property transfer arrangements with the local authority or other landowner (if applicable). A model Commercial Transfer Agreement is available on our website;
- the employer of the current staff should continue and complete the TUPE process;
- confirm the membership of the governing body for the academy in line with the arrangements outlined in your Memorandum and Articles of Association;
- ensure that DBS checks are completed as necessary;
- your governing body must, prior to signing the Funding Agreement, consult with the appropriate persons on the proposal to convert to an academy.

Your project lead will support you to complete these steps, and further information and supporting documents are available on our website at <https://www.gov.uk/schools-colleges/schools-types>. There are a number of other actions your school will need to take before opening, including data protection registration and pension registration (see section 4 of the guidance on pre-opening checks).

Minimizing the cost of conversion

There are steps you can take to keep your costs of conversion as low as possible. The following can be used as a checklist but does not replace existing guidance on becoming an Academy:

- Shopping around for solicitors to get the best value for money-. It may help to ask other Academies in your area which firms they used and whether in their opinion they offered good value for money. We would also recommend that you obtain an estimate for the cost of the legal work or if possible, a fixed price for the legal work required.
- Ensuring your solicitors know the requirements for conversion by supplying them with the land transfer advice and 'Convert to an academy: guide for schools' document available on our website: <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>
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Support Grant

The Secretary of State has agreed to allocate a grant under **Section 14** of the **Education Act 2002** of no more than £25,000, to contribute towards expenses incurred by your school in converting to an Academy.

The grant is subject to the following conditions:

1. Grant may only be used for the following purposes
 - a) obtaining legal advice in respect of the conversion process;
 - b) the costs of software licence transfers;
 - c) HR/TUPE advice;
 - d) re-branding costs; and
 - e) expenses incurred in setting up the Academy Trust.

2. You should retain records to show that the grant has been used for the purposes outlined in 1 above for 6 years after the end of the financial year in which the expenditure has taken place. The books and records relating to claiming and using the grant will be open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require.

3.
 - a. In the event of a successful conversion, any unused element of Grant should be transferred to the Academy Trust for the purposes described in its charitable objects, typically the advancement of education. The Chair of the governing body will be expected to sign a declaration confirming how much of the grant has been spent at the point of conversion to academy status and, if relevant, how much has been transferred to the academy budget. The Chair will send a certificate (see Annex) to the Secretary of State declaring this and including the exact amounts of grant spent and transferred. This will still apply if the total amount of the grant has been spent.

 - b. In the event that the conversion does not occur then any unused grant should be repaid to the Secretary of State within 10 working days of notifying us that you are withdrawing your application to convert.

4. When procuring goods and services for the school or academy, you are reminded of the requirement to comply with EU and UK procurement law and regulations when appropriate.

Annex B – Setting Up Financial and Governance Arrangements

We have put together a list of the main financial and governance arrangements that academies need to have in place, including highlighting the new requirements for academies. It may be that you have already set up many of these systems and processes, but this is an ideal opportunity to review all your school-based policies and to check their continuing suitability. The list below is intended to support your smooth start up and offers a helpful checklist but is not a substitute for published documents such as the Academies Financial Handbook, the Governors' Handbook and the Academies Accounts Direction which are available on the <https://www.gov.uk/schools-colleges/schools-types>.

As a new academy you will need to complete a Financial Management and Governance Self-Assessment (FMGS) within four months of opening, unless you agree an alternative with the ESFA. Feedback from academies that have completed the FMGS return shows that it is a very useful tool for new academies when setting up their financial management and governance arrangements, and provides helpful assurance to the board of trustees that arrangements meet the mandatory requirements. It will also help you create an action plan to address any areas of non-compliance identified.

ESFA's wall planner will help academy trusts plan for some of the requirements which are set out in more detail below.

1. Understanding the framework

- Be familiar with the statutory and regulatory basis of academy trusts. They are charitable companies and therefore must operate for public benefit rather than for the benefit of the people running them. They are also public sector bodies, and must apply high standards of accountability and transparency in the manner that Parliament expects. Much of this is set out in the Academies Financial Handbook (AFH).
- The Secretary of State is the Principal Regulator of Academy Trusts, Voluntary Aided Schools, Foundation Schools and Sixth Form Colleges. This duty requires him to promote and monitor the compliance of Academy Trustees with Charitable and Company Law and removed the requirement for them to register directly with the Charity Commission. There are some changes to an Academy's Memorandum and Articles that can only be agreed by the Commission. These are the amendments regulated by S198 of the Charities Act 2011. The Commission provides a significant amount of guidance on how Trustees should carry out their responsibilities on its website.
- Ensure that your governors know they are charity trustees **and** company directors and that they understand the responsibilities that this conveys. Again, the AFH, and also the Charity Commission's publication CC3: The Essential Trustee, provides information about this.
- It is important that you read both your **funding agreement** and the AFH thoroughly and review them regularly to ensure your academy remains compliant with all the terms of them. Non-compliance can happen simply because you fail or forget to do something which you are required to do, for example not getting approval to enter into a leasehold.

2. Reviewing your governance position

- Review your governance arrangements so that you are confident you have in place the skilled people, structures and delegated authorities you need to govern your academy effectively and ensure high standards of financial probity. It is particularly important that trusts, in their first year, review and improve their governance arrangements; you will need to set out in your first governance statement after conversion what you have done to review and develop your governance structure and the composition of the board of trustees.

- Establish a register of trustees' business interests so that any conflicts of interest can be identified and managed. Trustees should provide annual declarations of interest, as well as providing information on any changes which occur during the year. You will also need to ensure that future procurement contracts meet the Department's rules in relation to related party transactions and 'not for profit'. Further information can be found in the AFH.

3. Establishing roles

- You will need to appoint an **accounting officer**. This person is different to the school's bursar. In a single academy trust the accounting officer will normally be the head teacher. In a multi-academy trust it will normally be the chief executive or executive head teacher. The accounting officer is personally responsible for ensuring regularity, propriety and value for money in the use of the trust's funds. The role and responsibilities of academy accounting officers are set out in some detail in the AFH.
- Ensure that your **chief financial officer (CFO)** is suitably qualified or experienced to discharge the finance role required within the trust. It is not necessary for the CFO to perform the full range of financial duties personally - for example the CFO can be supported by an accountant to prepare your annual accounts; however, you should assess capacity against the requirements in the AFH and ensure that the right mix of qualifications and experience is available.

4. Developing controls

- Establish a scheme of financial delegations and have it approved by the board of trustees. This will also ensure the trust remains within its delegated authority limits set out in the AFH.
- As best practice put in place a financial procedures manual and have it approved by the board of trustees.
- Establish robust financial internal control arrangements (for example to cover segregation of duties; use of authorised signatories for ordering and payments; matching orders to invoices; monitoring and reconciliation of budgets and timely completion of VAT returns).
- Put in place a competitive tendering policy to ensure that all goods and services are procured by means of free and open competition.
- Set up a payroll system that includes adequate checks and controls to ensure the accuracy of data and that all statutory and contractual deductions are made.
- Set up and maintain a fixed assets register.

5. Handling money

- Set an annual budget, have it approved by the trustees and submit a copy to the ESFA in the form specified.
- Ensure that you can produce regular, reliable and accurate financial management information, based on accruals accounting principles, to inform your monitoring of the financial health of the academy and decisions.
- Reconcile all your bank accounts on a monthly basis as a minimum.
- Ensure correct accounting and monitoring of any restricted and unrestricted funds. For example, restricted funds should be used only for the purpose intended.
- Consider the need for a strategy for investing surplus cash that also ensures access to cash

when required.

6. Being transparent

- Do the work necessary to enable you to prepare and produce annual accounts and have them audited:
 - Appoint external auditors as soon as possible after opening to ensure you have access to the necessary financial advice on the production and audit of accounts.
 - Ensure your accounting period ends on 31 August, unless DfE has specified in writing that another date can be used, and ensure it is recorded as this date at Companies House.
 - In conjunction with your auditor review the Academies Accounts Direction and ensure you know when you need to start preparing the trust's first set of accounts.
 - Bear in mind that your accounts will need to be sent to the ESFA by 31 December and must be published on your website.
- From September 2012, *Schedule 4 of the School Information (England) (Amendment) Regulations 2012* requires all schools (including academies), to publish additional information online. This includes the schools: name, address, named contact for enquiries, admission arrangements, academic performance and how its Pupil Premium funding has been spent.
- Ensure you have a complaints procedure which is compliant with Part 7 of *The Education (Independent School Standards) Regulations 2010*. This factsheet can help you put in place a compliant procedure.
- You should also have a whistle blowing policy.
- You should tell the Information Commissioner's Office (ICO) in writing that the academy is opening and will now be responsible for processing personal and pupil data (*failure to do so is a criminal offence*).

7. Thinking about risks

- Ensure that the academy trust has in place an adequate risk management process to monitor and manage risks including financial risks.
- Establish an audit committee or, if permitted under the AFH, ensure that one of the academy's other committees (for example the finance committee) adopts terms of reference which will permit it to fulfil the responsibilities of an audit committee.
- Ensure that your audit committee (or other committee, as above) puts in place a process for independent checking of financial controls, systems, transactions and risks - for example the appointment of an internal auditor or equivalent, as described in the AFH.
- Make sure that you have adequate insurance cover in place before the academy opens or have opted into the Department's Risk Protection Arrangements.
 - If you don't already have a business continuity plan you will need to put one in place and have it approved by your board of trustees.

8. Other

- On opening please complete the online contacts form confirming to the ESFA the key people to contact in your academy.

- Remember that as an academy you will still need to comply with the School Admissions Code and School Admission Appeals Code.

<p>Cabinet</p> <p>24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Steve Reddy, Corporate Director Childrens Services</p>	<p>Classification: Unrestricted</p>
<p>Tower Hamlets Safeguarding Children Partnership Annual Report 2023-2024</p>	

Lead Member	Cllr Maium Talukdar, Deputy Mayor and Cabinet Member for Education and Lifelong Learning
Originating Officer(s)	Louise Griffiths – Partnership and Strategy Manager
Wards affected	All wards
Key Decision?	No
Reason for Key Decision	Non-Key – For Information
Forward Plan Notice Published	18/04/2024
Exempt information	N/A
Strategic Plan Priority / Outcome	All

Executive Summary

The Tower Hamlets Safeguarding Children Partnership (THSCP) is required to publish an annual report on the effectiveness of safeguarding and promoting the welfare of children in its locality.

The Tower Hamlets Safeguarding Children Partnership Annual Report 2023-24 demonstrates the activity of the THSCP within the last financial year. Which includes the priority sub-groups, data sharing and the impact on children within the borough.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the work that has been carried out by the Tower Hamlets Safeguarding Children’s Partnership over the year 2020-21 and the

outcomes that members would like to see from the THSCP over the next year]

2. Note the specific equalities considerations as set out in paragraph 4.1

1 REASONS FOR THE DECISIONS

1.1 The Working Together 2023 Arrangements stipulates that the safeguarding partners must publish a report within every 12 months, and this should be shared through all agencies. The report will also go to the National Safeguarding Practice Review Panel and the What Works Centre for Children within 7 days of publication. The report will be signed off by the three partners including DCS for the Local Authority, the Borough Commander for the Police, and the Chief Executive of the local Integrated Care Board as well as the Independent Scrutineer.

2 ALTERNATIVE OPTIONS

2.1 None.

3 DETAILS OF THE REPORT

3.1 The report highlights:

- Working Together 2024 arrangements
- Overview of governance and structure
- Independent scrutiny arrangements including Young Scrutineers programme.
- Funding & budget
- Key demographics
- Key achievements and challenges of the Safeguarding Children Partnership
- Overview of the Tower Hamlets Safeguarding Partnership priorities
- Statements from safeguarding partners
- Children and young people's engagement
- Quality Assurance arrangements and updates
- Updates on the data cycle and key learning from multi-agency data
- Child Safeguarding Practice Review process improvements
- Published Child Safeguarding Practice Reviews and learning.
- Updates on multi-agency safeguarding training and awareness events.
- Strategic plan for the year ahead.

4 EQUALITIES IMPLICATIONS

4.1 The work and outcomes of the THSCP are designed to ensure that all children have access to early help support and statutory intervention when needed to keep them safe from harm, at home and in the community, and to tackle the challenges they face individually or as a family unit to help them grow in to healthy adults. The safeguarding partnership will continue to prioritise ensuring all children are protected from risk and harm.

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 None.

7 COMMENTS OF LEGAL SERVICES

7.1 Section 16G of the Children Act 2004 requires the safeguarding partners for each area (local authority, police and health) to prepare and publish a report at least once in every 12 month period. The statute requires the report to contain information about what has been done by the partners and how effective it has been in practice.

7.2 Further guidance about the contents of reports and their publication is set out in the statutory guidance Working Together to Safeguard Children 2023.

7.3 This report demonstrates the Council's compliance with the above legislation and guidance.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Tower Hamlets Safeguarding Children Partnership Annual Report 22-23

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

- Working Together to Safeguard Children 2023

Officer contact details for documents:

Louise Griffiths – Strategy and Partnership Manager,
louise.griffiths@towerhamlets.gov.uk

TOWER HAMLETS SAFEGUARDING CHILDREN PARTNERSHIP ANNUAL REPORT

2023-2024

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Introduction

The Tower Hamlets Safeguarding Children Partnership (THSCP) is fully established under the Working Together to Safeguarding Children 2023 Arrangements and has developed over the last years into a responsive and agile system.

The Working Together Arrangements state that:

A statutory safeguarding partner in relation to a local authority area in England is defined under the Children Act 2004 (as amended by the Children and Social Work Act, 2017) as: (a) the local authority (b) an integrated care board for an area any part of which falls within the local authority area (c) the chief officer of police for an area any part of which falls within the local authority area



The three partners have a joint and equal duty

In Tower Hamlets there is a rotational chairing agreement between the three jointly responsible agencies.



Steve Reddy
Children's Services

Steve Reddy is the Interim Statutory Director of Children's Services for Tower Hamlets with lead responsibility for children's safeguarding as well as for the delivery of a range of social care, education, early help, and commissioned services.

Steve works closely with partners to ensure the most vulnerable children and young people in the borough are safeguarded from harm



Korkor Ceasar
Integrated Care Board

Korkor is the Associate Director for Safeguarding Children, NHS North East London Clinical Commissioning Group. She leads on the implementation of all safeguarding statutory duties for children safeguarding and Looked after Children, ensuring all risks are escalated through the appropriate governance. She is responsible for providing expert advice and guidance to the Partnership Boards via Chief Nurse and other colleagues on all safeguarding functions, aspects and responsibilities; with a particular focus on ensuring the strategic needs are met. Korkor is also responsible for ensuring that safeguarding is effectively managed across the health system, engaging local providers in a robust partnership approach to commissioning and provision of health services.



James Conway
Metropolitan Police

Detective Chief Superintendent Conway is the senior police officer responsible for the strategic and operational oversight for the London Boroughs of Tower Hamlets and Hackney. The Superintendent works closely with both internal and external partners in order to safeguard the vulnerable, tackle crime and continue to build on trust and confidence in policing amongst the community it serves.

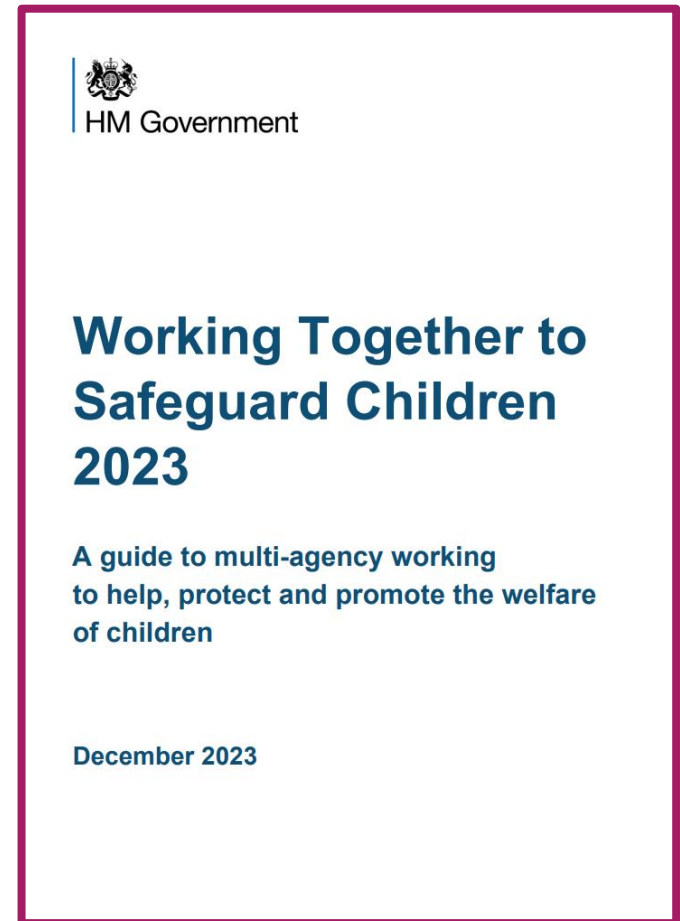
Working Together 2023

Working Together to Safeguard Children is statutory guidance produced by the government that outlines how practitioners working with children, young people and families should work together to ensure that children and young people remain safe from harm Working Together 2023 underpins all of the activity of the Tower Hamlets Safeguarding Children Partnership.

Joint functions of lead safeguarding partners

- 1.** Set the strategic direction, vision, and culture of the local safeguarding arrangements, including agreeing and reviewing shared priorities and the resource required to deliver services effectively.
- 2.** Lead their organisation’s individual contribution to the shared priorities, ensuring strong governance, accountability, and reporting mechanisms to hold their delegates to account for the delivery of agency commitments.
- 3.** Review and sign off key partnership documents: published multi-agency safeguarding arrangements, including plans for independent scrutiny, shared annual budget, yearly report, and local threshold document.
- 4.** Provide shared oversight of learning from independent scrutiny, serious incidents, local child safeguarding practice reviews, and national reviews, ensuring recommendations are implemented and have a demonstrable impact on practice (as set out in the yearly report).
- 5.** Ensure multi-agency arrangements have the necessary level of business support, including intelligence and analytical functions, such as an agreed data set providing oversight and a robust understanding of practice.
- 6.** Ensure all relevant agencies, including education settings, are clear on their role and contribution to multi-agency safeguarding arrangements.”

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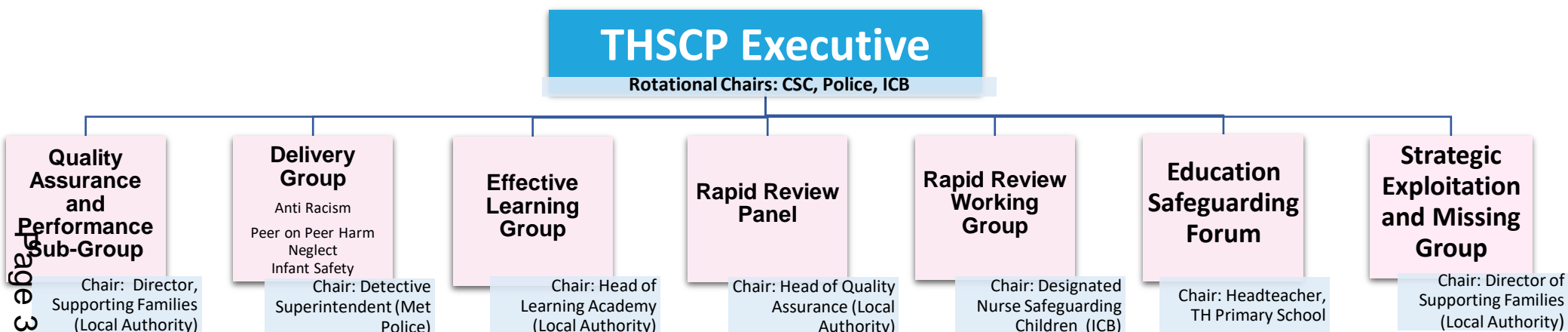


Overview of key changes in Working Together to Safeguard Children 2023

2023 saw significant changes in the Working Together Guidance, the THSCP is currently reviewing how the partnership can be strengthened through further compliance with the guidance. The headline areas for change are:

	<p>Multi-agency expectations for all partners</p>		<p>Further inclusion of the voluntary sector</p>
	<p>Working with parents/guardians and families</p>		<p>Strengthening accountability, data and reporting</p>
	<p>Changes to SCP's strategic leadership and funding</p>		<p>Tackling harm outside the home</p>
	<p>Strengthening Scrutiny functions</p>		<p>Support for children with disabilities</p>
	<p>Ensuring interdependencies with other boards</p>		<p>Role of education and childcare providers</p>

Governance and Structure



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The Groups Explained:

- The Executive Group oversees the THSCP which aims to continue to promote and support multi-agency working across all areas of Safeguarding. The local Police, Integrated Care Board and Local Authority are equally responsible for the Partnership and its outcomes.
- The Quality Assurance and Performance Group oversees the business part of the partnership which includes (but is not limited to), reviewing multi-agency data, audits and action plans that arise from statutory reviews.
- The Delivery Group oversees four multi-agency improvement projects which have been set up to focus a lens on an area that has arisen as a challenge within the borough.
- The Effective Learning group joins up training and awareness programmes across the borough.
- The Rapid Review Panel has been established to respond quickly to serious incidents when a child has been significantly harmed or died from abuse or neglect. The group reviews the cases, draws out any immediate learning and makes recommendations to the Executive on what level of Statutory Review is required.
- The Rapid Review Working Group has the responsibility of implementing the learning from statutory reviews.
- The Education Safeguarding Forum is a space for Education Providers to raise thematic and strategic safeguarding concerns.

Membership

“Relevant agencies are those organisations and agencies whose involvement the safeguarding partners consider are required to safeguard and promote the welfare of local children. A list of organisations that meet the criteria to be included as a relevant agency is set out in regulations. Strong, effective multi-agency safeguarding arrangements should be responsive to local circumstances and engage the right people in a collaborative way. This approach requires flexibility from all relevant agencies, to enable joint identification and response to existing and emerging needs, and to agree priorities to improve outcomes for children.” – Working Together 2023 T

he partnership has been made stronger this year through key agencies taking the lead in many areas including shaping and leading the work in our priority areas. The infographic shows a snapshot of members, but the membership is made up of over 200 professionals from various agencies and teams across Tower Hamlets. Partners include: Almost any organisation that works with children and young people in Tower Hamlets but to name a few....

Met Police	Department for Education	Integrated Care Board
Barts Health	GP Care Group	ELFT
Education Providers	Cafcass	Voluntary Sector
Probation	Childrens Services	Early Help
Exploitation Team	Ofsted	The National Panel

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Independent Scrutiny

“Independent scrutiny should drive continuous improvement and provide assurance that arrangements are working effectively for children, families, and practitioners. It should also consider learning from local child safeguarding practice reviews, national reviews and thematic reports. The independent scrutineer or scrutiny group should be able to demonstrate knowledge, skills and expertise in the area being scrutinised and consequently add value to the work of local agencies.” – Working Together 2023 The THSCP Independent Scrutineer is Laurelle Brown who is responsible for ensuring the THSCP is compliant, raising any challenges, reviewing processes and procedures, and liaising on a national level with other partnerships and key external stakeholders. Laurelle is a JNC qualified Youth and Community Worker with experience in a range of cross-sector frontline, research, strategy, and leadership roles. Her background includes work in further education, violence reduction, children's social care, youth offending, and children's charities. Laurelle’s work focuses on tackling complex inequalities and challenges across systems for children. She is a Lay Member on a local SCP, Co-Founder of a community for Black safeguarding professionals and a primary school Governor, helping her stay attuned to safeguarding from different perspectives. She is deeply invested in improving the lives of children.

Scrutineer's Annual Reflections



"This is my second contribution to a THSCP Annual Report since joining as Independent Scrutineer in October 2022. The Annual Report provides an overview of the progress made by the THSCP between April 2023 and March 2024. Despite numerous ongoing pressures and challenges, partner efforts have supported continuous improvement in key areas, such as the rapid review process. The implementation of three-way serious incident decision-making in 2022/23 has positively impacted this year in reinforcing joint responsibility among statutory partners and strengthening multidisciplinary rigour and learning opportunities. Learning from rapid reviews has also informed training delivery across multiple agencies, the identification of new Partnership priorities, and the development of Partnership protocols.

At the beginning of the year, I conducted a scrutiny exercise in collaboration with the Young Scrutineers, using the [Six Steps Framework](#). While some recommendations from the scrutiny report are still under review, several positive changes have been implemented across the Partnership, in alignment with the recommendations, including:

- Page 302
- Refreshed Partnership arrangements, including the establishment of a Delivery Sub-Group and an Effective Learning Sub-Group.*
 - Migration of the Partnership's website to the Tower Hamlet Council website, facilitating access to information for partners, families, and children whilst a new THSCP website is planned.*
 - Introduction of webinars to facilitate the dissemination of rapid review learning across the partnership.*
 - Facilitation of the first Anti-Racism conference, contributing to enhanced awareness and practice among partners and agencies.*
 - Strengthening of the Quality and Assurance Sub-group, with increased collaboration and constructive dialogue among partners.*
 - Formation of an Independent Scrutineer-led Task and Finish group to update the Partnership's data dashboard.*

This year, significant attention has been drawn to institutional discrimination and the handling of child exploitation by the Met police through the publication of the [Baroness Casey Review](#) and an [HMIC inspection report](#). The Partnership has since identified 'Anti-racism' as a 2-year priority and confirmed exploitation as the focus of a scrutiny deep dive at the start of next year.

While progress has been made in establishing effective Partnership structures and processes this year, there are areas acknowledged as requiring further attention, including local child safeguarding practice reviews, performance and assurance approach and impact, feedback from children and families, health representation and information governance, and strategic oversight and leadership.

Finally, the past year also presented various changes and challenges, including notable workforce changes, impacting the effectiveness and continuity of the partnership, and the Executive. The dedication of individuals covering vacant roles and supporting colleagues has been invaluable in maintaining the Partnership's core work at what remains a challenging time. It has been a privilege to continue collaborating with the Partnership this year. I extend my sincere gratitude to practitioners and managers across all agencies for their tireless efforts in safeguarding children. Special thanks to the Young Scrutineers for their exceptional dedication and contributions, even with demanding academic schedules!" – Laurelle Brown

Young Scrutineers



The THSCP are proud to have introduced 'Young Scrutineers' into the THSCP which was the result of an innovative bid to the Department for Education and means we can involve young people in the work of the Partnership. They are paid at an adult living wage hourly rate, and who work up to 4 hours a week. The contract is flexible to work around their educational needs. The Scrutineers started the role at ages 16 and 17 and work alongside our Adult Scrutineer. Their role is to give their views, share their and peers' experiences, and review policies and projects to ensure we have the voice of the child at the centre of the work. Tower Hamlets are 1 of only 5 safeguarding partnerships with paid young scrutineers across the UK. Our young scrutineers have been with us for almost 2 years and as their contracts come to an end in June. We originally had 3 young scrutineers but last year Mia-Ly left us to study medicine.

During their time in the THSCP they have completed and been involved with the following activities:

- 1:1 meetings with over 15 senior managers and directors
- Gave initial feedback on priority areas and project plans, which resulted in the amendment of project plans to reflect the opinion of children and young people
- Took part in tours of police stations, The Royal London and Town Hall
- Benchmarked the THSCP website and gave feedback on how parts of the website should be accessible for children and young people when they wish to seek information on safeguarding
- Completed a jargon-busting exercise that breaks down commonly used terminology into a young person-friendly guide
- Helped facilitate a scrutiny workshop when the THSCP had a changeover in Independent Scrutineer
- Are working alongside the Independent Scrutineer on the Six Steps of Scrutiny project to highlight improvements to the THSCP
- Presented feedback to priority task and finish groups
- Presentations at Every Chance for Every Child Forum
- Helped analyse and feedback a survey regarding online safety which was sent out to schools
- Gave feedback on how to make the Thresholds document more accessible for children and young people and are now working on a guide for young people and children to navigate a thresholds document.
- Engaged other groups of children and young people to help set the THSCP new priorities
- Are currently working on a survey to capture more views of children and young people around the priority areas
- Conducted research into anti-racism and reviewed media articles
- Attended national feedback meetings with other young scrutineers
- Collected feedback from peers and family members to support the community language programme run by Tower Hamlets Local Authority
- Review anonymized social care case extracts to give feedback on the language used by professionals when documenting children and young people in case files

Young Scrutineers in Their Own Words

Imaana

"I started working as a young scrutineer at sixteen during 2022. Domestic abuse was originally my priority area and my goal was to give the council a new perspective on domestic abuse from the view of a young person. I wanted to improve the help that victims received and ensure that the voice of the child was heard. Additionally, I gave ideas on how to make sure victims feel safe and comfortable enough to seek help. Since working here my confidence and public speaking skills have grown, which was something I found challenging when I first started. I am now eighteen, and we have joint priority areas of peer-on-peer harm, racism, infant safety and neglect. Again, I think it is extremely useful for the safeguarding children partnership to have the perspectives of young people living in the borough. Recently we have been given research tasks on racism which was beneficial as we have highlighted all different types of racism and not just the obvious.

We also had a webinar with King's College London and other young scrutineers from different boroughs. This was useful as we saw what other young people were doing in their councils and we told them what we were doing, which they took advice from. We found that not many other councils employ their young scrutineers, unlike Tower Hamlets, and they're instead just volunteers.

Since working here we have met and spoken with young people in the borough to get their views on what it is like in Tower Hamlets. This included the CAMHS participation group, Barts Health young people's engagement group, spotlight and young carers. After getting their views we have looked at what we, as a partnership, need to do to make sure that children and young people's voices are heard. Hence our new priority areas this year, which came from young people and practitioners themselves. Throughout this role we have constantly communicated how important the voice of children and young people is. The best part about being a young scrutineer for Tower Hamlets was being heard and feeling like we made a difference." – Imaana

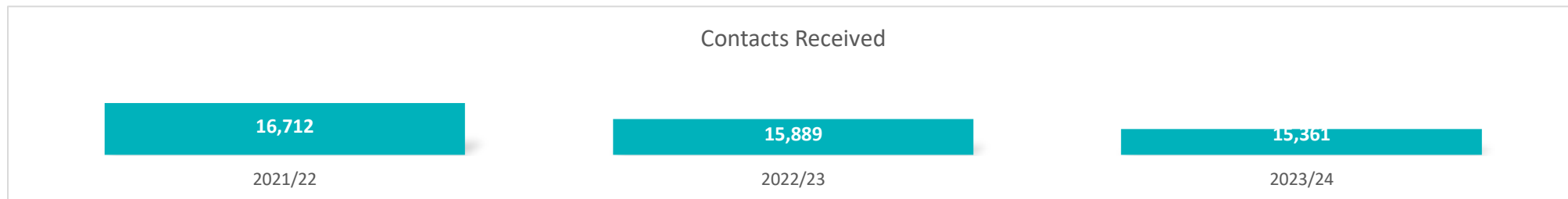
Imtiyaz

"I am currently in my final year of A levels and embarked on my journey as a young scrutineer from April 2022. I was assigned to one of three priority areas at the time, with me being sat on the online safety area, I was able to put forward my input and offer my opinions on current policies and work revolving around online safety. I wanted to ensure that the council were up to date with the upgrade in technology that has surpassed over the coming years and highly believed that keeping up to date with and being aware of such amendments in technology would help the partnership in being able to offer the right and effective amount of support needed for both parents, young people, and children. From this role, I have developed several skills, such skills that I know have very much benefit me now and will in the future. I have been able to grow as a person and expand knowledge and experience of working within a professional environment. Being able to work with a wide range of people from very diverse backgrounds has given me an interesting insight into the different lives we all live and how I can myself develop on learning from different cultures. Our new priority areas which consist around anti-racism, peer-on-peer harm, infant safety and neglect are areas of concern that was very much highlighted by several individuals and interactions during my first year as a scrutineer and seeing these being recognised and considered as an area that is important by the council and partnership has me hopeful in the work we carry out being heard and seen by the council and partnership. Since my statement in the last review, I am happy to be able to include a variety of new work I have been to complete and take part in which includes meeting with the CAHMS participation group and being able to listen to their feedback directly from young people who have had to make major sacrifices within their lives and setting out the contents and structure for a questionnaire that revolves around racism and collecting data on the effects individuals may have undergone as a result. The most enjoyed part of my role was being able to work with many unique individuals and have been able to establish professional networks with them as well as being able to make a difference to improve the lives of children and young people within the borough and being heard and having it considered as well as implemented." – Imtiyaz

Data regarding Children and Young People in Tower Hamlets

Contacts Received

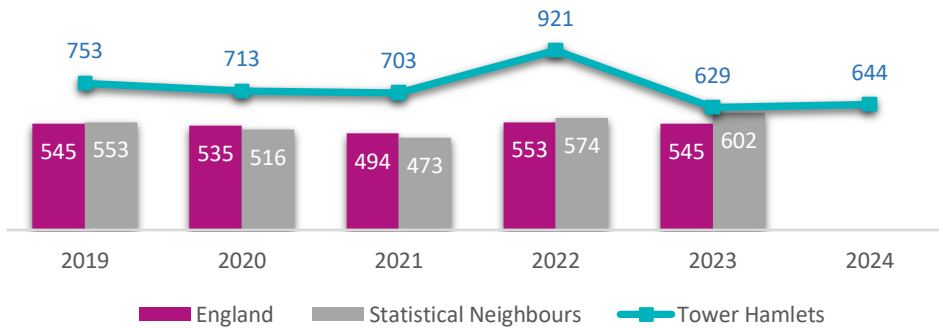
The number of contacts received into the Multi-Agency Safety Team (MAST) has fallen by 3.3%, from 15,889 contacts in 2022/23 to 15,361 contacts in 2023/24. Following the pandemic, the number of contacts received has fallen year on year, returning to levels pre-pandemic. *Data Source: LBTH RP_036 Contacts Report, April 2024*



Police continue to be the largest source of contacts followed by health services, schools and LA services.

Contact Source	2021/22	2022/23	2023/24
a) Individual	3%	3%	4%
b) Schools	16%	13%	14%
c) Education services	1%	2%	2%
d) Health services	18%	18%	19%
e) Housing	1%	1%	1%
f) LA services	9%	11%	13%
g) Police	39%	41%	37%
h) Other legal agency	8%	8%	9%
i) Other	3%	2%	0%
j) Anonymous	0%	0%	0%
k) Unknown	0%	0%	0%

Rate of Referrals Received per 10,000

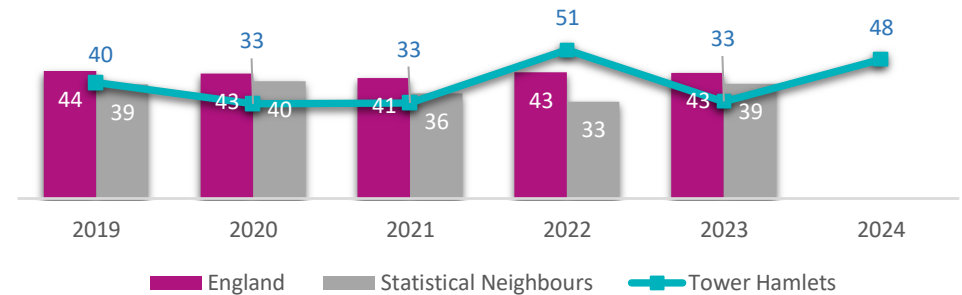


Referrals Received The rate of referrals received per 10,000 children has fallen in the past two reporting years, to rates below 700. The rate of 629 in 2022/23 was the lowest rate recorded in the past five years and closer to the National and statistical neighbour rates. The rate of 921 in 2021/22 was the highest recorded rate and highlighted the increase in demand for Children’s Social Care Services during the pandemic. For 2023/24, the referral rate is 644, slightly higher than the rate in the previous year. The increase in the demand for Children’s Social Care services reflects the pressures faced on families in the borough following the pandemic and the ongoing cost of living crisis. *Data Source: Local Authority Interactive Tool and LBTH MI March Scorecard, April*

Children in Need The rate of Children in Need per 10,000 at the end of each March shows a slight increase from 33 in 2022/23 to a rate of 48 in 2023/24.

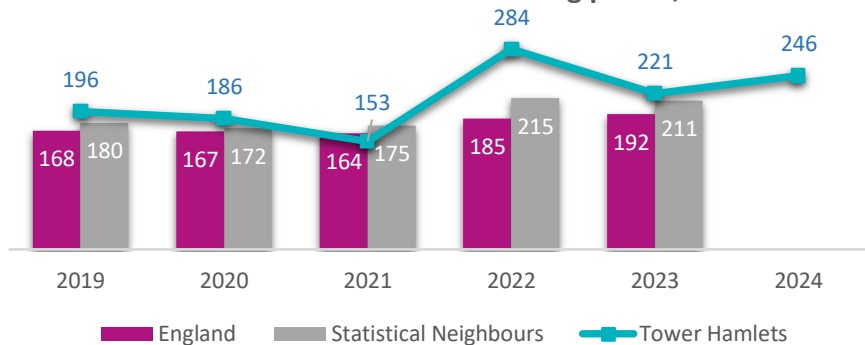
In three of the last six years, the rate has been 33, below the England average and statistical neighbour averages. The increase in 2023/24 remains slightly lower than the highest rate of 51 recorded in March 2022, however higher than all other years. The increase highlights more children are requiring support and services from Children’s Social Care. *Data Source: Local Authority Interactive Tool and LBTH MI March Scorecard, April 2024*

Rate of Children in Need per 10,000



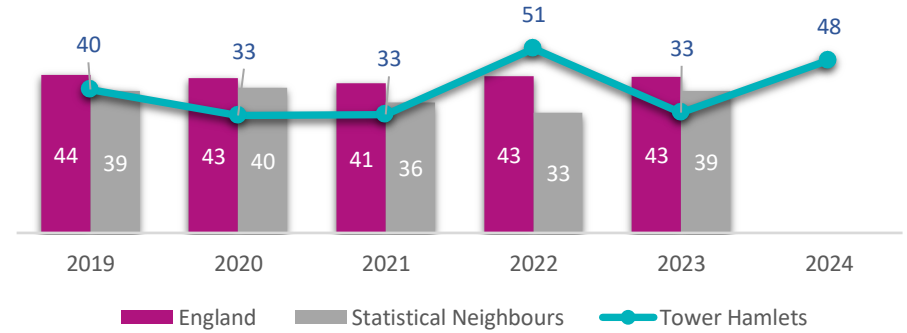
Section 47 Enquiries The rate of Section 47 enquiries commencing per 10,000 children has remained high following the pandemic. The highest rate of 284 in 2021/22 was higher than National and statistical neighbours, however in 2022/23, the rate fell to 221, closer to the National average of 192 and the statistical neighbour average of 211. *Data Source: Local Authority Interactive Tool and LBTH MI March Scorecard, April 2024*

Rate of Section 47s Commencing per 10,000

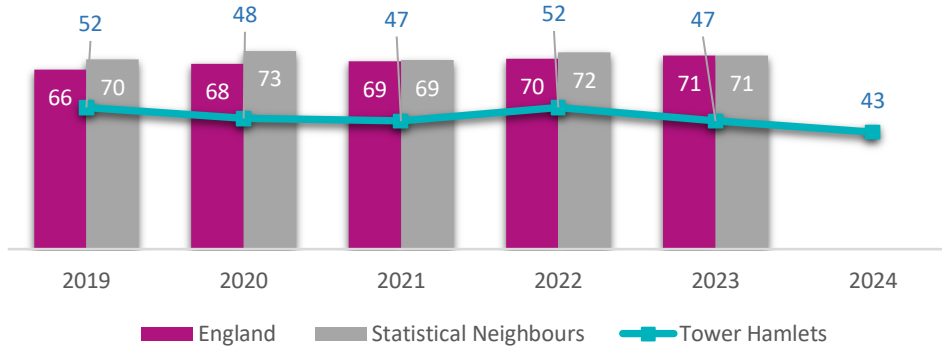


Child Protection The rate of children subject to a Child Protection Plan at the end of March each year shows that other than 2021/22, this has been below the National rate. The highest rate of 51 was recorded at the end of March 2022, higher than the National rate of 43 and the statistical neighbour average of 33. This high rate indicates the increase in safeguarding concerns for children from the restrictions placed on children and families in the pandemic. At the end of March 2023, the rate fell to 33, below the National rate of 43 and the statistical neighbour rate of 39. *Data Source: Local Authority Interactive Tool and LBTH MI March Scorecard, April 2024*

Rate of Children Subject to Child Protection Plans per 10,000



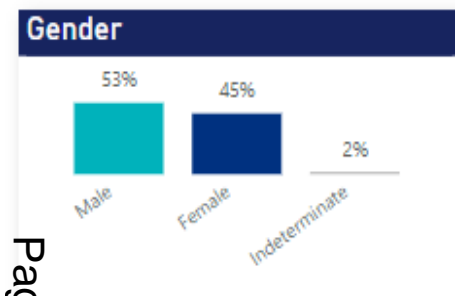
Rate of Children in Care per 10,000



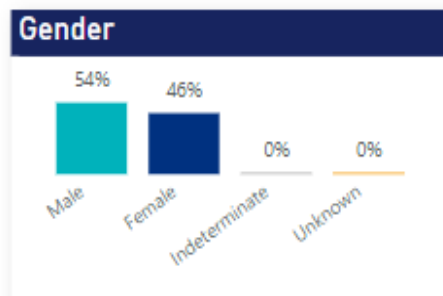
Children Looked After The rate of children looked after per 10,000 children remains stable, consistently below the National and statistical neighbour rates for the past five years. The lower rates of children in care at the end of each March demonstrates the strong services in supporting children at the edge of care with effective and tailored support enabling children and families to continue to be unified. *Data Source: Local Authority Interactive Tool and LBTH MI March Scorecard, April 2024*

Demographic Information at the end of March 2024

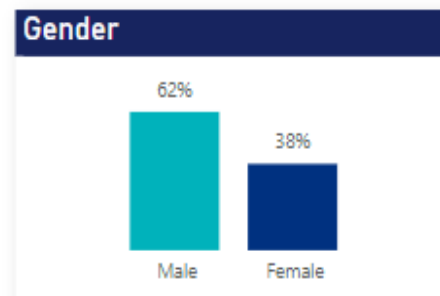
Child In Need



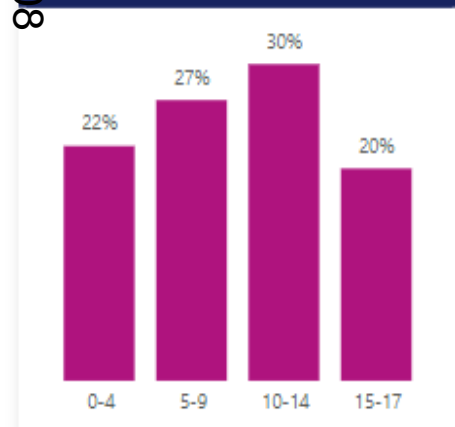
Child Protection



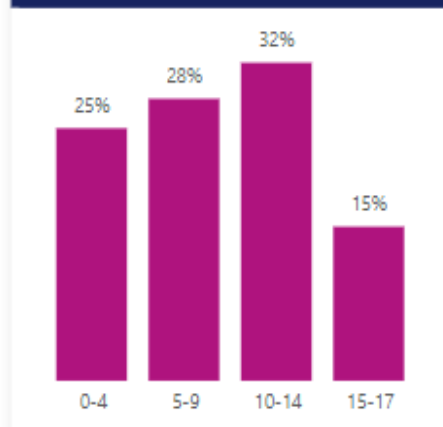
Children Looked After



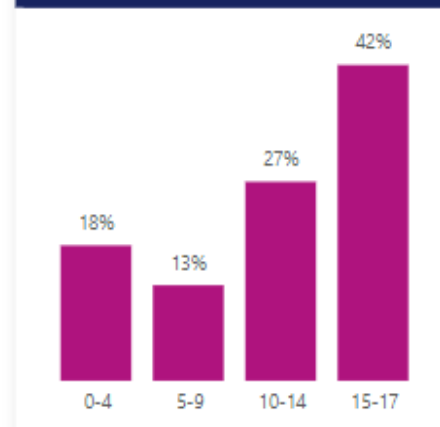
Age of Cohort



Age of Cohort



Age of Cohort



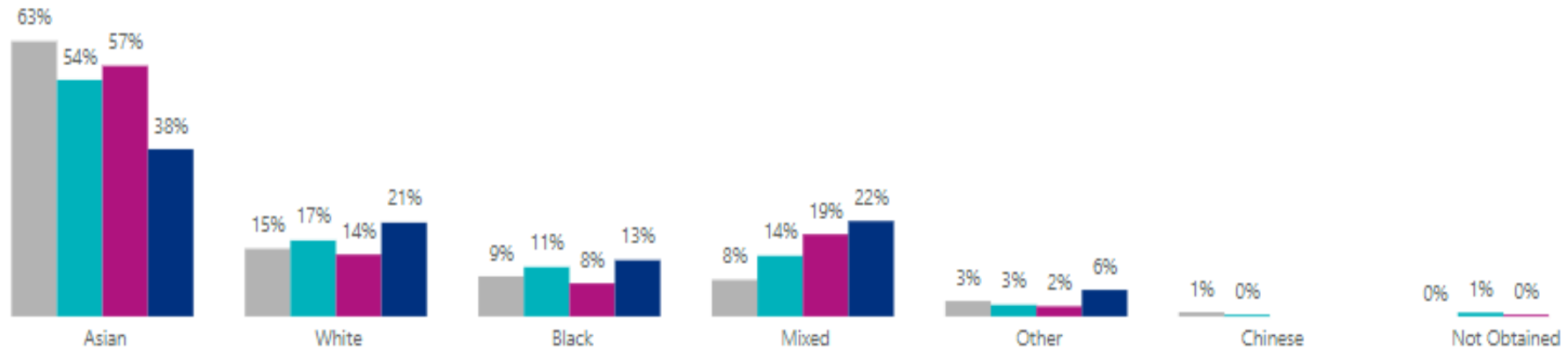
Data Source: LBTH MI March Scorecard, April 2024

At the end of March 2024, 53% of boys had an open referral (excluding care experienced adults) compared to 45% of girls. This is similar to children subject to a Child Protection Plan where 54% were male and 46% were female. In contrast, there was less parity between males and females for those in care with 62% males and 38% females.

For age distribution, all children with an open referral (excluding care experienced adults) and children subject to a Child Protection Plan had the 10-14 age group as the largest proportion of the cohort. However, for children looked after, 42% of the cohort were in the 15-17 age group and there was a greater number of children aged 0 to 4 years old in care compared to those in the 5 to 9 year old age group.

Ethnicity - Over or Under Represented

● % ONS ● % Child in Need ● % Child Protection ● % Child Looked After



Data Source: LBTH MI March Scorecard, April 2024

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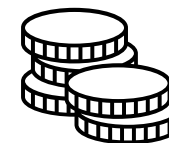
For ethnicity grouping, 54% of children with an open referral to Children’s Social Care and 57% of children subject to a CP Plan were from an Asian ethnic group. Both proportions are slightly lower, 9% and 6% lower respectively, than the Tower Hamlets 0-17 population for Asian ethnicities at 63%. For children looked after, 38% of children were from as Asian ethnic group, 25% lower than the Tower Hamlets child population.

However, children looked after from a white ethnic group (21%), black ethnic group (13%), mixed ethnic group (22%) and other ethnic groups (6%) all had higher proportions than the Tower Hamlets child population for these ethnicities.

For children subject to child protection, the ethnic grouping of this cohort at the end of March was closer to the 0-17 Tower Hamlets population. There was a 1% difference for white ethnicities, 1% difference for black ethnicities and 1% difference for other ethnic groups.

One theme across all the children’s social care cohorts is the greater proportion of children from mixed ethnic groups receiving a service compared to the Tower Hamlets child population. Children with an open referral was 6% higher, children subject to a Child Protection Plan was 11% higher and children looked after was 14% higher when compared to the 8% of the child population from mixed ethnicities.

Funding the Tower Hamlets Safeguarding Children Partnership















“The LSP should agree on the level of funding needed to deliver the multi-agency safeguarding arrangements. This includes consideration of business and analytical support, independent scrutiny, infrastructure, and core functions including local children safeguarding practice reviews, multi-agency training and learning events. It is the responsibility of the LSP to ensure that adequate funding is allocated and spent in line with agreed priorities. **Funding contributions from the statutory safeguarding partners should be equitable** and agreed by the LSP. Funding for the arrangements should be reviewed on an ongoing basis to ensure that they can meet the financial needs of the arrangements.” – Working Together 2023

Funding is agreed at the beginning of the year with the partners and is used to fulfil the function of the partnership. It is noted that many organisations face financial challenges each year. The partners will often give their time and resources in kind to support the functioning of the partnership. This includes, chairing and participating in sub/task and finish groups, conducting reviews, audits, leading and attending workshops and analysing and submitting data.

Income		Expenditure	
Local Authority	£145,916	Business Unit Salaries and oncosts: <ul style="list-style-type: none"> • THSCP Manager • THSCP Coordinator • THSCP Apprentice • Young Scrutineers x2 	£173,333
Integrated Care Board	£50,000	Independent Scrutineer	£18,931
Police	£5,000	Website Hosting	£1,800
East London Foundation Trust	£2,500	Training - NSPCC	£12,600
DfE Grant (One-off)	£47,300	Venues	£862
		CSRP Cost	£5,400
Total	£250,716	Total	£212,927

In this financial year the Department for Education gave all local safeguarding partnerships a one-off grant of £47300 to help implement the new iterations of working together. This grant stipulated it was required to be used against the 23-24 financial year but didn't reach partnerships until the last quarter. This grant was used for training, and salaries of the apprentice and scrutineer. The THSCP will be carrying over £30,000 from the Integrated Care Board grant for the year 24-25, which will cover the deficit initially predicted.

About Tower Hamlets

	<p>Tower Hamlets continues to have one of the fastest growing populations nationally and now has an estimated population of 324,745. The latest population estimates published by ONS show that Tower Hamlets continues to have one of the youngest populations in the country with a median age of 31.6.</p>		<p>The council has the 7th highest housing waiting list nationally. There are 18,808 households on the council's housing waiting list. BME households account for 78% of all households on the housing register. In March 2019, there were 2,529 households in temporary accommodation, of which half are placed in accommodation outside of the borough.</p>
	<p>Tower Hamlets has a similar proportion of young people aged 0-19 to England and London. There are an estimated 78,000 children and young people aged 0-19 resident in Tower Hamlets, a quarter of all residents.</p>		<p>Tower Hamlets has a high proportion of children in need when compared with England and London. The number of children identified as being in need has risen considerably since 2017. Neglect is the most common form of abuse for children in receipt of a child protection plan.</p>
	<p>There are 45,000 pupils in primary and secondary schools in the borough. Most pupils want to attend university/higher education.</p>		<p>In 2016-18, life expectancy for men in Tower Hamlets was the same as in the UK, while for women it was slightly higher than the UK average. Babies in Tower Hamlets were more likely to be born with a low birth weight than in England or London, but mothers were less likely to be smokers. The infant mortality rate was higher than the national or regional average.</p>
	<p>Tower Hamlets economic output in 2017 was £29.7bn – more than Birmingham or the City of Manchester. The economy grew by 49% between 2008 and 2017.</p>		<p>Crime in Tower Hamlets has risen in recent years but less rapidly than in London as a whole. In December 2019 there were 35,118 notifiable offences, a 4.2 per cent increase since 2016, compared to the 16. per cent increase in the London as a whole. Recorded youth crime in the borough has fallen, as it has elsewhere.</p>
	<p>During 2016-19, around two thirds of Tower Hamlets working age population were in employment (67%).</p>		<p>The borough has a rich and historical environment, with more than 200 parks and open spaces. CO2 emissions have fallen but not sufficiently quickly, so Tower Hamlets declared a climate emergency in March 2019</p>
	<p>Tower Hamlets became significantly less deprived between the 2015 and the 2019 Indices of Multiple Deprivation, moving from 10th to 50th on the rank nationally, but 60% of the borough are still within the 30% most deprived parts of England. Deprivation among children and older people is much higher than deprivation as a whole.</p>		<p>Tower Hamlets has an extensive transport network with 7 Overground stations and 9 underground stations, the busiest of which is Canary Wharf station. The borough is also served by 17 DLR stations and 26 daytime bus routes.</p>

Key Achievements and The Impact- Snapshot

Overview	Impact
Publication of new arrangements	The THSCP <u>Arrangements</u> were updated to reflect current practice. This has demonstrated the development of the partnership since arrangements were last updated in 2019. This allows transparency of the arrangements with all partners and the public.
Delivery of safeguarding month	During Safeguarding Month, the THSCP delivered an Anti- Racism conference which featured speakers from the Independent Scrutineer, feedback from children and young people, Children’s Social Care, and the Met Police. The conference brought together professionals across Tower Hamlets, which helped build relationships and improve practice. In addition to the conference, weekly bulletins were sent out with key information on Safeguarding areas including safe sleep for infants.
Set new priorities	Every 2 years the THSCP sets priority areas which are multi-agency improvement projects into those topical areas. This year new priorities were set, and a new agile methodology was implemented. The THSCP Executive reviewed data, audits, feedback from children and young people, learning from CSPRs/ Rapid Reviews, and feedback from a workshop with partners and reviewed survey feedback from partners to set four priority areas which are, anti-racism, neglect, infant safety and peer on peer harm. This ensures that the capacity within the partnership has focused on the most critical areas to make improvements.
Improvements to the rapid review working group	The Rapid Review Working Group was set up in 22-23 with the sole purpose of implementing learning from CSPRs and Rapid Reviews, this group meets every other month and works through a ‘statutory review action plan’ - (which combines all actions from all reviews to ensure they are thematic and to reduce duplication). As a partnership, we have strong evidence of the implementation of recommendations. In the last year, the Chair introduced ‘spotlight items’, where agencies bring presentations of evidence of the recommendations they have implemented and the impact in their area. This area was also audited and received very positive results, the audit outlined the learning from reviews as ‘a sound system of governance and risk control’.
Implementation of 30 minute webinars for rapid reviews	Learning from all reviews have been a priority of the THSCP in the last year. This year the THSCP implemented 30-minute webinars after each Rapid Review to share the key learning and themes from the cases. This information is highly anonymised to protect identities. 3 sessions have been held with attendee numbers ranging from 88 – 130. These sessions put areas of key concerns and themes on the radar of a broad range of professionals.
Improvements to meetings	Improvement of governance arrangements has been an ongoing focus in the last 4 years and is continuously under review for improvement. This year a shared risk register was introduced to highlight strategic safeguarding concerns across the borough and allocate Executive Members for risk mitigation.

Overview	Impact
New webpage	The THSCP moved from its own website to a local authority webpage. This has made the information more accessible to partners and the public and has saved over £3k per year.
3-way serious incident notifications Set up of 'effective learning group'	In Tower Hamlets, the decision to take a case to Rapid Review is now jointly made between the local authority, health and the police. This ensures further rigor of the decision-making processes, promotes appropriate challenge between agencies and encourages information sharing. The budget is limited for training in the THSCP, the effective learning group aims to bring together training offers from various agencies, jointly plan awareness sessions, and jointly deliver multi-agency audits and implement the learning from them.
Development of strategic exploitation group	A partnership strategic group has been set up to support MACE (an operational exploitation group), this group reviews any multi-agency strategies, protocols, and policies regarding children at risk of exploitation and missing. The group also reviews themes and arising concerns that come out of MACE. This allows professionals to focus on the individual children at MACE and separates the strategic work for professional focus.
Strengthened scrutiny arrangements	The Independent Scrutineer delivered a review named the 'six steps of scrutiny' which highlighted several areas for the partnership to improve and become further compliant with the Working Together Arrangements. This allows the partnership to take on a critical friend perspective of the partnership as a whole and focus attention on key areas for improvement.
Strengthened audit	Although the partnership has conducted multi-agency audits hosted by the business unit, capacity and participation were key issues. The learning academy in the local authority are supporting with audit activity and recently conducted an audit of the MASH.
Review of multi-agency dataset	The THSCP hosts a dataset that is collected quarterly from 10 different teams and agencies, attention has been focused on this area to improve the dataset. This is to support improved line of sight to practice, comparative analysis and understanding of impact for children.
CSPR 1 year on session	The THSCP hold a learning event for all partners when CSPRs are finalized. This year the THSCP introduced 'Year on' events and held 2 in person learning conferences for CSPRs published in the last 2 years, to revisit the themes of the review and discuss how practice has changed.

Key Challenges and The Impact – Snapshot

Overview	Impact
Workforce – THSCP business unit	The THSCP Business Unit consists of 3 employees, Manager, Co-ordinator, and Apprentice. At the end of 2023, two posts in the team became vacant. The local authorities' processes affected the timely recruitment. The business unit went from 3 members of staff to 1 for 2 months and is still currently recruiting for the 3 rd post. This affected delivery within the THSCP as the Business Unit supports all THSCP activity.
Budget	The THSCP budget is shared between the three statutory partners, at present the budget just covers staffing, scrutiny, statutory reviews, and minimal training. The local authority contributes the largest slice of funding followed by the ICB. Across London safeguarding partnerships only receive £5000 from the Met Police which is centralised by MOPAC. The Safeguarding Partnerships should have a strong multi-agency training offer but with the current budget, it is not possible.
Leadership changes	The THSCP Executive Group is led by key directors across the three statutory partners, there have been changeovers in personnel in the Local Authority and at various levels in the Met Police. The Local Authority had interim DCS measures for approx. 4 months.
Priority areas implementation	With a Business Unit under-resourced in the final quarter of 2023-24, the priority areas under the delivery group have not received as much support as they would on a business-as-usual basis, in addition, participation from partners has been low. Although the priority area of Infant Safety has made significant process, other areas have not progressed in line with the forecast.
Partnership capacity	The partnership as a whole have reported capacity issues within their agencies, and this affected their input to the THSCP. Capacity issues are due to an increase in demand of services and savings/ budget cuts in agencies.
Publication of a CSPP	A thematic CSPP into infant safety and overcrowding was commissioned and completed in partnership with all agencies involved. There have been delays in the publication of the report due to various reasons, including concerns from families, and potential risks to families. The Executive are weighing up various routes of publication, so the learning is embedded but the families are protected.

Overview of Priorities

The THSCP Executive set the priorities for 2 years. The following activities took place to influence the decision:

- Workshop open to all partners
- Questionnaire sent out to all partners
- Consultation with young people
- Review of data
- Review of CSPRs and rapid reviews
- Reflections of the 6 Steps of scrutiny report
- Review of other partnership board

The Executive also reviewed lessons learned in a partnership-wide workshop, which influenced the decision to implement a new agile methodology, a 'delivery group' was set to oversee the 4 new priority areas and each area has an allocated lead, it is down to the lead to establish how the actions and improvements to those areas are complete with partners involved. The 4 priority areas have established action plans with some of the following activities to be completed in the next 18 months.

Anti-Racism Led by the Police	Peer-on-Peer Harm Led by Education	Neglect Led by Local Authority	Infant Safety Led by Health
<p>Page 315</p> <ul style="list-style-type: none"> • Deliver an anti-racism conference. • Review CSPRs with themes of anti-racism. • Review adultification training. • Review multi-agency data set to show disproportionality. • Develop a framework for the development of accountability towards addressing racism, discrimination, and inequality across the system. • Launch a statement signed by THSCP leaders of anti-racism. 	<ul style="list-style-type: none"> • Review current escalation policies. • Complete a partnership escalation protocol for children and young people. • Audit ensuring schools have anti-bullying policies. • Audit Looked After Children health assessments to ensure they include factors around peer-on-peer harm. • Review findings from everyone's invited website. • Consultation with children and young people regarding their experiences. 	<ul style="list-style-type: none"> • Develop and embed a multi-agency tool kit. • Multi-agency audit into 'was not brought policies'. • Review of adolescents missing out on education • Consultation with children and young people about the language used regarding neglect. • Partnership guidance to be published regarding language used around neglect. 	<ul style="list-style-type: none"> • Conference on sudden unexpected death in infancy • Map out the current offer of safer sleep and review if multi-agency guidance is required. • Safer sleep strategy • Infant safety themes/ workshops throughout child safety week. • Identify infant safety training and any gaps. • Review local thresholds in line with infant safety, • Review learning from CSPRs

IMPACT: This allows the THSCP to focus its resources on the areas that require the most attention in safeguarding across Tower Hamlets

Quality Assurance & Data

Over the last year Quality Assurance of Safeguarding Across Tower Hamlets has improved. A Quality Assurance and Performance Board (QA&P) meets quarterly which reviews multi-agency data, single and multi-agency audits, training compliance, updates on key agencies and areas of concern to the partnership.

This year the QA&P group introduced annual report sessions giving opportunities to all agencies to review the reports including reports from:



The QA&P Group has also reviewed the following procedures and processes over 23-24:

- Step down guidance
- Thresholds guidance
- Neglect tool kit (local authority and multi-agency)
- Multi-agency audits
- Impact of Working Together 2023
- Guidance on police protection
- Multi-agency training and awareness events
- Sharing of single agency audits
- Learning from multi-agency audits
- Troubleshooting any arising safeguarding matters in the borough.
- Review of multi-agency dataset

Impact: Quality Assurance Activity is a core function of the Partnership, to monitor the quality of the work undertaken to safeguard children; and to understand the impact of this work in terms of its effectiveness in improving outcomes and keeping children safe from harm. Keeping protocols and policies up to date ensures all agencies receive the same guidance and give a consistent approach. They also promote agencies working together. The sharing of the annual report ensures full transparency across agencies and encourages agencies to work together to resolve repeating challenges.

Multi-Agency Data Arrangements

Partners submit data and narratives to the THSCP to form the multi-agency dataset. Within the Quality Assurance and Performance Group, each partner discusses their data. Key trends and issues are then picked up and escalated to the Executive Group for action. Within this year the THSCP has tightened up the processes, ensuring it is available every quarter from all partners and allocating more time for data scrutiny. All data is completely anonymised.

23-24 Improvements to the data:

- The data now includes returns from the missing service
- Improved consistency returns from the police and the data now includes strip search activity involving under 18s
- The Children's Services returns developed this year to show annual trends and disproportionality.

The Independent Scrutineer is running 3 task groups with key senior managers and analysis to improve the dataset overall.

A few things we learned from our data in 23-24 and the impact this had:

- Additional demand was increased for the GP care group due to the increase of refugee and asylum-seeking families, the QA&P group were given assurance that there was a specialist health visitor for these families.
- During mid-year 23, there was an increase to MASH as police as the main referrer this was thought to be due to the cost of living crisis and housing concerns.
- Non-recent abuse cases have been a continuous theme from the East London Foundation Trust, the QA&P group ensured the non-recent abuse protocol was redistributed among partners.
- There was a focus on the timeliness of progress from the Strategy meeting to ICPC. There has been an audit completed of all out-of-time cases which was presented to Children's social care Improvement Board. Quoracy at ICPC has improved.



Impact: The report details a small section of data that has been reviewed and discussed over the past year. Bringing the data together into one dataset allows the group to highlight cross-cutting themes. Areas were highlighted via the dataset but also through discussion, allowing the Quality Assurance and Performance group to action tasks to improve the areas of practice.

Rapid Reviews and Child Safeguarding Practice Reviews

“The purpose of serious child safeguarding case reviews, at local and national level, is to identify improvements that can be made to safeguard and promote the welfare of children. Learning is relevant locally but has a wider importance for all practitioners working with children and families and for the government and policymakers. Understanding whether there are systemic issues, and whether and how policy and practice need to change, is critical to the system being dynamic and self-improving.” – Working Together 2023

A Rapid Review will consider a serious child safeguarding cases for learning and decide whether this case will go to a Child Safeguarding Practice Review. The criteria for a case to be classified as ‘a serious child safeguarding case’ is as followed:

“Serious child safeguarding cases are those in which:

- abuse or neglect of a child is known or suspected
- the child has died or been seriously harmed” – Working Together 2023

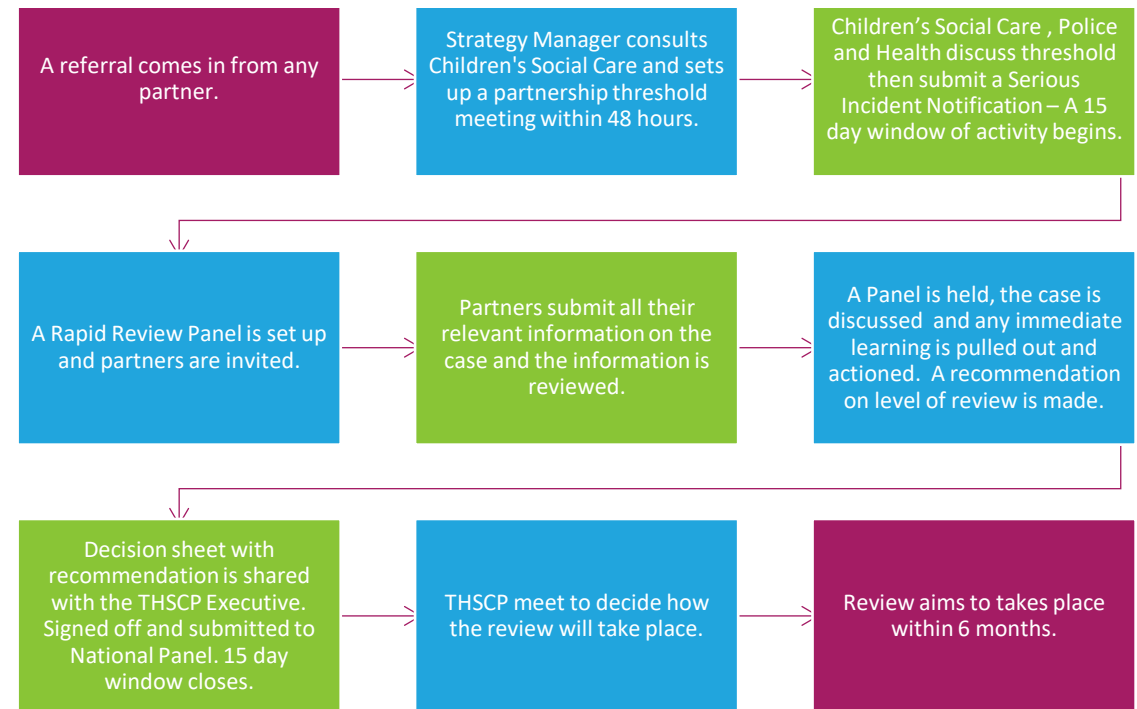
At Tower Hamlets, improvements over the years have been undertaken to fully strengthen the Rapid Review process and ensure the learning is embedded.

The initial Rapid Review Panel is a key part of the reviews, the panel itself is a workshop that takes on any immediate action required. Over the past year a lot of energy has gone into improving the process of the Rapid Review, which has included further rigour and quality assurance on partnership returns, setting thematic agendas, focusing the reviews on system improvements. Each Rapid Review Panel is approximately 2.5 hours (per case) the operational and strategic findings and activity in each case.

Previously each case was allocated its own action plan, actions that come out of Rapid Review Panels and Child Safeguarding Practice Reviews are now collated into one action plan. This ensures that there is no duplication and additional themes can be picked up from reviewing actions side by side. This action plan is held by the Rapid Review Working Group, which ensures the recommendations are implemented.

An agency commissioned by the local authority carried out an audit into how the THSCP run and implement learning from Rapid Reviews and CSPRs, the audit described the CSPR and Learning Cycle as a “a generally sound system of governance, risk management and control in place.” Auditors received ‘reasonable assurance over the governance, risk management and controls in operation’

Figure 1 THSCP Rapid Review Process



Rapid Reviews and Child Safeguarding Practice Reviews

In 23-23 **4** of Rapid Reviews took place and **1** Child Safeguarding Practice Review.

The key themes of these reviews were:

- **Infant Safety**
- **Overcrowding and accommodation issues**
- **Safe sleeping**
- **Think Family**
- **Adultification**
- **Professional Curiosity**
- **Parental Capacity**
- **Families with multiple health needs**
- **Domestic Abuse**
- **Neglect**
- **Gender Identity**
- **Honor based violence**
- **Information sharing**
- **Interagency working**

Regardless of level of review each review had a set of recommendations to implement improvements to these areas, these recommendations are worked on by the 'Rapid Review Working Group' which is a multi-agency group of senior professionals.

A Child Safeguarding Practice Review was finalised in 23-24 and briefing to be published. This Review was named 'Infant Safety in the Most Densely Populated Borough in the UK'. The Review looked at 2 cases with infant safety trigger incidents, and notably the second CSPR published into infant safety in the last 3 years. The five themes identified in this review are:

- 1. Overcrowding**
- 2. Neglect**
- 3. Domestic Abuse**
- 4. Joint Decision Making**
- 5. Unsafe Sleep**

All practitioners involved in the case have taken part in a workshop to review the case and consider the learning. It has been important to the THSCP to ensure that reviews are reflective and promoting a culture of learning rather than blame.

Below is some of their feedback:

- *"Thank you for inviting our Service to the meeting. It was an extremely useful and reflective experience"*
- *"Agreed (with above quote) -Thank you, I really took a lot away from this meeting"*
- *"I just wanted to say thank you very much for inviting me to attend the meeting. It was informative and a good learning experience"*
- *"Thank you. It was very informative and reflective"*
- *"Thank you for this and chairing it in a way that was helpful"*

Multi-Agency Training and Awareness Events

16 Awareness and Training Sessions were facilitated and co-ordinated by the THSCP in 23-24. The THSCP uses a mix of commissioned training and linking in with other local and national partners to open training and share with partners. A calendar is provided through the E-Bulletin (which are sent out twice per month on various key safeguarding topics as well as training/events) and at Quality Assurance and Performance Meetings. Below is a snapshot of the training and awareness sessions provided or facilitated by the THSCP. The THSCP often shares the London Safeguarding Children Partnership training courses as well which have a high volume of Tower Hamlets attendees.

Safeguarding Month – Anti Racism Conference	FGM Awareness Event	Rapid Review 30 Minute Sessions
<p>The annual event theme was Anti-Racism, where the THSCP had speakers from:</p> <ul style="list-style-type: none"> • Independent Scrutineer • Met Police • Childrens Social Care • Hate Crime Team <p>The event covered topics such as Child Q, intersectionality, disproportionality, impact of racism on childhood and culture in practice.</p>	<p>An online awareness session was held by children’s social care on FGM where all partners were invited.</p> <p>The session covered the key areas such as legislation, spotting the signs of FGM, impact of FGM and how to refer when concerned.</p>	<p>The THSCP have trialled a new awareness session of holding 30minute Rapid Review sessions after each Rapid Review, these are highly anonymised sessions to cover the main themes, learning and recommendations of Rapid Reviews, three sessions have been held this year with attendance averaging out at 90 attendees per session.</p>
CSPR Learning Event	Local Level of Needs Training Events	Child Sexual Abuse Training – Sun Rise Hub
<p>Once a CSPR has been finalised an event was held for all practitioners by the report author, themes in the event covered:</p> <ul style="list-style-type: none"> • Overcrowding • Neglect • Domestic Abuse • Joint Decision Making • Unsafe Sleep 	<p>Since moving to the Pan-London Level of Needs, 2 local events were held to familiarise the partnership with the new the Level of Needs, and 3 more sessions are planned in 24-25, this is alongside the Pan-London Level of Needs training.</p>	<p>In partnership with the North East London Sun Rise Hub, a session on Child Sexual Abuse was held. Including:</p> <ul style="list-style-type: none"> • Spotting Signs • Types of abuse • Pathways and how to refer
Designated Lead Training - NSPCC	Introduction to Safeguarding -NSPCC	1 Year on CSPR Reflection Sessions
<p>4 sessions of 2 day courses of Designated Lead Training, which is mainly has the voluntary sector key attendees. This is a more advanced safeguarding course than the introduction package.</p>	<p>4 sessions of half day courses were held, which covers the key areas of safeguarding and gives an overview of spotting signs and a basic understanding of safeguarding.</p>	<p>After each CSPR is published a year on reflections conference is held. As this is a new strand of work to further imbed learning from reviews a session was held on the CSPR Asif published in 2021 and a session on CSPR Julie published in 2022.</p>

Strategic Boards and Partnerships linked to the THSCP

Safeguarding Adults Board:

The Tower Hamlets Safeguarding Adults Board is a statutory multi-agency board that is committed to protecting an adult's right to live in safety, free from abuse and neglect. It has overall responsibility for co-coordinating safeguarding adult matters and ensuring that partner agencies carry out safeguarding adults work.

Children's and Families Executive:

The Children and Families Executive has delegated responsibility to lead on the partnership decision making in relation to children, young people and families in Tower Hamlets. It sets the strategic partnership direction for children and families' services through the Children and Families Strategy, advocates for the voice and needs of local children, young people and families in strategic decision-making, and agrees key policies and approaches that cut across services for children, young people and families.

The Health and Wellbeing Board :

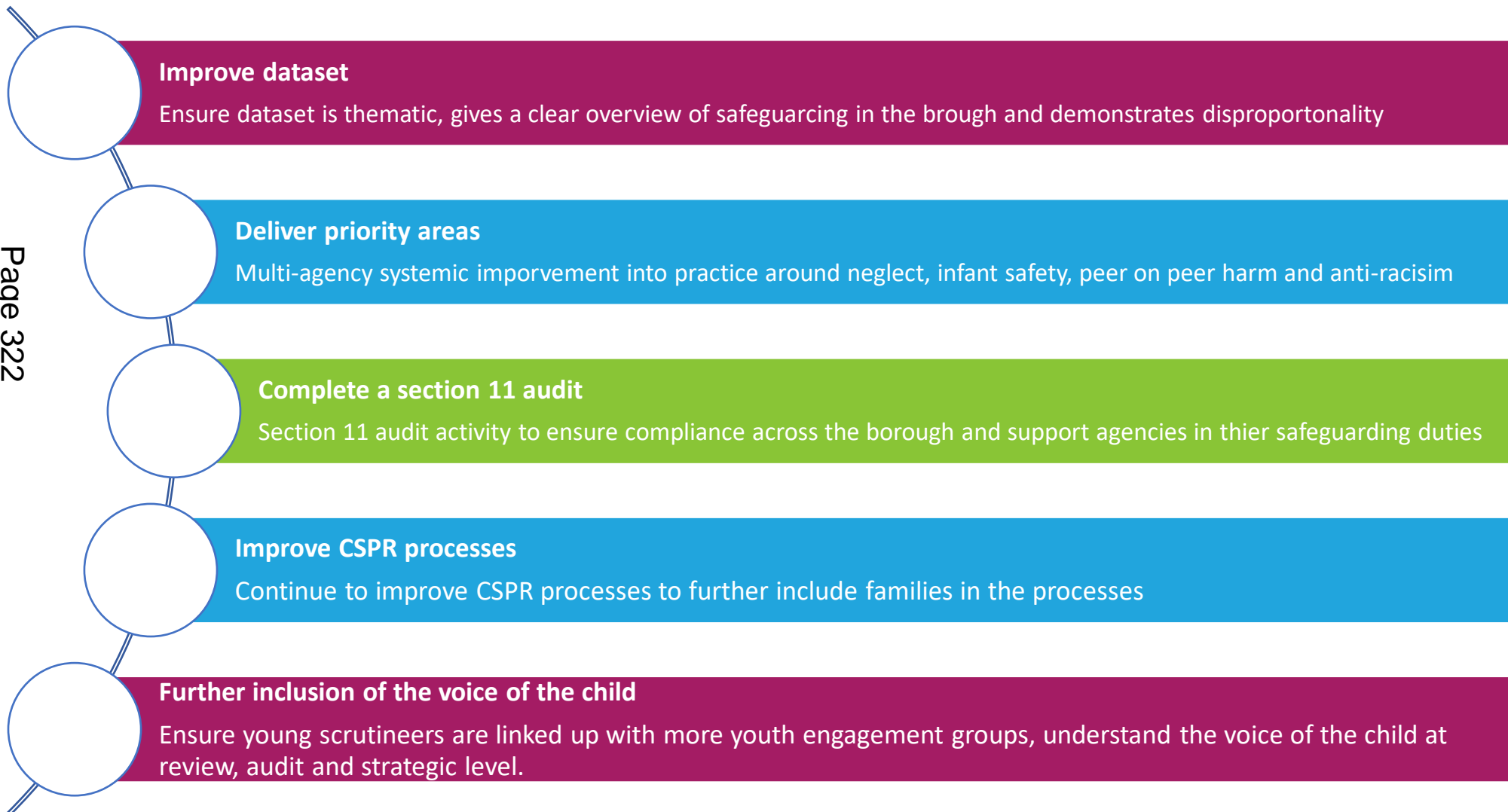
Having a Health and Wellbeing Board is a statutory requirement for local authorities. The board brings together the NHS, the local authority and Health Watch to jointly plan how best to meet local health and care needs, to improve the health and wellbeing of the local population, reduce health inequalities and commission services accordingly.


Community Safety Partnership Board:

The Community Safety Partnership Board is required by law to conduct and consult on an annual strategic assessment of crime, disorder, anti-social behaviour, substance misuse and re-offending within the borough and the findings are then used to produce the partnership's Community Safety Plan.

Strategic plan for the year ahead

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<p>Cabinet</p> <p>24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Steve Reddy, Corporate Director of Children’s Services</p>	<p>Classification: Unrestricted</p>
<p>SEND Improvement Board Annual Report 2023/24</p>	

Lead Member	Cllr Maium Talukdar (Cabinet Member for Education, Youth and Lifelong Learning)
Originating Officer(s)	Steve Reddy, Corporate Director of Children and Culture Lisa Fraser, Director of Education
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	N/A
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	Accelerate Education

Executive Summary

This report provides an overview of the progress and impact of SEND improvement work during 2023/24. The report will show how NHS Northeast London and the Council have been working together with other partners across the local area to deliver on priorities set out in the SEND Strategy and SEND Improvement Plan.

The report includes input from children and young people and parent and carer representatives.

Recommendations:

The Cabinet is recommended to:

1. Note the contents of the SEND Improvement Board Annual Report 2023/24

1 REASONS FOR THE DECISIONS

- 1.1 Not applicable.

2 ALTERNATIVE OPTIONS

2.1 Not applicable.

3 DETAILS OF THE REPORT

- 3.1 The Tower Hamlets SEND Improvement Board (SIB) Annual Report provides an overview of key achievements in 2023/24 and priorities for improvement in 2024/25 as well as work to address areas of significant weakness as identified by Ofsted and the Care Quality Commission (CQC).
- 3.2 The report features an introduction from the Chair and Vice Chair of the SIB, as well as reflections on the year from the Chair of the Independent Parent and Carers Forum and the Chair of the 'Our Time' Young Person's Forum. Contextual and performance data is also included.
- 3.3 The report is organised around the five priorities of the SEND Strategy (2020-24), with sections devoted to summarising the difference made on the ground for young people and their families, including examples of *You Said We Did* actions. The report also includes case studies setting out where good practice and collaborative working has made a difference to young people with SEND and their parents.
- 3.4 Areas of significant progress during 2023/24 include:
- Development of SEND and Inclusion Strategy 2024-2029, informed by consultation with children, families and professionals. We will launch the strategy in 2024.
 - Secured Mayoral growth bids including £1,121k for SEN transport and £604k for additional caseworkers in the SEN and Preparing for Adulthood Teams, with £740k committed by the NHS.
 - Our Delivering Better Value grant application was submitted in December 2023 and approved in February 2024.
 - Average EHCP timeliness for 2023 was 48%.
 - Recruited a new full-time Designated Social Care Officer to support improvement of quality and frequency of social care input, strengthening links between social care, health and education.
 - Set up a joint Neurovariance Diagnostic Review Group. This group is responsible for overseeing improvements in neurovariance diagnostic pathways.
 - Developed a new 3–5-year-old treatment offer with up to four parent coaching sessions a week. Invited families with children on the Autism Diagnostic Waiting list to parent coaching sessions.
 - Undertaken our SEND Sufficiency Review. Established a secondary school age Autism resource base and a two-year Autism Pilot with Phoenix Special School involving 20 mainstream schools.
 - Initiated development of a co-produced Inclusion Framework. The framework will provide guidance, training and whole school approached to strengthen schools' universal and SEN Support offer before a statutory assessment is considered.

- 3.5 The annual report also sets out areas for further improvement in 2024/25:
- Launch and implement our new SEND and Inclusion Strategy.
 - Address shortfalls identified by the SEND Sufficiency Review. We will establish up to six specialist Additionally Resourced Provisions within the 2024/25 academic year.
 - Roll out the Inclusion Framework to all schools by the end of the Summer Term 2024.
 - Initiate Delivering Better Value workstreams.
 - Launch our SEND Co-Production Charter.
 - Continue to prioritise EHCP timeliness and quality. Sustain EHCP timeliness above national levels and ensure it continues to improve.
 - The new Neurovariance Diagnostic Review Group will develop a business case for funding and an updated pathway to address this pressure by Summer 2024. It will also develop communication materials.
 - Continue to develop our integrated therapies model for early years and school age children.
 - Work with Bart's Health to develop standards for speech and language therapy provided in schools in the borough.
 - Launch the Transitions Protocol by the end of summer term 2024 with the aim of improving practice and ensuring consistency across service areas.

4 EQUALITIES IMPLICATIONS

- 4.1 The SEND improvement work is directly concerned with equalities and by driving improvement work will improve outcomes for children and young people with Special Educational Needs and Disabilities.

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 There are no other specific statutory implications.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no direct financial implications to this report.

7 COMMENTS OF LEGAL SERVICES

- 7.1 Part 3 of the Children and Families Act 2014 sets out the duties and responsibilities of local authorities in relation to children and young people with special educational needs and disabilities in their areas.
- 7.2 In particular, section 27 requires a local authority to keep under review the educational provision and social care provision made in its area for children and young people who have a disability or special educational needs, or for such children and young people outside its area where it has a responsibility for them.
- 7.3 The Public Sector Equality Duty requires local authorities to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not.
- 7.4 The matters referred to in this report demonstrate the Council's efforts to comply with the above legislation.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- SEND Annual Report 2023-24

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

- NONE

Officer contact details for documents:

Linsey Bell, SEND Improvement Manager – Youth and Commissioning



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Tower Hamlets

SEND Improvement Board

Annual Report 2023 / 24

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Introductions from the Chairs

Welcome to the Tower Hamlets SEND Improvement Board Annual Report 2023-24. This report outlines the progress that has been made in delivering improvement across the SEND system in the borough during the last year and sets out priorities for 2024-25. The report is organised around the five priorities of the SEND Strategy (2020-24).

Since our inspection in 2021 we are pleased to report that good progress has been made across all areas identified for improvement and this had been recognised by the DfE and NHS England as part of our regular monitoring meetings. Many actions are now embedded as business as usual, including the popular Let's Talk SEND engagement events, which continue to attract a wide breadth of parents and carers with children at different stages in their SEND journeys.

We know that increased demand continues to put pressure on the SEND System, including our schools – our school population has the highest percentage of EHCPs in England at 6.8%. This means that assessment and support are sometimes not put in place quickly enough for our children and young people with SEND. We recognise that more work is needed to improve EHCP quality and timeliness at pace, as well as a clearer multi-agency offer for children, young people and their families.

During the past year we have benefitted from an intensive period of external scrutiny, co-analysis and peer support, including an LGA SEND Peer Challenge; peer support from Islington Council; and involvement in the Delivering Better Value (DBV) Programme. We have used this learning to develop our draft SEND and Inclusion Strategy. This has been informed by a programme of consultation with young people, families and professionals - they want a concise SEND strategy which clearly sets out what the partnership will do to drive improvement and we are committed to delivering this in partnership with children, young people and their families.

Introductions from the Chairs

Parents, carers, and professionals have told us they want a clear route to earlier support, and more knowledge of what is available at each stage. We recognise the need to pull together the positive work happening across the Local Area into a multi-disciplinary offer, which would allow us to identify SEND and target our support offers earlier. In addition, we are prioritising development of an Inclusion Framework to provide guidance, training and whole school approaches to strengthen schools' universal and SEN Support offer before a statutory assessment is considered.

A raft of recently approved Mayoral growth bids also demonstrate political commitment to continuous improvement and include £1,121k for SEN Transport and £604k for additional caseworkers in the SEN and Preparing for Adulthood Teams. In addition, the NHS has committed £740k over the past year.

We have taken steps to reform the membership and structure of the SEND Improvement Board to sharpen the strategic focus of the group, improve its ability to drive the new strategy and to hold to all stakeholders to account for delivery.

We look forward to continuing to work with you on our journey to excellence.



Steve Reddy

**Chair of Tower Hamlets
SEND Improvement Board.
Corporate Director of
Childrens Services.**



**Warwick Tomsett,
Deputy Chair of
Tower Hamlets
SEND Improvement Board.
Joint Director of Integrated
Commissioning.**

Introductions from the Chairs



Over the past year the [Our Time All Abilities Youth Forum](#) has:

- Worked with the Youth Service on developing inclusive SEND provision.
- Consulted with the team working with the team redeveloping St George's Leisure Centre to ensure it is SEND family friendly.
- Presented at the London SEND Summit. This was well received by senior London Managers who plan to consult Our Time about setting up similar forums in their areas.
- Become a Certified Interest Group Ltd by guarantee to attract external funding.
- Our Time report increased use of social media, noting that more people are engaging with their posts; followers on Instagram have increased from 79 to 215 since this time last year. A recent Linked In post on the Youth Matters Conference in Birmingham was viewed 320 times.
- Shaped the new SEND strategy and participated in the SEND Hackathon
- Presented at a Let's Talk SEND event at Brady Arts Centre
- Presented at Every Chance for Every Child Forum
- Promoted Our Time at Your Voice Matters Birmingham Conference



Priorities for 24/25

- We will continue to increase our social media presence
- We are working together on films to spread SEND Awareness and to promote Our Time during the summer holiday
- We are doing continuous work to update the Local Offer Young People's Zone
- We will continue to meet with Youth Service managers to look at improving access for young people with SEND



Sornnaly Hossain, Our Time Forum Chair, Young Person Ambassador and member of the SEND Improvement Board



[Tower Hamlets Independent SEND Parents' Forum](#)

The forum has had a great year, which has included a range of different outreach events, these have included 10 summer events, school fairs, a Let's Talk SEND Forum Fun Day and a mini-Autism roadshow.

Themed workshops have also been delivered, covering puberty, Epilepsy, behaviours and dressing skills. As a result, we are delighted to report that our membership has increased from 85 to 245 members across 2023.

The forum has worked with Langdon Park on an Autism in school project. This included taking thirteen parents to the National Autism Show, which inspired them to create their own local road show.

The forum has helped to shape the new SEND & Inclusion Strategy flagging areas of current challenge, including:

- The need for a clear offer for CYP with SEND; some parents are unsure where to look for information
- Communication around eligibility and availability of Short Breaks provision
- School readiness, including toilet training
- Inconsistency across schools regarding SEND provision
- Long waits for statutory and specialist assessment

Parents have welcomed the chance to speak with the EHCP team throughout the summer at different events and although there is still some way to go parents feel hopeful that changes are happening.

The School Nursing Team School nursing team also had a visible presence at events throughout the summer and parents valued the helpful health and school advice provided.

Parents recognise that SEND is becoming more the norm and that there are some really good programmes running, including a sensory after school clubs and disability sports at Poplar Baths; we need to replicate what is working well across other areas of the borough.

Priorities for 24/25

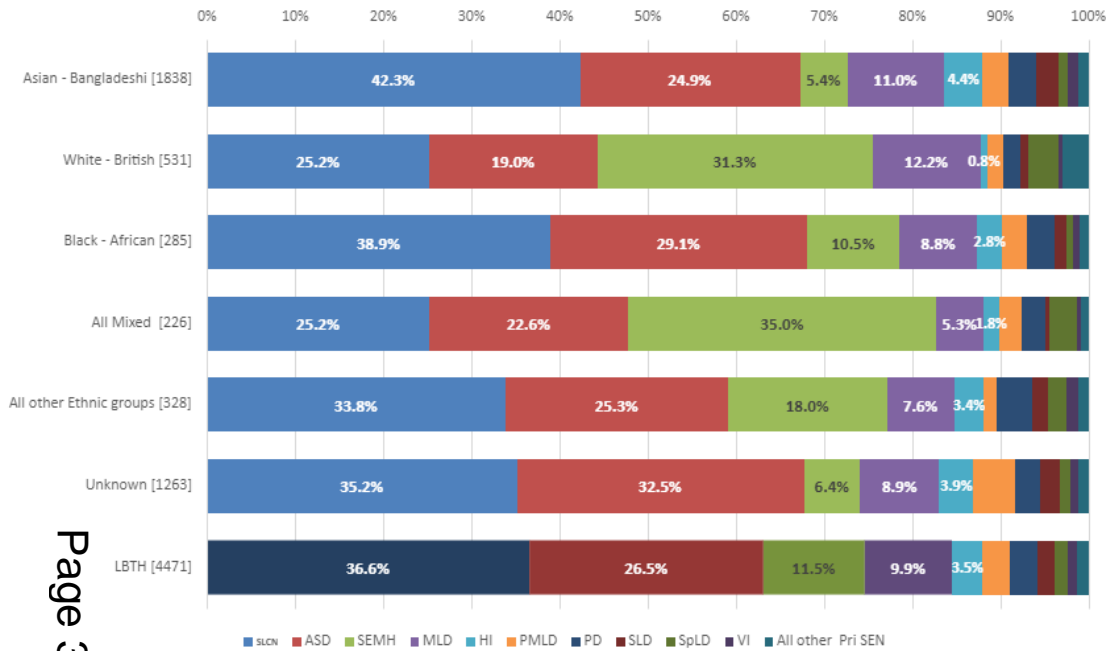
- Early years
- Early intervention
- Complex needs
- Post 16
- Downs syndrome & cerebral palsy peer to peer support

Samantha Gager
Chair of the Tower Hamlets
Independent SEND Parents'
Forum
Member of the SEND
Improvement Board



Tower Hamlets Contextual Picture

Broad Ethnic Breakdown by EHCP Primary Needs (April 2024)



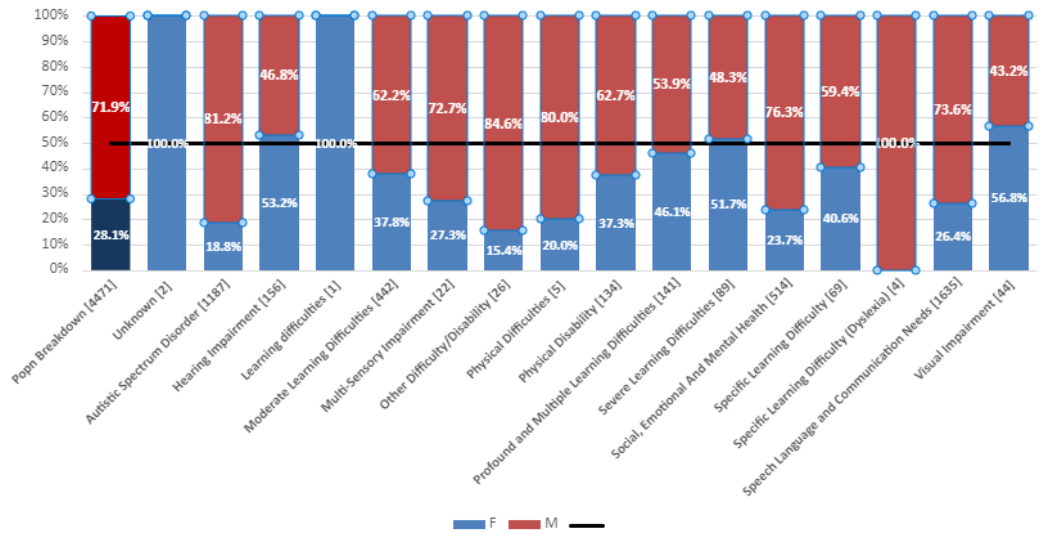
The percentage of our school population with an EHCP is 6.8% - the highest in England (June 2024)

- This figure increased from 5.9% in 2023 and exceeds the national average of 4.8% and London average of 4.9%.
- Pupils requiring SEN Support sits at 12.4%, below the national average of 13.6%.
- In May 2024 we had 4659 Active EHCPs.
- For our EHCP cohort the most prevalent primary need groups are SLCN and Autism; these two areas of need account for almost two-thirds of EHCPs in the Local Area.
- Boys are more likely to have an EHCP (28% female vs 72% male); this is in line with national figures.

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- The majority of our EHCP cohort are aged between 5 and 19, but some cohorts are out of step with national figures: 29.2% are aged 11-15, which is below the national average (36.4%), whilst 12.4% are aged 20-25, twice the national figure (6.2%).

EHCP Gender breakdown by Primary Needs (April 2024)



ASD – Autistic spectrum disorder	HI - Hearing impairment		MLD - Moderate learning difficulty	MSI - Multi-sensory impairment	NSA - SEN support but no specialist assessment of need
PD - Physical disability	PMLD - Profound & multiple learning difficulty		SEMH - Social, emotional and mental health	SLCN - Speech, language & communication needs	SLD - Severe learning difficulty
VI - Vision impairment					

Local Government Association (LGA) SEND Peer Challenge



The LGA SEND Peer Challenge was commissioned to provide an external view on the effectiveness of the strategic response and quality of practice. The review took place from 3rd – 6th October 2023.

We are committed to working together to respond to the recommendations highlighted by the review, outlined below.

Review the size and remit of the SEND Improvement Board to ensure that it is more strategic.

Board membership has been revised and a new governance structure is being developed in line with the new SEND and Inclusion Strategy to enable more strategic oversight of improvement priorities.

Co-produce a concise, revised SEND Strategy.

Page 334 A draft Strategy has been co-developed with young people, families and professionals and published for public consultation during May and June 2024.

Devise a way to test the impact of the progress on the Written Statement of Action against outcomes for children and young people.

We constantly strive to improve how we listen to children and young people. Feedback is gathered in a variety of ways and provides indications of where outcomes have improved. You Said We Did reporting is one way we can evidence how service improvements have been made in response to feedback. Examples are included throughout this report.

Improve information sharing between partners and with all stakeholders

This remains an area of continuous improvement and includes building upon our Local Offer, Let's Talk SEND events and Let's Talk SEND termly bulletins.

At pace, develop a common understanding, and implement a universal offer for early years settings, schools and colleges

We are prioritising development of an Inclusion Framework to provide guidance, training and whole school approaches to strengthen schools' universal and SEN Support offer before a statutory assessment is considered.

Continue the programme to improve the quality and timeliness of EHC plans

This remains an area of continuous improvement; average EHCP timeliness for 2023 was 48%.

Priority One: Leading SEND

Key achievements in 2023/24

The SEND Improvement Board has supported the draft SEND Strategy which will be approved and launched in 2024.

The strategy has been informed by a programme of consultation with young people, families and professionals, including in person discussions with the Our Time Forum, online surveys and an in-person workshop attended by 50 people.

Our Delivering Better Value grant submission was developed in response to extensive engagement with parents, carers, professionals, and young people on what needs to be done to improve the SEND system. The submission was approved in February 2024.

Our SEND Young Person and Parent Ambassador scheme is well-established and expanding. We now have five Young People Ambassadors and 14 Parent Ambassadors working in the community.

Between October 2023 and March 2024 Parent Ambassadors attended 17 events, including school coffee mornings, reaching 356 parents.

The Local Offer is continuously improved through coproduction with young people and parents. We have improved ease of navigation and created a Young Person's Zone following feedback from parents and in co-production with young people.

A raft of recently approved Mayoral growth bids demonstrate political commitment to continuous improvement and include £1,121k for SEN Transport and £604k for additional caseworkers in the SEN and Preparing for Adulthood Teams.

Tower Hamlets & City of London Youth Justice Service (YJS) is working towards a SEND Quality Lead status, with Child First Commendation. Assessors were impressed with the offers for children, including Break the Cycle, YJS Nurse, Educational Psychology, SEND youth justice champion, collaboration with LEAP, and child voice.

Membership of the Co-Production Charter Working Group includes young people from the Our Time Forum and a broad subset of parents of children with varying needs. A draft charter will be consulted upon across education, health, & social care.

SEND Parents Forum were consulted about the redevelopment of St George's Leisure Centre and identified barriers to inclusion. All facilities at the new centre have been designed to be fully accessible.



A Family Hubs SEND awareness campaign (pictured above) was launched following feedback received from parents and carers as part of the Early Help Strategy consultation process.

Eight young people attended a SEND hackathon as part of the new Youth Service engagement programme. Attendees gave their views on shaping a new and inclusive Young Tower Hamlets Youth Service. Adjustments were made to the in-person Sunday workshop, including additional assistance for varying levels of need and accommodation of carers.

What difference is it making for young people and their families?

YOU SAID

Celebrate young people with SEND so young people have role models

There is a need for youth sessions for children and young people with mild to moderate SEND

WE DID

Mayoral funding will establish mentoring for young people with SEND. Young adults who have successfully transitioned can mentor those currently going through the process.

Established weekly sessions at Haileybury Youth Centre. These sessions aim to support SEND young people with their development, including physical, social and emotional skills and raise their self-esteem, self-confidence and independence. There are a range of activities available including sports, fitness studio, homework club, health, wellbeing and employability.

In response to feedback that travelling to Haileybury was a barrier to attendance, a youth session has also been set up at George Green's School on the Isle of Dogs.

Other feedback received

Our Time Forum feedback on the youth sessions for SEND

We are very grateful to Young Tower Hamlets for making these special arrangements for young people with SEND so that they can feel more included and are able to participate in a further range of activities across Tower Hamlets as a whole.

Priority One: Leading SEND

What next?

Priorities for improvement in 2024/25

Following our successful Delivering Better Value grant application, we will initiate strategic delivery of programmes and recruitment to improve the SEND system. These will be focused on:

- Improving our SEND early identification and intervention system, including a new Participation and Co-production Officer role.
- Completion and implementation of our Inclusion Framework at both universal and SEN Support levels, along with associated quality assurance, training and support for schools,
- A review of banding arrangements,

We are committed to engaging a wide range of residents as part of our SEND and Inclusion Strategy consultation. Once finalised, the new strategy will be launched and implemented in 2024/25.

The SEND Joint Strategic Needs Assessment (JSNA) will be completed in 2024/25.

We will launch our SEND Co-production Charter, developed with young people and parents. This will strengthen understanding of successful co-production, including how to consider the specific needs of children and young people with SEND.

A review of the SEN Service will be carried out to ensure that the operational structure is efficient and has good quality assurance practice in place.

Our SEND improvement work will continue to focus and respond to the lived experience of children, young people, and their families. We will achieve this by the public re-launch of the Local Offer website and development of a One Minute Guide on independent travel training in response to feedback from the Parent Care Forum.

Priority Two: Early Identification and Assessment

Key achievements in 2023 / 24

In 2023 the percentage of EHCPs issued within 20 weeks was 48%, compared with a national average of 50% (SEN2 return). Demand remains high, with a 184% growth in EHCPs issued since 2020.

Since January 2024 allocation of work between caseworkers in the SEN Service has changed, split between Annual Review and Casework Teams to improve performance and quality.

Feedback from the DfE and evidence from audited EHCPs identified the voice of the child as the most significant area for improvement. Supported by continuous training, development, and monitoring on plan writing, EHC Coordinators are now more confident in holding co-production meetings, where capturing child voice is prioritised.

There are well developed systems for early identification of needs in Early Education and Childcare (EEC). The EEC Inclusion Team provide a comprehensive and well-received package of advice, inclusion training and workshops to support settings in further developing inclusive practice.

We launched our Family Hub programme, with hubs in launched in the Southeast and Southwest Locality of the borough. Tower Hamlets Council is one of the first 75 local authorities to pilot the government's Family Hubs model.

Our Family Hubs approach has an explicit focus upon SEND. We consulted with parents to identify gaps in provision and will provide services to meet those gaps from 2024/25.

Work to understand the impact of the revised EHCP template and co-production process for parents continues. Since the summer term satisfaction surveys have been provided with each final plan issued, embedded as a QR code.

Although the uptake has been initially slow, the feedback that has been received is very positive, with individual Coordinators receiving specific praise for their positive communications and attention to detail.

A new full-time Designated Social Care Officer (DSCO) has been recruited to support improvement of quality and frequency of social care input, strengthening links between social care, health and education.

We have taken steps to prioritise the ceasing of plans, where appropriate, including expanding the capacity of our dedicated Preparing for Adulthood Team. This will add five additional full-time posts to the team and the increased resource has already identified 60 cases which are in the process of being ceased.

A successful £616k Start for Life bid has initiated a workforce pilot which will explore screening for Social Communication Difference at 12 months old, to enable even earlier intervention. This would include interventions such as support and coaching for parents.

What difference is it making for young people and their families?

YOU SAID

Waits for EHCP assessment are too long

Parents highlighted gaps in the Family Hubs SEND support offer



WE DID

The Mayor has approved £604k in funding for additional caseworkers in the SEN and Preparing for Adulthood Teams

We will deliver the following sessions from 2024:

- A dads' stay and play session at the Isle of Dogs Family Hub on Saturdays,
- Sensory Play sessions for 5-11 year olds at the Isle of Dogs Family Hub,

Parent feedback from satisfaction surveys on the revised EHCP template:

The communication was very regular and effective. The updates enabled us to plan and support the child's needs.

The SEND coordinator was extremely professional and always willing to listen.

Impact

- 95%+ of decisions to assess to Panel and a decision made within four weeks.
- All 248 final EHCPs for phase transfer due on 15 February 2024 were issued on time.

What next?

Priorities for improvement in 2024/25

We will continue to improve EHCP timeliness as a priority. Additional funding for caseworkers will reduce active caseloads enabling more timely assessment and improved quality of content. A planned review of the SEN Service will ensure that the structure is efficient, with suitable and sustainable operational capacity.

The timeliness of Annual Reviews remains a priority. Throughout 2024/25 we will:

- Continue to develop our monthly reporting capability via our data system which will ensure Annual Reviews can be tracked electronically and will be subject to the same quality assurance process once amended as new EHCPs.
- EHC coordinators to continue contacting schools at the beginning of every half term to prompt for due Annual Review dates.

We are focused on continuous improvement. We will ensure we have the right staff with the right skills by:

- Holding further training for coordinators on co-production with a focus on ensuring the child or young person's direct views are obtained and meaningfully included in the review of the draft EHCP.
- The newly recruited Designated Social Care Officer will work strategically to improve links between social care, health and education specifically around social care engagement and quality of input into EHCPs.

Priority Three: Commissioning Effective Services to Respond to Local Need

Key achievements in 2023/24

A Social Communication Difference Navigation model has been developed to support families through the process of referral to the ASD waiting list and diagnosis, clarifying the support available along the way.

102 families were consulted and inputted into the proposed model, raising what support is most important to them.

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We have engaged with a Queen Mary University led project to review the barriers to accessing services in the Somali community. A workshop was held in October and partners are engaging with how to make universal services more accessible.

A Joint Neurovariance Diagnostic Review Group has been set up. This group is responsible for overseeing improvements in neurovariance diagnostic pathways including autism, learning disability and ADHD.

We have developed a new 3-5 Treatment offer with four Parent Coaching sessions a week. Up to 10 families attend per session.

Therapists are also supporting the Children and Family Centre offer as part of the provision.

We are exceeding ASD Assessment Service discharge targets, but high numbers of referrals continue to put pressure on waiting times and caseload figures; on average, 50-60 referrals are accepted per month, compared to 20 per month pre-Covid. Non-recurrent funding has been approved to extend Bart's Capacity and the London Autism Clinic, with additional recruitment to address the need for more paediatric capacity, which has helped to manage the additional demand.

The Social Communication Navigation Lead (SEND Specialist Health Visitor) is leading on the implementation of Social Communication Stay and Play in Children and Family Centres which will be a drop-in group session supported by specialists for children with suspected autism. The focus of the group is to provide initial support and signpost families to the wider support offer.

The Stephen Hawking Stay and Play session has been launched. The session is for pre-school children with PMLD providing interim support while families wait on Early Years, school placements and/or EHCP assessment. This is supported by staff in the Early Help and Therapy Services and jointly commissioned by Health and Education. The group has received positive feedback from parents and professionals.

Priority Three: Commissioning Effective Services to Respond to Local Need

What difference is it making for young people and their families?

YOU SAID

Families wanted more support whilst waiting on the Autism Diagnostic waiting list

Parents said waiting times for speech and language therapy assessment were too long

WE DID

Invited families with children on the Autism Diagnostic waiting list to parent coaching sessions as part of our 3-5 Treatment Offer.

We have also recruited a SEND Specialist Health Visitor to lead on sessions for children with suspected autism and signpost families to the wider support offer.

Average waiting time for under-fives Speech & Language Therapy (SLT) assessment - reduced significantly from a high of 35 weeks (Oct 2022) to 10 weeks.

Impact

- Parent Coaching has received 90% positive feedback from families who would recommend it to others.
- Bart's Health delivered 'Feedback February' on its Therapies Services and saw 80% of families reporting their experience as Very Good or Good.
- 92% of individual therapy outcomes achieved or partially achieved.

Other feedback received

Parent of a child receiving SLT

I liked the way they dealt with the children's condition with respect and understanding.

What next?

Priorities for improvement in 2024/25

Average waiting times for autism diagnosis remain high at 88 weeks, with local pressures also reflected at a national level. The new Neurovariance Diagnostic Review Group will develop a business case for longer term funding and an updated pathway to address this pressure by Summer 2024.

We will continue to prioritise support for families on the waiting list in 2024/25, to ensure that families are well informed about the assessment process and support available while they wait.

We have made good progress on our integrated therapies model for early years and school age children and will continue to develop our offer to strengthen early intervention support available to families. Over the next year, we will roll out:

- Social Communication Stay and Play sessions by the summer term.
- A Sylheti workshop and develop a tailored offer to provide autism support for Bengali families.
- Improvement of the Children and Family Centre offer, including the mobilisation of Educational Psychology Sessions to support social communication and mobilise Early Talk Boost in Early Years Settings.

We will support schools to help pupils develop communication skills by trialling a digital Speech and Language Therapy platform with some schools in the summer term. We will roll this out to all primary schools by the beginning of autumn term.

Priority Four: Good Quality Education Provision for All Children

Key achievements in 2023/24

Phoenix School launched the Autism Specialist Classroom pilot in September 2023, working with 20 mainstream schools. The project is supported by London Borough of Tower Hamlets, Bart's Health, NHS North-East London and Tower Hamlets Schools. This specialist outreach will upskill our school workforce and support children and young people to remain in mainstream provision.

We are the first place in the country where every primary and secondary school pupil receives a free school meal. The funding is part of the council's effort to improve the life chances of all young people in the borough, including children and young people with SEND.

The SEND Sufficiency Review has been undertaken. The review identified a significant shortfall in specialist provision and placements.

The review identified that our largest areas of need are Speech, Language and Communication; Autism; and Social Emotional and Mental Health.

Planning is underway to address these shortfalls. We have already initiated the following provision:

- A secondary school age Autism resource base
- A two-year Autism Pilot with Phoenix Special School

Work is underway to develop an Inclusion Framework co-produced with schools, children and young people, parents and key stakeholders across education, health, and social care, with support from the Council for Disabled Children (CDC).

The framework will provide guidance, training and whole school approaches to strengthen schools' universal and SEN Support offer before a statutory assessment is considered.

The Mayor's Education Maintenance Allowance (EMA) and University Bursary (UB) schemes were introduced in 2023 to support students from low-income households. Twenty SEN learners benefitted from these grants across 2023-24

What difference is it making for young people and their families?

YOU SAID

Some parents not always aware that their child(ren) are receiving SEND support

Some parents of children with Autism told us they want their children to remain in mainstream settings, but there is a lack of available places

WE DID

A new Delivering Better Value funded Participation and Co-production Officer will take the lead working with parents and carers, to ensure that information on provision at universal and SEND support is known and understood.

The Phoenix pilot has been initiated:
Outreach support from specialist schools to support mainstream schools with children and young people with SEND is particularly successful and is an effective use of joint resources. A good example being the outreach work by The Phoenix School which is highly valued. (LGA Peer review)

What next?

Priorities for improvement in 2024/25

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Our SEND Sufficiency Review identified a significant shortfall in specialist provision and placements, with a shortfall of up to 260 places within the next ten years. We will:

- Pilot a programme of specialist Additionally Resourced Provisions. These will take the form of SEN Units (specialist provision attached to mainstream schools). We will establish up to six specialist Additionally Resourced Provisions within the 2024/25 academic year, benefitting up to 150 pupils.
- Develop a new Autism resource base at a primary school increasing access to mainstream provision for up to 12 pupils with Autism by September 2026.

We will roll the Inclusion Framework out to all schools in 2024, complemented by a training programme to support auditing of inclusive practice and identification of areas for development. Once embedded, the framework will provide clarity for parents and carers on what support to expect from schools before statutory assessment is considered.

The Mayor's Education Maintenance Allowance (EMA) and University Bursary (UB) schemes have been extended and are set to benefit up to 2050 students in 2024/25. The Mayor has approved an extra £750k to increase the EMA award from £400 to £600 and extend this to up to 1,250 students across 2024/25. In addition, a total of £1.2m will extend the UB award from 400 to 800 students.

Priority Five: Supporting successful transitions and supporting independence

Key achievements in 2023 / 24

The Transitions Board continues to oversee transitions and support.

The board has driven work to improve the transition pathways for children and young people with EHCPs from Children's Social Care to Adult Social Care.

A Transitions Booklet and 'TUBE' Map document have been co-developed between health, education and social care to inform young people's awareness of the support available in the Local Area as they progress into adulthood.

A Quality Assurance audit of young people transitioning to Adult Social Care has been undertaken and highlighted timeliness and joint working as areas for improvement.

We know there is more to do to improve the process of transition for young people with SEND. There are plans to develop and enhance our support offer, including exploration of a peer mentorship program and training and mentorship events.

Embedding Let's Talk SEND events themed around transitions. A recent presentation from Young Workpath was particularly successful in terms of raising awareness of what is available. Most families attending had been unaware that their children would be offered careers advice from Year 9 onwards.

We have amended the Annual Review template to incorporate a dedicated transitions section (for age 14+) to support young people in preparing for adulthood. Anecdotal feedback has been very positive from families and an audit is planned to test whether this is embedding and being consistently used.

The Central London Careers Hub, and the Prince's Trust joined to deliver the 2023 'Let's Work' event which was attended by over 300 young people and 30 employers. Many young people had interviews for entry level jobs and/or offers of work experience as a result.

Priority Five: Supporting successful transitions and supporting independence

What difference is it making for young people and their families?

YOU SAID

Young people need more pathways into employment

Parents told us there is a need to teach more life skills and more support is needed for young people to develop independence

WE DID

The council has developed a programme of in-house apprenticeships and internships

We have made travel training more readily available by employing three additional Travel Trainers to reduce the time on the waiting list.

More pupils have been able to access the travel training programme at a faster rate to provide the confidence required to travel safely and independently to and from their place of education.

Other feedback received

At the Let's Talk SEND event on transitions, a young person spoke about his successful journey to employment via the council's internship programme. Parents fed back that it was useful to hear the positive impact of these initiatives as it helped them understand the scope of future opportunities for their children.

An Our Time ambassador commented on the personal impact of travel training:

Travel training helped. Otherwise, I wouldn't have been able to go to work when I was 16. My parents didn't want me to travel to college in Hackney, but I was determined, and I could go to the college because of travel training.

Priority Five: Supporting successful transitions and supporting independence

What next?

Priorities for improvement in 2024/25

We know there is more to do to improve the experiences of transition for young people with SEND.

A Transitions Protocol has been developed in response to the outcome of a multi-agency transitions audit. The protocol will be launched to staff by the end of summer term 2024 with the aim of improving multi-agency working and ensuring consistency across service areas. The Transitions Protocol will strengthen the following areas identified as priorities by the Transitions Board:

- Timeliness of communication, assessment and support.
- Joint working.

We will explore a transitions improvement programme, including additional capacity to provide comprehensive support across Education, Health and Care – with a specific focus on the ‘cliff edge’ transition stages.

We will conduct an audit of EHCPs to assess whether the transitions section of the Annual Review is being used effectively to capture preparing for adulthood discussions.

Case Study



Background

A young person aged 16 on bail support known to the Youth Justice Service with an Education, Health, and Care Plan (EHCP).

The young person relied on taxis provided to attend school due to his specific needs. However, due to his bail conditions necessitating residence in Hackney, there arose a complication with his transportation arrangements.

Support provided

During a routine home visit, the young person's Case Manager learned that the provision of taxis had been discontinued, posing a significant barrier to his school attendance. As a year 11 student preparing for his GCSEs, this became a pressing concern.

The Education Officer (EO) contacted the Special Educational Needs and Disabilities (SEND) representative to clarify the situation. It was determined that the transport department had not been informed of the young person's change of address, leading to the disruption in services.

The SEND representative promptly liaised with the transport department, highlighting the urgency and impact of the situation.

Outcome

As a result of the multi-agency communication facilitated by the EO and the SEND representative, the issue was swiftly resolved. Taxis were reinstated, ensuring the young person's continued access to transportation, and enabling him to attend school without interruption.

Case Study



Background

A young person who is severely sight impaired. They use a long cane and access work through braille. The young person started college and wanted to become more independent, particularly as it was their aspiration to go to university at the end of their course.

Support provided

The young person received regular support from the Habilitation Specialist to develop cane skills and to learn the route to college.

The young person accesses learning through a laptop and Brailenote Touch Plus. The Qualified Teacher of the Vision Impaired Team (QTVI) provided training to college staff on visual impairment awareness, modification of resources, tactile graphics machine and the use of Brailenote. A large Braille embossed was also installed in the Sensory Hub at the college.

Specific visual impairment resources were provided in the lunch club to promote inclusion and to improve confidence and social skills, with games such as Braille UNO, Braille Scrabble and activities such as boxing.

Outcomes

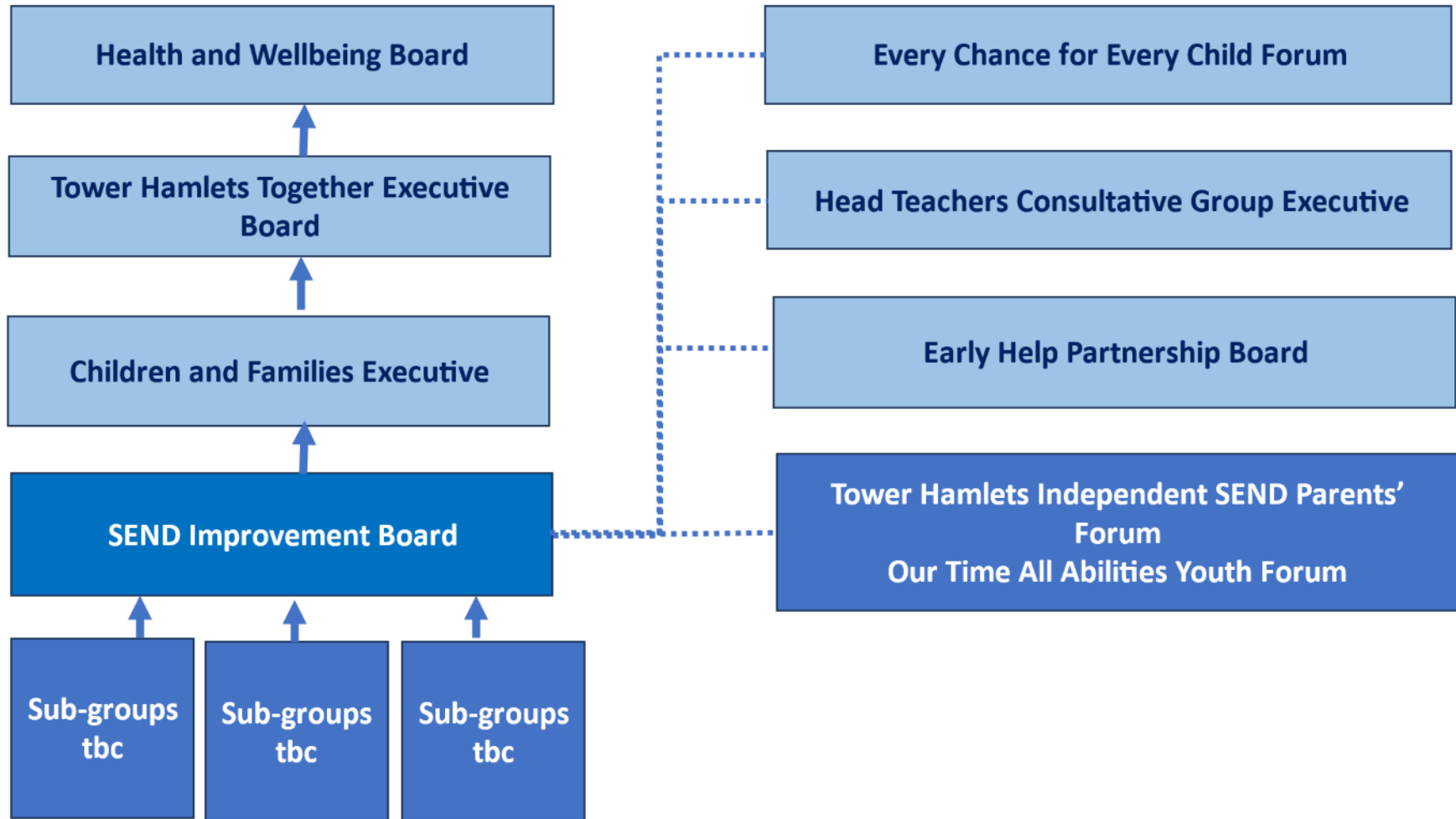
The young person has become a confident traveller.

The young person has improved their Braille skills and has achieved their objective of gaining a Level 3 qualification.

The young person was offered a place at Queen Mary University.

Appendix One: SEND Governance Structure

SEND governance and accountability



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Appendix Two: Performance

48%

of EHCPs issued in 20 weeks in 2023

50% national average
65.7% statistical neighbour average.
(January 2024, SEN2 return)

53.6%

of children with EHCPs are educated within mainstream settings

43.3% national average
(January 2024, SEN2 Return)

88 weeks

Average Autism diagnostic waiting time– reduced from 98 weeks (May 2023). Tower Hamlets is performing above the national average.

57% SEN Support

24% EHCP

Year 1 phonics outcomes for pupils with SEND are better than National

(2023, DfE Explore Statistics)

97.5%

of all pupils attend schools judged Good or Outstanding by Ofsted

(April 2024, Ofsted)

91.8% attendance for secondary pupils with EHCPs (outperforms national: 83.1%)

90% attendance for primary pupils with EHCPs (in line with national: 89.5%)


(2022/23 academic year
DfE Explore Statistics)

10 weeks

Average waiting time for under-fives Speech & Language Therapy (SLT) assessment - reduced significantly from a high of 35 weeks (Oct 2022)

GLOSSARY

ASD	Autism Spectrum Disorder
BASS	Behaviour and Attendance Support Service
CAMHS	Child and Adolescent Mental Health Service
CCG	Clinical Commissioning Group
CLA	Children Looked After
CLDS	Community Learning Disability Service
CSC	Children’s Social Care
CWD	Children with Disabilities
DfE	Department for Education
EHCNA	Education, Health and Care Needs Assessment
EHCP	Education, Health and Care Plan
EY	Early Years
FNP	Family Nurse Partnership
HVS	Health Visiting Service
IEYS	Integrated Early Years’ Service
LA	Local Authority
NEET	Not in Education, Employment or Training
PMLD	Profound and Multiple Learning Difficulties
SEMH	Social, Emotional and Mental Health (SEMH)
SEN	Special Educational Need
SENco	Special Educational Need Co-ordinator
SEND	Special Educational Needs and Disabilities
SENDIASS	SEND Information, Advice and Support Service
SLD	Severe Learning Difficulties
SHWS	School Health & Well-being Service
SLS	Support for Learning Service

<p>Cabinet</p> <p>Wednesday, 24 July 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Paul Patterson, Corporate Director of Housing and Regeneration</p>	<p>Classification: Part Exempt</p>
<p>Barkantine Heat and Power Company Private Finance Initiative (PFI) Transitional Agreement</p>	

Lead Member	Councillor Shafi Ahmed Cabinet Member for Environment and the Climate Emergency
Originating Officer(s)	Abdul Khan – Head of Sustainability
Wards affected	Canary Wharf;
Key Decision?	No
Reason for Key Decision	This report has been reviewed as not meeting the Key Decision criteria.
Forward Plan Notice Published	4 June 2024
Exempt information	<p>This report and/or its appendices include information that has been exempted from publication as the Monitoring Officer:</p> <ul style="list-style-type: none"> • has deemed that the information meets the definition of a category of exempt information as set out in the Council’s Access to Information Rules; and • has deemed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. <p>The exempt information is contained in Appendix 5</p> <p>The exempt information falls into this category: 3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)</p>
Strategic Plan Priority / Outcome	Working towards a clean and green future

Executive Summary

The Barkantine Heat and Power Company (BHPC) is a district heating energy centre located behind Tiller Leisure Centre, the scheme is managed by Dalkia a subsidiary

company of EDF energy, the 25-year PFI agreement was signed in March 2000 and expiring in October 2025. It is the only district heating PFI scheme in the country.

When the PFI agreement expires the energy centre, plant, assets and network is intended to be handed back to the Council. To enable the continued provision of heat to the existing customers, new arrangements will need to be put in place to manage the network. New contracts will also need to be renegotiated with existing customers in line with the contract expiration date.

To prepare for contract expiry is complex process and requires the council to take several actions in advance of expiry. First, the council has a duty to ensure that Dalkia have completed any scheduled or reactive maintenance, including any rectification work required to bring the energy centre up to the condition stipulated in the contract. Second, the council need to decide how the scheme will be maintained, and the services to be provided, after the contract expiry.

In preparedness for contract expiry the Council is working closely with Department of Levelling Up Homes and Communities (DLUHC) and the Infrastructure Project Authority (IPA). We have procured WSP as our technical advisors who have completed an asset condition survey and will complete a detailed decarbonisation and expansion strategy. We have also procured Sharpe Pritchards as our legal advisors who have completed a PFI contract review, will support on transition to a new two-year contract, and the re-procurement of a new long-term contract from 2027.

As this project is a very early PFI scheme the process to close the contract and have new provisions in place to ensure continuous supply of heat and with the added complication of requirement to decarbonise the network and take in to account the requirement to add new connections to the scheme makes it a very complex project.

Given the importance of this project to the Council and DLUHC we have received some support in the form a dedicated specialist team from Local Partnership to complete the contract expiry preparation work, we have also recently secured £197,350 of funding from central government to complete the decarbonisation strategy. On completion of the decarbonisation strategy, we will have the opportunity to apply for further government funding to improve the efficiency of the system and move to a low carbon source of fuel.

The current PFI agreement states that the plant, assets and network must have a two-year working life beyond the PFI expiry and Dalkia EDF Energy is responsible for any breakdowns within this period, the best way to fully utilise this clause is to enter into a transitional agreement with the current incumbent contractor to manage the network for a further two-year period.

We have carried out some soft market testing to procure the two-year contract in the open market and the feedback we received was that contractors would not be interested in managing a scheme of this nature for a short period of time and further complicating the matter where another contractor is responsible for the breakdowns.

We have completed an asset condition survey and in the short-term period (2-5 years) some of the equipment needs to be replaced, these works amount to approx. £3.8m this investment will come from government grants and private sector investment and

this is only financially viable on a long term contract, this investment will be secured in the two-year transitional period and the longer term procurement of the scheme. Appointing a new contractor now will require this investment to be made up front by the local authority to reduce their risk. The two-year transitional period will also enable the Council to secure external funding from the Heat Network Efficiency Scheme and Green Heat Network Fund.

The energy centre currently runs on natural gas and new energy legislation coming in from 2025 will require the network to be decarbonised, given the location of the energy centre decarbonisation options are limited to using waste heat from data centres and using heat pumps, initial technical options appraisal has concluded waste heat from an adjacent data centre is the most viable option and to secure this solution we will need to work quickly to sign a memorandum of understanding with the data centre to secure the waste heat. The Council requires additional time beyond October 2025 to fully work up the decarbonisation solution.

There is a high demand for district heating solution in the Isle of Dogs, with a need for energy infrastructure improvement to meet the demands of the anticipated level of development in the area. The energy centre has the potential to become a flagship project supplying most of the Isle of Dogs area with heating and hot water. There are parallel works being completed to look at the impacts of heat zoning regulations and to fully investigate the future needs of the energy infrastructure of the Isle of Dogs area, the proposed two-year transitional period ties in with the timeline for this work to conclude.

The main residential customer base of the heat network is One Housing Group, and they are currently working on regeneration plans, and we need to ensure their plans align with the plans of the Council in terms of energy infrastructure needs and the Barkantine heat network.

A local authority maintained primary school (Seven Mills) and Tiller leisure centre is also served by the energy centre and we require time to fully assess the future needs of these two buildings.

The transitional agreement will be based on the existing terms of service and therefore there will be no change for the customers, the agreement will have provisions to work collaboratively with Dalkia to find financial savings and improve the service and customer experience for the residents. The customers of the scheme e.g. those who connected as a result of planning requirement have a different type of contract compared to those who connected to the scheme from the start as part of the PFI agreement, the transitional period will be used to align all the different types of contracts.

The availability fee for the transitional agreement and the work required for the decarbonisation and expansion strategy, the legal and technical work and procurement will be met by existing funds made up of grants, build-up of Barkantine heat and power company reserves and profits and therefore the report is not seeking any additional funding.

The Barkantine heat and power energy network is a key project in delivering our net zero carbon targets.

This option to enter into a transitional agreement and extend the contract by two years is legally and procurement compliant and is supported by DLUHC.

Recommendations:

This report summarises the action the council has taken in preparedness for the PFI contract expiry. The Mayor in Cabinet is therefore recommended to:

1. Authorise the Corporate Director of Housing and Regeneration in consultation with the Mayor to enter into a 2-year transitional period to extend the existing agreement under appropriate commercial terms.
2. Note a detailed decarbonisation and expansion strategy will be developed.
3. Note a future report will be brought to Cabinet for approval to reprocure a new long-term contract from 2027.

1 REASONS FOR THE DECISIONS

- 1.1 As the council prepares for the upcoming Barkantine Heat and Power Company PFI contract expiry it has a responsibility to ensure that the energy centre and the district heating network is operational as a number of customers rely on the scheme for their heating and hot water.
- 1.2 District heating systems are essential to tackling climate change as they generate electricity and provide heating and hot water efficiently reducing carbon emissions.
- 1.3 Barkantine energy centre is conveniently located in a part of the borough with the highest cluster of new developments requiring connection to district heating systems.
- 1.4 There are no alternative options, and arrangements must be in place for the energy centre to continue to remain operational post PFI contract expiry October 2025.
- 1.5 The heat network will need to comply with new forthcoming energy legislations for decarbonisation from 2025.

2 ALTERNATIVE OPTIONS

- 2.1 An alternative would be to do nothing and let the contract come to a natural end, this would be a huge reputational risk to the council as the homes and non-domestic properties connected to the scheme would be left without a supply of heating and hot water.

- 2.2 The Council could reprocore the proposed two-year transitional period extension in the open market, our soft market testing has showed contractors would not be interested in a short-term contract, a change in contractor will require some of the assets such as Heat Interface Units (HIU) and energy meters to be renewed now requiring upfront capital costs. EDF Energy are required to ensure plant has a working life of 2 years beyond contract expiry and therefore a change of contractor would relieve them of this obligation, with the aging assets and a new contractor this risk will fall on to the Council.
- 2.3 The costs to reprocore a new short-term contract will require additional staff resources and will have huge procurement costs, the Council will need to take the risk of any capital or plant replacement works required resulting in higher costs overall in comparison to extending the contract for a further two years with the current incumbent contractor EDF Energy.

3 DETAILS OF THE REPORT

- 3.1 The Barkantine Heat and Power Company energy centre is located behind Tiller Leisure Centre, it was originally built to supply heating and hot water to 700 homes in high and low-rise blocks, Tiller leisure centre swimming pool and a primary school. The existing homes served by the district heating system were transferred over to Housing Associations during the stock transfer. Since the scheme went live in 2000 there have been additional connection to the network as a requirement of planning policy in our Local Plan and London Plan.
- 3.2 The scheme was first of its type in London to retrofit a district heating system as a refurbishment project replacing old boiler systems. The scheme is an environmentally friendly way of generating electricity and heat making it more efficient than using individual central heating systems and the national grid.
- 3.3 The energy centre is located in an Edwardian substation building, the Energy Centre contains a 1.4MWe combined heat and power engine and two 1.4MWth heat only boilers that distribute heat through 2.4 kilometres of pipework mains. The engine is designed to provide the winter heat load which maximises engine running hours to produce electricity at times when there is greatest demand. Two large hot water storage cylinders at the Energy Centre are used as a heat store enabling the Combined Heat and Power unit to generate electricity when there is low hot water demand, this can meet later heat and hot water needs.
- 3.4 The scheme is managed by Dalkia a subsidiary of EDF energy, the 25-year PFI agreement was signed in March 2000, The Council sought investment through PFI and funding from Defra as a National Pathfinder scheme in support of the Home Energy Conservation Act. A sustainable Combined Heat and Power district heating scheme was developed that would replace the existing plant, and address the issues of fuel poverty, affordable energy and global warming, and support urban renewal.

- 3.5 Through OJEU process EDF energy were appointed to design and build the energy centre and then operate and maintain the scheme as an Energy Services Company (ESCo) on a 25-year contract. EDF energy and its subsidiary company Dalkia own 100% equity in the scheme for the duration of the contract.
- 3.6 The Contract will expire in October 2025 and assets of the Network are intended to be handed back to the Council. To enable the continued provision of heat to the existing customers, new arrangements will need to be put in place to manage the Network or alternative provisions made. New contracts will also need to be renegotiated with existing customers in line with the Contract expiration date.
- 3.7 To prepare for contract expiry is complex process and requires the council to take several actions in advance of expiry. First, the council has a duty to ensure that EDF Energy have completed any scheduled or reactive maintenance, including any rectification work required to bring the energy centre up to the condition stipulated in the contract. Second, the council need to decide how the scheme will be maintained, and the services to be provided, after the contract expiry.
- 3.8 In preparedness for contract expiry Central government recommends that local authorities begin their preparation for PFI contract expiry as early as possible before contract expiry. The Council reports to DLUHC through the PFI reporting mechanism. An initial preparedness risk assessment completed by the infrastructure Projects Authority (IPA) in October 2022 scored the project a RED Rating (High Risk), with support from DLUHC and IPA further works were completed, and the project received an AMBER rating in a follow up review by the IPA in October 2023, a further review is planned by DLUHC in November 2024.
- 3.9 The national context surrounding PFI and Heat Networks has changed significantly since Barkantine Heat Network was first established. Against this backdrop, there is significant growth planned within Tower Hamlets and the scale of growth represents a challenging increase for the supply of energy for heating, electricity, and transport. This situation is not unique to Tower Hamlets but ownership of BHPC provides a unique opportunity to overcome some of these issues. However, the Council and BHPC customers have their own decarbonisation programmes and therefore any new arrangements will need to examine the feasibility, demand, cost and benefits of decarbonisation.
- 3.10 As a result, the Council's strategic objective is to ensure continuation of services to existing customers to prevent loss of service (heat, billing, and maintenance). Facilitate a route to decarbonisation and expansion of the network.
- 3.11 To enable continued provision of heat to existing customers, new arrangements will need to be put in place to manage the network or alternative provisions made. Supply contracts will also need to be renegotiated with existing customers in line with the PFI expiration date.

3.12 At present, BHPC is responsible for the delivery of heat to the customers, maintenance and operation of all plant, and the metering and billing of customers. If the Council were to “Do Nothing”, i.e. let the contract expire without securing alternative service provision, this would result in existing customers having to source alternative solutions for existing services. Feedback from customers to date indicates that this will not be possible before Contract expiry and may result in a loss of service to those customers. As such, the Council are considering the options available for future delivery of existing services.

Economic Analysis

3.13 Using the options framework the project team has identified and developed a long list of options. This includes self-delivery, outsourcing services and selling the existing asset. To progress to a short-list of options, the advantages and disadvantages of individual choices have been considered, together with how well they are likely to meet the strategic objective and critical success factors agreed for the delivery of the strategic objective. There are two dimensions to possible delivery options:

- Short term service contract or Minimum Viable Product (MVP) to enable a deliverable procurement in line with PFI expiry.
- Longer term decarbonisation options post PFI expiry.

3.14 The project team have determined that it is not possible to deliver a full review of longer-term decarbonisation options within the timescales to Contract expiry. It is therefore recommended that the Council develop an MVP, the scope of which are determined by:

- Asset condition and investment required.
- Access to existing delivery models.
- Market appetite.
- Council drivers.
- Customer requirements (both existing and potential future customers).

Commercial Structuring

3.15 The Council evaluated four primary options for short-term contracting options:

- Option 1 – Strategic Extension of the Contract for Long-Term Planning
- Option 2 – Competitive Procurement for a new contract.
- Option 3 – Direct award of a new contract; and
- Option 4 – Allow Project Agreement to expire and agree a separate contract with a new provider.

A detailed paper in terms of procurement risk and legal challenge risk for each of these four options has been produced by the Council’s legal advisors.

- 3.16 Option 3 was excluded due to the risk of challenge. Option 4 was also excluded due to technical and practical factors and in the shorter-term as it was not thought appropriate to transfer ownership to another network operator for a short-term period.
- 3.17 Option 1 is considered the preferred option with, Option 2 retained as the back-up option. The primary reason for this is that Option 1 places less risk with the Council and preserves the status quo while longer term options are fully appraised. Further, the current Contract and supporting documents can be clarified by any extension arrangement. Option 2 is not excluded and will be the fall back if commercial terms cannot be agreed with BHPC. This will preserve competitive tension and enable the Council to maintain a stronger negotiating position.
- 3.18 Option 1 may also enable initial capital works and enhancements to be carried out to facilitate longer term decarbonisation plans in advance of a robust and comprehensive procurement process for October 2027. Option 2 may well preclude this as the specifications would need to be worked up in partnership.
- 3.19 In parallel, an independent asset condition survey has been commissioned by the Council to determine the state of premises/assets and estimate any necessary maintenance or asset replacement. This survey estimates that the level of investment required to bring defective or near end-of-life building elements, plant or equipment up to the prevailing standard until the PFI expiry plus two years (October 2027).

Financial Analysis

- 3.20 The Council currently pays an Availability Charge for the ongoing operations and maintenance of the Network. This revenue payment is supported by PFI grant provided by the Department for Levelling Up, Housing and Communities (DLUHC). This revenue support will cease at the current PFI expiry date.
- 3.21 The level of investment required to sustain the asset in good working order has been estimated at £3.8m, based on a replacement strategy. There is the possibility that some of the capital investment required could be funded by grants from the Heat Network Efficiency Scheme (HNES). However, the Council will need to ensure that any grant application made does not relieve BHPC of their responsibilities around asset condition at Contract expiry.

Management Arrangement

- 3.22 To enable the successful delivery of the extension of the current PFI contract and to deliver a credible business case for the decarbonisation and expansion of the network, the Council has created a fully resourced project team.

Heat Networks and Heat Decarbonisation

- 3.23 Government legislation, regulation and funding seeks to support decarbonisation of all sectors of the UK economy and the nation achieving net

zero by 2050. This includes delivery of low carbon heat from heat networks, which will need to transition away from the use of natural gas driven heat generation to low carbon alternatives.

- 3.24 In 2019, the UK Government and the devolved administrations committed to a national target of Net Zero emissions by 2050, as recommended by the Climate Change Committee (CCC).
- 3.25 Since October 2021 the UK Government has developed a range of policies and interventions to decarbonise all sectors of the UK economy by 2050. These can be found in the following documents:
- *Net Zero Strategy: Build Back Greener*
 - *The Heat and Buildings Strategy*
 - *Energy Security Strategy*
- 3.26 Heating buildings constitutes around a quarter of all UK emissions. Heat Networks are a key part of the Government's low carbon strategy. The Government Strategies highlight the need to move away from burning fossil fuels for power and heating and continue to grow and decarbonise the UK Heat Network market.
- 3.27 According to the Department of Energy Security and Net Zero (DESNZ) analysis, heat networks could provide up to 20% of total UK heat by 2050. This is supported by new funding initiatives to support the development and optimisation of heat networks, including the Green Heat Network Fund (GHNF) and Heat Network Efficiency Scheme (HNES), as part of the wider Heat Network Transformation Programme providing £338 million over 2022/23 and 2024/25.
- 3.28 The Energy Act 2023 was passed in October 2023. The Act, which has now become law, aims to improve security of energy supply in the UK and introduce sector regulation, through consumer protections and frameworks, with Ofgem appointed as the UK's official regulator of heat networks.
- 3.29 The Act formally appoints Ofgem as the heat networks regulator and establishes an authorisation regime for regulating organisations that supply heat through a heat network or operate a heat network. It provides for the introduction of authorisation conditions and other regulations set by the government and Ofgem. These conditions and regulations will include provision for fair prices and transparent information for consumers, a high quality of service, and minimum technical standards and carbon limits. The exact contents of future regulation remain unclear at present.
- 3.30 In addition to the above the Act gives Ofgem powers to:
- Monitor compliance and take enforcement action where heat networks are not meeting the required standards.

- Investigate and intervene where consumer prices appear to be disproportionate compared with heat networks with similar characteristics, or if prices are significantly higher than those consumers would expect to pay if they were served by an alternative and comparable heating system.
 - Grant licences that give heat network developers rights and powers similar to those held by other utilities.
- 3.31 These provisions only came into full force and effect in October 2023 and so the exact nature of how they will be applied by way of future regulation remains unclear.
- 3.32 The Act provides powers for the government to implement Heat Network Zoning (HNZ) in England. This includes powers to:
- Develop a nationwide methodology for identifying and designating areas as heat network zones.
 - Establish a new zoning co-ordinator role with responsibility for designating areas as heat network zones and enforcing requirements within them.
 - Require heat networks developed in zones to meet a low-carbon requirement and for certain buildings and heat sources within zones to connect to a heat network within a specific timeframe.
- 3.33 Heat Network Zoning (HNZ) is a policy solution which aims to support the development of district heating networks by identifying and designating where heat networks provide the lowest-cost, low carbon heating option. This policy will mandate larger, non-domestic heat demands (currently the threshold is set at 100MWh heat demand p.a.) to connect to networks within certain designated zones (to be defined by a process set up by DESNZ) where heat network heat provision can be demonstrated to be the least-cost low-carbon option.
- 3.34 By designating zones, local authorities and heat network developers should be able to quickly identify where new large-scale strategic heat networks should be built and have a far higher degree of confidence in the customer base that they will be able to sell heat to.
- 3.35 A second public consultation on HNZ was launched in December 2023 and regulation is expected to be in place to support these arrangements by 2025. As policy is still being developed, the nature of the regulatory regime for heat networks from 2025 is uncertain. However, any changes are judged likely to support the potential expansion of the Barkantine network when its heat supply is decarbonised.

EXPANSION AND DECARBONISATION

- 3.36 There is a high demand for district heating solution in the Isle of Dogs area, there is a real need for energy infrastructure in the area to meet the demands

of the anticipated level of development. The GLA have commissioned a report to look into the energy infrastructure needs in the area.

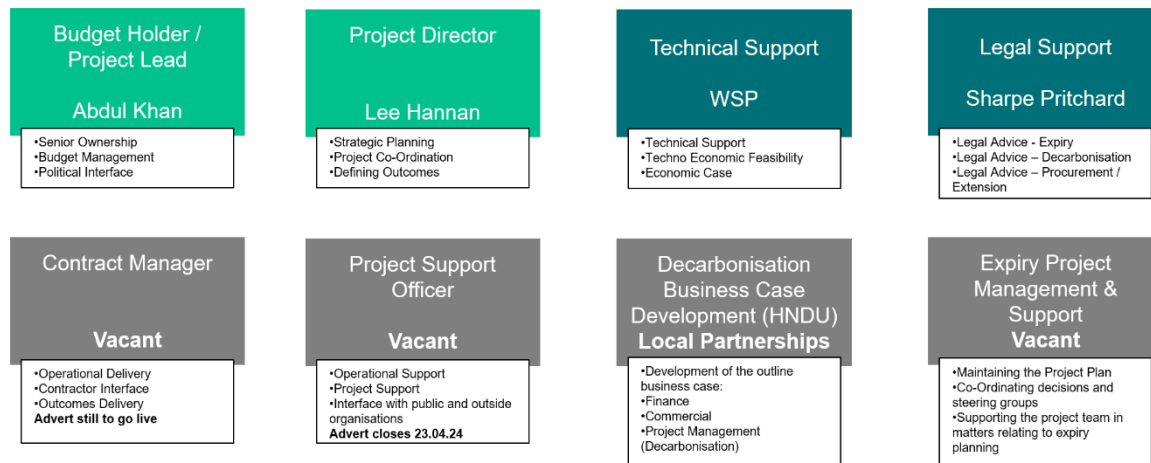
- 3.37 A report commissioned in May 2019 by the Council with funding from BEIS to look into the feasibility of expansion and decarbonisation of the system has identified three possible solutions including using waste heat from the data centre, heat pumps using dock water and air source heat pumps.
- 3.38 The report is now over 5 years old, and the costs and circumstances of the potential partner organisations needs to be refreshed. This will form part of the options appraisals and development of the business case with costed and risk assessed preferred option that can then be taken to cabinet for a formal decision, as there are some large investment costs required but at the same time some very attractive benefits.
- 3.39 The WSP 2019 study would require quick review of this report to confirm the three main choices and then produce the business case which then also includes the route to market through procurement (which will have to be coordinated with the financial and legal advisors).

GOVERNANCE

- 3.40 A Barkantine Heat and Power PFI steering group has been set up to steer the project and make progress in preparing for expiry. Members of the group is as follows.

Name	Job Title	Role
Local Authority		
Karen Swift	Director Housing	Chair
John Harrison	Interim Director Finance, Procurement and Audit	Senior Finance Officer
Abdul Khan	Head of Sustainability	Project Lead
Paul Butler	Head of Finance	
Jonathan Fox	Contracts Lawyer	
Bola James	Procurement officer	
Department of Levelling Up Homes and Communities		
Andy Hobart	Commercial Director	Scrutiny
Liz Buck	PFI Portfolio Lead	Scrutiny
Infrastructure Projects Authority		
Nick Mackee	Project Director	Oversight
Local Partnerships		
Michael Berrington	Senior Director	Programme Lead
Lee Hannan	Strategy Director	Project Director
Vicky Kingston	Senior Director	Heat Network Specialist
Sharpe Pritchard		
Steve Gummer	Partner	Legal Advisor
WSP		
James Eland	Technical Consultant	Technical Advisor

3.41 A Project Team has been set up to deliver the expiry work and develop the decarbonisation and expansion strategy. The Project Team is as follows.



FINANCE

3.42 The initial Capital cost of the project was £3.95m and there is an annual unitary cost for the operation and maintenance of the project, from 2000/01 to 2023/24 the accumulated annual unitary charge was £20.1m, the future unitary charge for 2024/25 to October 2025 is predicted to be £1.7m. The unitary charge is funded through PFI credits and recharges back to One Housing.

3.43 The Council made an application for HNDU funding to develop a decarbonisation strategy and has been awarded £197,350. There is an opportunity to apply for HNES funding to fund some of the capital works for asset improvement and later GHF for decarbonisation of the network.

3.44 The financial model of Barkantine heat network allowed for a build up of reserve funds to meet the financial costs of the PFI expiry, there are also income from TRIAD and profit share, the combination of these funds are adequate to finance the expiry preparation, costs to extend the contract for a two year period, complete the decarbonisation and expansion strategy and re-procure a new long term contract for 2027 and beyond.

3.45 Discussions with the Dalkia on options to modify and extend the contract for a further two years have concluded. Dalkia continue to be collaborative, and solutions focused, whilst being mindful of the requirement for any extension to demonstrate value for money and be permitted as an extension. For the two-year period initial offer was circa £2.1m, through a number of negotiations rounds we have managed to reduce this value to £1.5m, this is their final offer and within the current budget available to Tower Hamlets.

3.46 The offer from Dalkia provides the same level of service as it is currently providing, however as the agreement was set in 2000 both parties agree that

there is room for value engineering out some of the costs further but that would require collaborative work. This would be a time intensive piece of work and Dalkia would only begin this piece of work once we have an agreement in principle for the extension of the contract.

- 3.47 The project team has carried out affordability analysis looking at the offer of the two-year extension and the project management costs required against the budget available, the model assumes the £576,000 PFI grant will fall away at expiry in October 2025, but the current recharges back to One Housing will continue at £186,000 per annum, the model also assumes the current TH budget of £128,000 per annum will increase by the indexation, if this is not the case there will be a total shortfall of £16,000 over the two year transitional period. The £68,000 HNDU match funding is recognised as income into the analysis of the project team costs and therefore needs to be funded out of the Barkantine Reserve as this is newly committed funds for the project.
- 3.48 The Project Team have negotiated strongly with BHPC and have a best and final offer from BHPC of £750k per annum. This equates to the removal of the capital element of the fee, and a 15% reduction in profit and overheads. This fee is indexed over the appraisal period based using the GDP deflator as per the arrangements in the existing concession agreement. This is assumed to be:
- 2025/26 – 3 %
 - 2026/27 – 2%
 - 2027/28 – 2%
- 3.49 The best-case scenario assumes all savings from BHPC negotiations are achieved. The current concession agreement availability fee dates back to 2000 when all the housing stock was owned by the Council, as all the housing stock were transferred during the stock transfer in 2005, the best case scenario also assumes the availability fee can be recharged in full back to the users of the network in line with best case practice elsewhere, this scenario also assumes the Council is successful in securing future rounds of the HNDU grant. It should be noted that Council always contributed to the availability fee and recharging the full amount back to the customers will require consultation and this can only go ahead once we have agreed the extension. Based on the analysis, the best-case scenario is summarised below:

Affordability - Best case scenario				
	2024/25	2025/26	2026/27	2027/28
BHPC Contract				
Expenditure	000's	000's	000's	000's
Availability Fee	1078	954	764	454
PFI grant, One Housing, Current TH budget	890	889	898	535
Required Council contribution above existing budgets	188	66	-135	-80
Project team costs	435	477	455	269
HNDU grant, Council match, IPA	285	286	265	158
Council Contribution above existing budgets - project team	150	192	188	112
Total required contribution above existing budgets	338	258	53	32
Funded Barkantine reserves				
Opening balance	691	1397	1102	1011
The Profit share	785	-	-	-
Triad	326	30	30	18
Contribution to deficit	-338	-258	-53	-32
Council match	-68	-68	-68	-40
Closing balance	1397	1102	1011	956

The analysis shows there will be a positive balance of £956,000 at the end of the transitional period.

- 3.50 The project team also looked at a worst-case scenario which assumes the Council continues to contribute to the availability fee and is not able to recharge this to the users of the network, recharging the full amount of the availability fee at once will result in significantly higher costs to the residents where there has not been an increase since 2000 and will result in fuel poverty issues for the residents, in the most likely case scenario it is proposed that a portion of this amount can be recharged back to the users and periodically increased. The worst case scenario also assumes we are unable to value engineer out any costs such as BHPC supply chain cost, and no improvement in efficiency of the system and no further HNDU funding is secured. based on the analysis, the worst-case scenario is summarised below:

Affordability - Worst case scenario				
	2024/25	2025/26	2026/27	2027/28
BHPC Contract				
Expenditure	000's	000's	000's	000's
Availability Fee	1078	954	764	454
PFI grant, One Housing, Current TH budget	890	654	321	191
Required Council contribution above existing budgets	188	300	443	264
Project team costs	435	477	485	269
HNDU grant, Council match, IPA	285	21	0	0
Council Contribution above existing budgets - project team	150	457	453	269
Total required contribution above existing budgets	338	757	896	533
Funded Barkantine reserves				
Opening balance	691	1397	670	-196
Profit share	785	-	-	-
Triad	326	30	30	18
Contribution to deficit	-338	-757	-896	-533
Council match	-68	-	-	-
Closing balance	1396	640	-288	-711

The analysis shows there will be a negative balance of £711,000 at the end of the transitional period.

The chance of the worst possible scenario playing out is low, the risk of the reserve not being adequate to support the council would look to alternative funding to mitigate any general fund pressure, including CIL (Community Infrastructure Levy), or S106 monies via the Carbon Fund.

- 3.51 The following table sets out the final position on the Barkantine Reserve under the various sensitivities suggested above.

Barkantine Heat and Power PFI Contract - remaining operations and potential Transitional Arrangements
Summary Affordability position - key scenarios
Final position on Barkantine Reserve at 31 October 2027 (3 year 7 month appraisal period)

	Council funds 100% availability fee		Council funds 50% availability fee		Council funds 0% availability fee	
	Base	Dalkia savings	Base	Dalkia savings	Base	Dalkia saving
HNDU Funding percentage						
100	-199	23	379	490	956	956
50	-455	-233	123	234	700	700
25	-583	-361	-5	106	572	572
0	-711	-489	-133	-22	444	444

3.52 This analysis demonstrates that – as long as a proportion of the Availability Fee can be negotiated over to heat off takers – then the proposed approach will not require additional funds from the Council over and above the current budget and what is available in the Barkantine reserve.

For this reserve to have a zero balance as 31 October 2027 then this would be a scenario where:

- 25% of the Availability Fee is picked up the heat off takers.
- Limited savings are achieved from further negotiations with Dalkia.
- HNDU only continue to fund at 25% of the current level.

The project team believes that over the three- and a half year period it will better this position significantly. However, to provide comfort, the project team will regularly report as to its progress to achieve the savings.

4 EQUALITIES IMPLICATIONS

4.1 The council will undertake the PFI contract expiry process with the aim of ensuring efficient, effective, and sustainable provision that enables the continuity of affordable energy supply to residents and commercial customers. A full EQIA has been completed and attached as Appendix 2.

5 OTHER STATUTORY IMPLICATIONS

5.1 **Best Value Implications** – It is essential for the council to ensure that the ESCo meet their contractual obligations through to the expiry of the PFI contract; and that there is an efficient and effective hand-back and take-forward process allowing for continuity of all required services on PFI expiry within a Best Value Framework. A two-year transitional period of the contract will enable the Council to adequately prepare for new energy legislations and re-procure a new long-term contract, the proposed extension provides the

best value for money, the alternative option to procure the extension on the open market is too risky and will cost more overall.

5.2 **Risk Management** -The expiry phase of a PFI project brings new challenges as the council not only has to manage business as usual in terms of its PFI contract management, but also has to plan for the hand-back of assets and services under the contract and to ensure service provision post expiry. There are specific risks in the expiry phase, for example around the quality of assets on hand-back and the availability of data and information to manage assets and services post PFI expiry. A full risk register can be found in Appendix 1.

5.3 **Climate Change** - The scheme also contributes to the London Borough of Tower Hamlets 'Zero Carbon Policy' enabling a reduction in the boroughwide emissions, the scheme delivers on the Councils strategic priority and the Mayors manifesto pledge to achieve a more cleaner and greener Tower Hamlets.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 If approved, this transitional contract will run for 2 years from October 2025 to October 2027 and will bridge the end of the existing contract and the commencement of any new arrangement. It is intended to ensure there is no disruption to the supply of energy to the residents of the area, and to allow time for a new robust supply framework to be procured and implemented from October 2027.

6.2 The costs of this arrangement fall into two broad categories, an Availability fee (which tapers over the duration of the transitional period), and project support and consultancy costs. There is also a contribution of £68K 'matched funding' payable if the council is successful in securing future years HNDU grant receipts.

6.3 These costs are offset by various funding sources including grant funding (DLUHC, HNDU) and contributions from off takers. In addition to this there will also be a profit share (£0.8m), and a TRIAD contribution (£0.3m) for the final year of the PFI arrangement which will be taken to reserves in 2024/25.

6.4 Any net costs will be funded from a ringfenced reserve. This reserve currently holds a balance of £0.7m increasing to £1.8m after the profit shares mentioned above.

6.5 Several alternative scenarios have been modelled, using various assumptions on the level of expenditure and income (with the best and worst cases shown in paragraphs 3.49 and 3.50 above). This modelling indicates that a best-case scenario would cost the council £0.9m, and the worst-case costing £2.5m. After the application of reserves the initial scenario would leave a reserve balance of £0.9m, whereas the worst-case position will utilise the reserve in full and require additional funding of £0.7m on top and would result in a pressure on the general fund.

- 6.6 In the event the worst case scenario plays out, there is a risk of the reserve not being adequate to support the cost to a lesser degree. If this were the case the council would look to alternative funding to mitigate any general fund pressure, including CIL (Community Infrastructure Levy), or S106 monies via the Carbon Fund.
- 6.7 Any balance on the reserve would be carried forward to support the new contract.
- 6.8 These arrangements including the assumptions made in the financial models will be monitored and reviewed during the life of the contract and stakeholders will receive updates, including a revised affordability analysis.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal power to undertake the activity referred to in this report.
- 7.2 Regulation 31 (6) allows the Council to award a new concession contract without advertising the opportunity where competition is absent due to technical reasons.
- 7.3 Technical reasons referred to above must be reasons that relate to the subject matter of the contract. In this case only the existing operator would be able to operate such a short-term contract as it would not be commercially viable for a replacement contractor to invest in the arrangement, nor would a new contractor be able to make any appropriate risk assumptions relating to the condition of the assets against such a short term contract.
- 7.4 In any event the uncertainty around the changes in law would make it commercially challenging for a new contractor to come into a long-term arrangement for the replacement of the assets and or delivery of the utilities in a different manner.
- 7.5 Notwithstanding the foregoing it is untenable to the Council to have a break in the provision due to the impact on residents so this short-term resolution to enable a proper fully worked through tendering opportunity is a pragmatic way forward in the circumstances.
- 7.6 The Council is obligated to ensure statutory Best Value when delivering its functions. In the absence of tendering the Council will look to ensure that the contract is supported by appropriate legal terms allowing the Council to monitor delivery as well as benchmarking the agreement against the current agreement and relevant market conditions.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix 1: Risk Register

Appendix 2: EQIA

Appendix 3: Critical Path

Appendix 4: Heat Network Map

Appendix 5: (Exempt) Affordability position analysis

Appendix 5 exempt under Section 12A of the 1972 Act, paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority handling the information)

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

- NONE

Officer contact details for documents:

Abdul Khan – Head of Sustainability

abdul.khan@towerhamlets.gov.uk

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Ref	Title	Description	Risk Rating	Controls	
001	Council resources	Limited council resources impact on delivery timescales	Critical Risk	<p>Recruit a Contract Manager/Project Director, with appropriate knowledge, skill and experience. Ensure appropriate buy in and good planning with legal and procurement teams, to ensure optimised use of resource from other areas of the council.</p> <p>Ensure the council have appropriate contingency plans in place to obtain external support, in the event of failed recruitment of a Project Director, or lack of capacity within the Procurement and Legal teams.</p> <p>17.1.24 - Recruitment has not been successful following 3 unsuccessful rounds of recruitment. The council will now look to obtain support on a consultancy basis, rather than direct recruitment</p> <p>25.04.24 - We have adjusted the resource requirements as a result of securing long term support from local partnerships. We are now looking to secure a directly employed contract manager and project support officer. The risk level remains the same though as the Council's procurement resource is still a risk area.</p>	Critical Risk
011	Asset lifespan	Risk of asset life expectancy ending prior to PFI liability period (25years +2) or ESCO not accepting +2 year liability beyond initial 25 yar term	High Risk	<p>Early discussion to be had with ESCO on the proposed approach to managing liability for reactive response during the 2 year post expiry liability period. Council also need to seek confirmation that the additional estate that has been added to the heat network during the PFI term has not hindered the ESCO obligations to maintain the 27 year functionality.</p> <p>17.01.24 - The completed asset condition survey has revealed significant investment is required to extend the life of critical plant beyond 2027. The Council have submitted a grant funding application for project support funds, and will work with EDF to submit a capital grant funding application, which will support the funding of replacement assets. This capital grant can only be applied for by EDF, so will be dependant on the decision to delay procurement and extend as an interim measure.</p> <p>25.04.24 - agreement of an extension with the ESCO would ensure the fully comprehensive arrangements remain in place until 2027</p>	Critical Risk
002	Customer pricing / removal of council support funds	If subsidies are removed, prices will increase for customers. In conjunction with increases in the wholesale price of gas this may become untenable for clients who will seek connections elsewhere when their contract comes to an end	High Risk	<p>Assess council appetite for subsidy removal and engage with existing customers to assess impact of increased pricing. Strengthen the link to the heat network customers and ensure thorough engagement plan, to include LBTH directors as well as legal and technical partners for One Housing.</p> <p>17.01.24 - Exploring an extension rather than a procured/awarded solution, where the commercial risk will remain with EDF will ease the financial and legal risk burden on the council.</p>	Critical Risk
015	Delay in approvals or contract award to the replacement contractor/extension	A delay in the replacement O&M, Fuel purchase and billing contractor could result in a breakdown of services to the end user and the council being unable to meet their statutory maintenance requirements .	High Risk	<p>Project plan and milestones should factor in appropriate time for key decisions and awards. Effort should be made to ensure the project maintains a high profile and is on the council's forward plan as early as possible.</p> <p>25.04.24 - We have minimal contingency time to agree a proposal, but are confident that the case stated for an extension will be agreeable.</p>	High Risk
006	One Housing's position	Risk that current demand will not be sustained, impacting on the viability of any future business case	Moderate Risk	<p>Engage One Housing to understand their existing and future demand profile, future connection requirements and timescales for any future regeneration plans</p> <p>Assess potential future connections to mitigate risk of reliance on One Housing and diversify potential future client base.</p> <p>17.01.24 - We are in new dialogue with One Housing and exploring opportunities to continue, potentially on a bulk supply arrangement, so standardise the approach to supply</p> <p>25.04.24 - Early discussion on moving to a bulk supply arrangements have been positive, and if an extension is agreed, then we can progress this. The ESCO have confirmed that the infrastructure to enable this is already in place.</p>	Moderate Risk
009	PFI expiry not negotiated in time	Customers will not have security of supply	Moderate Risk	<p>Steering Group and management of Project Plan to ensure contract expiry process is developed and followed and timely re-procurement achieved</p> <p>17.01.24 - We need to promptly ensure that an extension is a preferred option, so negotiation can commence immediately, rather than awaiting a new partner to negotiate with.</p> <p>25.04.24 - The extension option has been agreed as the preferred route, and an affordability analysis has identified that no additional budget will be required. The council have also negotiated a reduced price with the ESCO for the extension period.</p>	Moderate Risk

007	Commercial customer position	Risk that current demand will not be sustained, impacting on the viability of any future business case	Moderate Risk	Engage existing commercial clients to understand their existing and future demand profile and future connection requirements. 17.01.24 - We are arranging new discussions with each customer to confirm their requirements beyond 2017 25.04.25 - Discussions with commercial customers have been positive, in that they mainly want the heat network to continue. There is some legacy debt with 1 customer which needs a collaborative approach to resolution.	Low Risk
013	Lack of market interest	In the event of a non-viable bidder, or no bidders for the post expiry services, the result could mean that the CHP would cease to operate, resulting in significant long term heat loss to all residential and domestic users	Moderate Risk	Ensure that prompt and robust soft market test is undertaken which results in an outcome representing quality and value for money for the council and an attractive and sustainable solution for the supply chain. The tender must ensure that the specification requirements maintain the post expiry 2 year warranty with ESCO. We are exploring options to direct award, extend and the potential to award to another public sector body. 17.01.24 - Are we now know that extension is a viable option, the lack of market interest is less critical than previously anticipated.	Critical Risk
012	Contractor performance diminishing	The new approach to imposing deductions on the contractor may mean that the deductions cap permitted in the contract is reached very quickly. The contractors risk of consequence for poor performance will disappear, which may impact performance.	Moderate Risk	Council to assess the most viable option to balance the use of financial penalties with required performance/commitment level from the ESCO. Any deviation from the PFI project agreement will require internal sign off. Appropriate contract monitoring to be put in place, which links to the separate resource risk.. The contractor are developing and producing reports which are compliant with the requirements of the contract. We have a good level of comfort with their current performance. 17.01.24 - Contractor performance and level of resourcing has improved significantly. This will continue to be monitored through the expiry process.	High Risk
010	Growth & policy opportunities	Policies and funding opportunities are not utilised	Moderate Risk	Reviewing future funding opportunities and assessing council and client decarbonisation requirements to assess alignment with emerging Govt policy in this area. We are now linked in to the councils heat network steering groups.	Moderate Risk
014	Lack of, or poor handover from ESCO	The absence of any meaningful handback criteria leaves the council in a vulnerable position. A position could exist where the council become responsible for the asset with no handover of statutory maintenance documentation or transfer of key personnel	Low Risk	Ensure the council undertake an independent asset capture and condition survey. Ensure ESCO are taking part in active discussions around handback requirements, particularly in respect of statutory maintenance requirements. 17.01.24 - We have commenced and will continue to have expiry discussion with the ESCO. This may be more like a transition to an extension, than transition to another contractor 25.04.24 - An extension would remove the risk of poor handover for the MVP.	High Risk
008	Defining the Minimum Viable Product	Risk that without defining the MVP there will not be sufficient demand for connections.	Low Risk	Engage with existing and potential future service providers as soon as possible to determine their future connection requirements. We should consider a specification/s that will reflect options to direct award, extend, go to tender or make a new public to public link. 17.01.24 - Whilst a new O&M type service remains viable, the opportunity to extend the PFI provides some consistency on the product required. 25.04.24 - The SOC has identified that continuation of an aggregated MVP option is preferable, and the ESCO have a willingness to continue to deliver this model.	Low Risk
003	Asset condition survey	Incorrect list of assets and insufficient detail on the condition and level of investment required to inform the PFI contract negotiations and longer term investment. Risk the Council undervalues the level of upgrade or replacement works	COMPLETE	Procure independent consultant to complete an asset condition survey (with agreement of EDF) Access to current information on the asset from EDF	COMPLETE
004	Procurement of technical consultant for feasibility	Delay and/or risk to project planned timeframes if procurement of consultant is delayed	COMPLETE	Procurement in accordance with expiry programme milestone to ensure compliance with expiry process. Engagement with legal and procurement at the Council. Engagement either GLA to ensure correct use of LEA framework. Soft market testing	COMPLETE
005	Procurement of legal advisors	Delay and/or risk to project planned timeframes if procurement of legal resource is delayed	COMPLETE	Procurement in accordance with expiry programme milestone to ensure compliance with expiry process Engagement with legal and procurement at the Council	COMPLETE

Equality Impact Analysis Template

Section 1: Introduction


Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
The Barkantine Heat Network PFI Transitional Agreement
Service area and Directorate responsible
Sustainability, Housing and Regeneration Directorate
Name of completing officer
Alice Jones, Energy and Sustainability Projects Officer
Approved by (Corporate Director / Divisional Director/ Head of Service)
Date of approval
03/05/2024

Where a proposal is being taken to a committee, please append the completed EIA(s) to the cover report.

Conclusion – To be completed at the end of the Equality Impact Analysis process

This summary will provide an update on the findings of the EIA and what the outcome is. *For example, based on the findings of the EIA, the proposal was rejected as the negative impact on a particular group was disproportionate and the appropriate actions cannot be undertaken to mitigate risk. Or, based on the EIA, the proposal was amended, and alternative steps taken.*

The focus of this is to analyse the impacts of the proposal on residents, service users and the wider community that are likely to be affected by the proposal. If the proposed change also has an impact on staff, the committee covering report should provide an overview of the likely equality impact for staff, residents and service users and the range of mitigating measures proposed.

Conclusion	Current decision rating (see Appendix A)
<p>It is the finding of this EQIA that the stability provided by the proposal, as well as the opportunity to improve the functioning and efficiency of the Network, will substantially benefit many residents, service users and the wider community across protected characteristics.</p> <p>Continuation of the Service under the current provider, for an extension period of 2 years, will minimise the risk of potential disruption to heat provision to residents, many of whom may be vulnerable. Extension of the current PFI contract will also further the Council’s aim to expand and decarbonise the Network, continuing to provide a low-cost heat solution which will tackle fuel poverty, support housing and infrastructure development on the Isle of Dogs and meet the Council’s carbon reduction targets, to the benefit of all residents.</p> <p>In the remainder of cases, where a protected group does not experience a direct positive effect, the impact will be neutral.</p>	<p>Green</p> 

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

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with ‘protected characteristics’ and those without them
- Foster 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: General information about the proposal

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

Purpose

The purpose of this EQIA is to explore the potential impact of extension and modification to the existing PFI contract on residents, service users of the Network and the wider community with protected characteristics and to ensure that the Council complies with its duties under the Equality Act 2010. The proposal does not have an impact upon Council staff.

Background

The Barkantine Heat and Power project was established in March 2000 through a 25-year Private Finance Initiative ('PFI') contract ('Contract') between the London Borough of Tower Hamlets (the 'Council') and the Barkantine Heat and Power Company Limited ('BHPC'). BHPC was set up to design, build, operate, maintain and finance the Barkantine District Network (the 'Network') in the Isle of Dogs, Tower Hamlets. The incumbent provider of these services is EDF Energy.

Located in an Edwardian substation building, the Network consists of an Energy Centre containing a 1.4MWe combined heat and power (CHP) engine and four 1.4MWth heat only boilers. The Network was initially built to supply heating and hot water to 700 homes in high- and low-rise blocks (predominantly homes owned and managed by the Council but subsequently transferred to One Housing Group in 2005), a leisure centre, swimming pool and a primary school to address the issues of fuel poverty, affordable energy and global warming, and support urban renewal.

The Contract will expire in October 2025 and assets of the Network are intended to be handed back to the Council. To enable the continued provision of heat to the existing customers, new arrangements will need to be put in place to manage the Network or alternative provisions made. The Council has considered several options, including extension to the current contract, which will temporarily maintain the status quo, or a short-term procurement to enable service to continue.

Proposal

To continue to deliver heat to new and existing customers, the Barkantine PFI Steering Group has agreed a Preferred Way Forward (PWF), which involves modifying and extending the existing PFI agreement with EDF. This extension to the contract will be in place from October 2025 for a period of 2+ years. During this time, the Project Team will continue to shape the strategy to expand and decarbonise the Network, with the intention

to procure a long-term delivery partner, through a competitive tender process, beyond the contract extension. The PWF was identified by the Project Team and its Legal Consultant, Sharpe Pritchard LLP, to be the option least likely to hold legal, financial, social and political risks and to deliver maximum benefits to the Council and customers of the Network. It aims to:

- Ensure continuation of services to existing customers to prevent loss of service (heat, billing and maintenance).
- Facilitate a route to decarbonisation and expansion of the network.

The Barkantine PFI Steering Group agrees that an extension to the existing agreement is the best way to ensure the continuation of services and minimise potential disruption to residential and commercial customers. As the incumbent provider, EDF will continue to deliver services, there will not be any period of handover, transfer or mobilisation. EDF has familiarity with the asset and customers, and a strong relationship has been built between the Project Team and relevant professionals at EDF, which will continue post-expiry.

An extension will also assist the Council in meeting its long-term aims to decarbonise and expand the Network, supporting future development on the Isle of Dogs by providing a low-cost, low carbon heat solution to residents and helping the Council to meet its poverty reduction, net zero and housing delivery targets. The extension will provide the Project Team with the crucial time needed, and resource saved from avoiding a short-term change in Provider, to focus on a strategy for decarbonisation and expansion and the specification for the procurement of a long-term delivery partner. This includes the application for grants to make improvements to the Network, in line with recommendations arising from an Asset Condition Survey completed in January 2024.

Another option to deliver heat post-expiry was considered and remains in contingency. This option was to procure a partner to manage the scheme, on a short-term contract of 2 years. The Project Team identified several risks in proceeding with this option as the PWF. Soft market testing undertaken in the summer of 2023, had identified that there was not significant appetite among potential suppliers to bid for a short-term contract. This could result in a non-viable bidder, or no bidders for the post-expiry services. There is a risk that services to customers might be disrupted in this period, resulting in an unpredictable heat loss to residential and domestic users of the Network. Additionally, this option may impede the Council's ability to apply for grants to improve the Network, as such grants require the incumbent supplier, EDF, to facilitate this. It is unlikely this would be completed if EDF would no longer be involved in the Network post-2025.

Section 3: Evidence (consideration of data and information)

What evidence do we have which may help us think about the impacts or likely impacts on residents, service users and wider community?

Contextual evidence

There are a range of contextual factors which impact on residents and are relevant to decision-making related to the Barkantine Heat Network. These include policy and regulatory changes, Council priorities and key issues in the borough.

Heat networks

Heat networks are vital to the government's net zero strategy. In high density areas, such as Tower Hamlets, they are often the lowest cost, low carbon heating option, by offering a communal solution, capturing or generating heat locally, for provision to a range of homes and businesses. By supplying multiple buildings, they avoid the need for individual boilers or electrical heaters in each building. Heat networks are also unique in their capacity to use local sources of waste heat, for example from factories and data centres.

The landscape around district heating is changing, and the government is keen to expand and strengthen the sector. This is via schemes such as the Heat Network Efficiency Scheme (HNES), which provides grant funding to support performance improvements to existing or operational district heating projects. There are also regulatory changes due to come into force, such as the implementation of heat network zoning via the Energy Act 2023. This will designate zones in which heat networks are expected to offer the lowest cost solution for decarbonising heat and provide communities with the tools to accelerate the development of heat networks. Within these zones, larger, non-domestic heat demands will be mandated to connect to heat networks. This is expected to impact on development surrounding the Barkantine Heat Network.

Fuel poverty

As of January 2024, according to the Low-Income Family Tracker dashboard, 12,157 low-income households in Tower Hamlets are in fuel poverty (39% of the total number of low-income households). 15,005 children live in these households. 3.1% of households in Tower Hamlets do not have central heating, which is slightly above the rate in England of 1.5%. The Council is committed to tackling this as Priority 1 of the Strategic Plan: Tackling the cost-of-living crisis. Fuel poverty has

been shown to have significant negative impacts on health and wellbeing, including increasing incidences of respiratory disease and rates of depression.

The housing crisis

The London housing crisis is acute in Tower Hamlets, with more than 19,000 on the waiting list. This is compounded by significant population growth, with the number of residents in the borough increasing by 22.1% between the 2011 and 2021 censuses. Addressing this issue is a key objective for the Council, as laid out in Priority 2 of the Tower Hamlets Strategic Plan 2022-26: Providing homes for the future. This aims to deliver social homes, house the homeless and tackle overcrowding. The London Plan identified the Isle of Dogs and South Poplar as an Opportunity Area, with the potential for 29,000 new homes by 2041. This growth, and the increase in the demand of electricity and heating resulting from it, will present a significant challenge to the Council unless proactive steps are taken to improve the infrastructure in the area, while supporting its wider climate agenda.

The climate crisis

Tower Hamlets Council aims to become a net zero carbon borough by 2045, which presents a significant challenge, as it currently produces the fourth highest level of total carbon emissions in London. The Tower Hamlets Strategic Plan highlights this ambition within Priority 7: A clean and green future, including the desire to move towards low-carbon sources of heat and power.

Protected characteristics

Using data gathered from the 2021 census and borough profile, in addition to other sources, it is possible to build a picture of the specific challenges and vulnerabilities facing protected groups within Tower Hamlets.

Age (all age groups)

Tower Hamlets has a significantly younger population than the rest of England. This is primarily distributed between the 20 – 44 age categories, with a comparatively low number of older people than in England, and a roughly average number of children and people under 19. The pensioner poverty rate in Tower Hamlets (44%) is nearly double that of London (23%) and is currently the highest rate in England. The levels of child poverty in the borough (32.5%) are also nearly double that of London (19%) and is also the highest level nationally.

Housing costs are known to play a significant role in perpetuating child poverty in Tower Hamlets. Around 60% of children live in a house which relies on Housing Benefit. Poverty can stunt physical growth and development in children, shorten

life expectancy and widen achievement gaps. Children are also more vulnerable to negative impacts from fuel poverty and living in a cold or damp environment.

There is also a correlation between age and proficiency in English. Levels of language proficiency are low among older Bangladeshi residents, with around a quarter having low proficiency in the English language. This can make it harder to access suitable healthcare and other services. This may be compounded by high rates of digital exclusion among the elderly, which can present barriers to inclusive service access and participation.

Disability (physical, learning difficulties, mental health and medical conditions)

The population of Tower Hamlets has proportionately fewer residents who identify as disabled under the Equality Act (12.9%) than across the whole of England. This might be due to its younger population, as 72.7% of residents who identify as having a disability in the borough are above 50 years old. There is a correlation between deprivation and disability with 13,731 low-income households (44% of the total number of low-income households) classed as disabled (claiming ESA, DLA or both). 9,890 of these households are claiming the highest level of disability or sickness benefits (claiming higher DLA, higher AA or enhanced PIP). 3,316 children live in these households.

People with a long-term illness or disability are more likely to experience fuel poverty and are vulnerable to negative impacts resulting from a disruption in their heat provision, particularly in winter. More than twice the percentage of people identified as homeless were disabled (44.1%) when compared with the rest of the population of England and Wales (17.5%) and double the percentage of people identified as homeless reported bad or very bad health when compared with the rest of the population of England and Wales (13.2% versus 5.2%).

Sex

Tower Hamlets is unusual in that it has a slightly higher proportion of males (50.2%) in the borough than females (49.8%) compared to England as a whole (49% and 51% respectively). Within the borough's adult population, women are twice as likely as men to have poor proficiency in English, and most older Bangladeshi women (93%) have poor proficiency levels in English.

Gender reassignment (and people with different Gender Identities e.g. Gender fluid, Non-Binary etc)

Around 1% of residents in Tower Hamlets have a different gender identity to their sex registered at birth. This is the same proportion as London, but twice the proportion of the whole of the UK (0.5%).

Marriage and civil partnership

32% of residents in the borough are married or in a registered civil partnership, with 58.3% never having married or registered a civil partnership. A remaining 9.7% residents were separated, divorced or widowed.

Religion or philosophical belief

Tower Hamlets has a significantly different profile in terms of religious belief to England as a whole. Fewer people in Tower Hamlets state they have no religion (26.6%) than in England (36.7%), and significantly fewer responded that they were Christian (22.3% versus 46.3% nationally). Conversely, a far higher proportion of residents identified as Muslim (39.9%) than in England as a whole (6.7%), making it the borough with the highest proportion of Muslim residents in England and Wales. There was correlation between religion and English language proficiency, with a significant number of residents who identified as Muslim or Christian stating that they could not speak English well.

According to the 2021 census, Muslim residents were the least likely to be in long-term employment (both males and females), with female Muslims being significantly less likely than males. Residents who identified their religion as Muslim, particularly those over 50 years old, were much more likely than other religious groups within their age bracket to have ill health.

Race and ethnicity

Tower Hamlets is more ethnically diverse than England and London. Around 40% of the population in Tower Hamlets is White compared to around 53% in London and around 82% in England. Around 34% of the population in Tower Hamlets is Bangladeshi, with 44% identifying as Asian or Asian British. Tower Hamlets also has the third highest Chinese population in the country. 46.8% of residents were born outside of the UK, compared to 17.4% of England's total population and 6.2% of residents in Tower Hamlets cannot speak English well, or at all, compared to 1.9% in England as a whole.

The Black, Asian and Minority Ethnic (BAME) communities in Tower Hamlets face significant challenges related to inequality and deprivation. BAME households account for 78% of all households on the housing register, and a higher proportion of people identified as homeless in the 2021 census identified within the "Black, Black British, Black Welsh, Caribbean or African" (15.0%), "Mixed or Multiple ethnic groups" (5.1%), or "Other ethnic group" (6.1%) high-level categories, when compared with the rest of the population of England and Wales (4.0%, 2.9%, and 2.1%, respectively). 31% of Asian/Asian British and 19% of Black/African/Caribbean/Black British households experience overcrowding. Bangladeshi residents were also the most likely to report that they were in bad or very bad health.

Sexual orientation

A relatively high number of residents identify their sexual orientation as Lesbian, Gay, Bisexual or Other (7.2%), compared to England and Wales as a whole (3.1%).

Pregnancy and maternity

There were 4,381 live births in Tower Hamlets in 2021. By the global standard, giving birth in the UK is safe, but women living in the most deprived areas have the highest maternal mortality rate compared to those living in the least deprived areas. Compared to London, Tower Hamlets has a higher level of low-birth-weight babies, which are an indicator of poor maternal health as well as infant health.

People with care experience

As of March 2023, there were 301 children in local authority care in Tower Hamlets, and the Through Care Service was supporting 457 care experienced young people between the ages of 14 and 25. Children in care are more likely to have Special Educational Needs (SEN). In Tower Hamlets, 34.9% have an Education, Health & Care Plan (EHCP) and 20.9% are with SEN Support (for 2022) This compares to 5.4% of all pupils in all Tower Hamlets schools with an EHCP and 11.6% with SEN Support. 41% of 19–21-year-old care leavers are not in education, employment or training compared to 12% of those who have not experienced care. An estimated 26% of the homeless population have care experience.

Socio-economic

Tower Hamlets is a borough where there is significant inequality. 20.9% of residents are within the highest socio-economic classification, as per the 2021 census data, well above the national average of 12.2%. It is a highly qualified borough, with 50.3% of residents achieving Level 4 qualifications and above, versus 33.9% overall. These positive outcomes are not evenly distributed, however. The proportion of residents who have never worked and are long-term unemployed are 13% in Tower Hamlets but 8.5% in England as a whole, and 53.6% of households are facing at least one dimension of deprivation. 56% of children estimated to be living in low-income families, the highest level of child poverty in the UK. The borough also has the highest level of pensioner poverty in the UK.

Many individuals with protected characteristics can be more vulnerable to experiencing poverty. Several factors are thought to contribute to the high levels of poverty in the borough, including higher levels of household unemployment than average, the high cost of living (especially housing) and the increase in low-paid, insecure work.

Poverty can have a range of impacts, including on an individual's mental and physical health, restrict their education and opportunities, access to housing and increase their risk of experiencing crime. People experiencing poverty are also at a higher risk of digital exclusion, due to a lack of access to devices or digital services, or a lack of skills. This can make it more challenging to access services or participate in certain aspects of society.

Parents/carers

There are 64,200 0–17-year-olds in Tower Hamlets in 2021, amounting to 21% of the population. This suggests that high numbers of people in the borough are parents.

6.4% of residents over 5 years old provide unpaid care in Tower Hamlets. In the UK in general, poverty is particularly high within families where there are adults being cared for, with more than one-third living in poverty. The inability to work is the key driver for much poverty amongst carers. In 2017/18, 36% of working-age carers were not in work, compared with 23% of non-carers.

People with caring responsibilities, whether for dependent children or persons with ill health or disabilities, may be more reliant on social services, and therefore vulnerable to service disruption. They may also find it challenging to balance caring responsibilities and employment, leading to an increased risk that they will experience poverty.

Sources

The following sources were used to obtain the above information:

- [Annual Public Health Report 2022 | London Borough of Tower Hamlets](#)
- [Black, Asian and Minority Ethnic Inequalities Commission Report and Recommendations 2021 | London Borough of Tower Hamlets](#)
- [Borough profile | London Borough of Tower Hamlets](#)
- [Census 2021 | ONS](#)
- [Child Poverty Briefing | London Borough of Tower Hamlets](#)
- [Corporate Parenting Strategy | London Borough of Tower Hamlets](#)
- [Economic Fairness – Fuel Poverty | London Datastore](#)
- [Fuel poverty detailed tables under the Low Income Low Energy Efficiency Indicator | GOV.UK](#)
- [Heat networks | GOV.UK](#)
- [How life has changed in Tower Hamlets: Census 2021 | ONS](#)
- [Inspiring and supporting Tower Hamlets women into leadership | London Borough of Tower Hamlets](#)

- [Isle of Dogs and South Poplar Opportunity Area | London City Hall](#)
- [Language proficiency in Tower Hamlets | London Borough of Tower Hamlets](#)
- [Maternal Report | MBRRACE-UK](#)
- [Official Census and Labour Market Statistics | Nomis](#)
- [Poverty Review 2021 | London Borough of Tower Hamlets](#)
- [Tackling London's housing crisis | London City Hall](#)
- [The London Plan | London City Hall](#)
- [The Tower Hamlets Children and Families Partnership Strategy 2024-2029 | London Borough of Tower Hamlets](#)
- [Tower Hamlets Council Strategic Plan 2022-2026 | London Borough of Tower Hamlets](#)
- [Tower Hamlets State of the Borough 2023 | London Borough of Tower Hamlets](#)
- [Understanding the challenges faced by fuel poor households | GOV.UK](#)

Section 4: Assessing the impacts on different groups and service delivery

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Protected				
Age (All age groups)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>People who are older, or very young, may be more vulnerable if their house experiences a loss of heat, especially in winter. In the event of service disruption, older residents, who may have lower proficiency in English, or face digital exclusion, could find it harder to access support or replacement heat. The stability in service provision provided by the proposal will benefit these residents by reducing the likelihood that they will experience an interruption in heat provision.</p> <p>Additionally, the extension will enable the fulfilment of long-term objectives to expand and decarbonise the Network. This will support Council aims related to tackling fuel</p>

				poverty and the housing crisis, which will benefit children and older residents, who may be more vulnerable to deprivation.
Disability (Physical, learning difficulties, mental health and medical conditions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>People who have physical or learning disabilities, or mental health and medical conditions, may be more vulnerable if their house experiences a loss of heat, especially in winter. The stability in service provision provided by the proposal will benefit these residents by reducing the likelihood that they will experience an interruption in heat provision.</p> <p>People living with disabilities are also more likely to experience poverty, and homeless people are also likely to also have at least one disability. Supporting the expansion and decarbonisation of the Network would benefit these residents by providing a low-cost heat source to reduce fuel bills and a greater number of available houses.</p>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Women in Tower Hamlets are twice as likely to have low English language proficiency than men. In the event of service disruption leading to a loss of heat, these women may be more vulnerable if</p>

				they cannot communicate easily for assistance. The stability in service provision provided by the proposal will benefit these residents by reducing the likelihood that they will experience an interruption in heat provision.
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal will not disproportionately impact on residents who have undergone gender reassignment. In the case that residents identify with one or more other protected characteristics, the impact would be positive.
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal will not disproportionately impact on residents due to their marriage or civil partnership status. In the case that residents identify with one or more other protected characteristics, the impact would be positive.
Religion or philosophical belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Data indicating that residents who identify as Muslim experience greater ill-health. This might make them more vulnerable to a disruption in heat provision. Residents

				without a good proficiency in English might also face barriers to seeking help in this event. The stability provided by the proposal would minimise the risk of service disruption to these residents.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Some residents may have lower proficiency in English, which could impede their access to support in the event of a disruption in heat provision. The data also show that Black, Asian and Ethnic Minority residents face greater health inequalities, which would make them more vulnerable in the event of a heat loss incident. The stability provided by the proposal would minimise this risk.</p> <p>Black, Asian and Ethnic Minority residents are also at a higher risk of experiencing poverty and issues with housing and overcrowding. Supporting the expansion and decarbonisation of the Network would benefit these residents by providing a low-cost heat source to reduce fuel bills and increase housing development, to ease the housing crisis in the borough.</p>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

				The proposal will not disproportionately impact on residents due to their sexual orientation. In the case that residents identify with one or more other protected characteristics, the impact would be positive.
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Women who are pregnant or on maternity may be more vulnerable if their house experiences a loss of heat, especially in winter. The stability in service provision provided by the proposal will benefit these residents by reducing the likelihood that they will experience an interruption in heat provision.
People with Care Experience	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	People with care experience are disproportionately more likely to experience homelessness and fuel poverty. The proposal will support the development of new housing on the Isle of Dogs, some of which will also be social housing. This will benefit people with care experience who may face difficulties accessing housing in the borough. The expansion and decarbonisation of the Network will also continue to provide a low-cost heat solution

				to residents who may be at risk of fuel poverty.
Other				
Socio-economic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Some people may experience fuel poverty because of their socio-economic status or may be at higher risk of homelessness. The proposal will support the development of new housing on the Isle of Dogs, some of which will also be social housing. This will benefit people experiencing poverty, who may face difficulties accessing housing in the borough. The expansion and decarbonisation of the Network will also continue to provide a low-cost heat solution to residents who may be at risk of fuel poverty.
Parents/Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parents and carers in the borough may be at a greater disadvantage in the event of a disruption in service provision leading to a loss of heat, due to the higher risks faced by the people they care for. They may also face challenges in accessing support to deal with heat loss, because of their caring responsibilities. The stability in service provision provided by the proposal will benefit these residents by reducing the

				<p>likelihood that they will experience a loss of heat in their homes.</p> <p>There is also evidence that parents and carers are more vulnerable to facing fuel poverty and issues with housing. Supporting the expansion and decarbonisation of the Network would benefit these residents by providing a low-cost heat source to reduce fuel bills and a greater number of available houses.</p>
<p>People with different Gender Identities e.g. Gender fluid, Non-Binary etc</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposal will not disproportionately impact on residents due to their gender identity. In the case that residents identify with one or more other protected characteristics, the impact would be positive.</p>
<p>Any other groups</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No other groups have been identified who would experience a disproportionate impact resulting from the proposal.</p>

Section 5: Impact analysis and action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Update on progress
If the proposal is approved, no action is needed. In the event the proposal is not approved, and the Council opts for the short-term competitive tender pathway, another EQIA must be completed to assess the impact upon residents.	Complete a further EQIA, in the event that the PWF is not approved and the Council seeks to procure a short-term contract for heat provision.	N/A	Abdul Khan	

Section 6: Monitoring





What monitoring processes have been put in place to check the delivery of the above action plan and impact on equality groups?

Should the Council decide to proceed with the proposal to extend and modify the PFI contract with EDF for 2 years post 2025, no further action needs to be taken, as the impact upon all residents has been assessed as positive or neutral. If the PWF is not approved, the Council may have to progress a second contingency

option of a competitive procurement of a short-term partner to ensure the provision of heat to the Council's residential and commercial customers on the Isle of Dogs. This EQIA has identified that proceeding with this option may present a risk of disproportionate negative impacts upon residents across a range of protected characteristics, and therefore a further EQIA should be completed to fully understand this.

Appendix A

EIA decision rating

Decision	Action	Risk
<p>As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act and appropriate mitigations cannot be put in place to mitigate against negative impact. It is recommended that this proposal be suspended until further work is undertaken.</p>	<p>Suspend – Further Work Required</p>	<p>Red</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.</p>	<p>Further (specialist) advice should be taken</p>	<p>Red Amber</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Impact analysis and action plan</i> section of this document.</p>	<p>Proceed pending agreement of mitigating action</p>	<p>Amber</p> 
<p>As a result of performing this analysis, the policy or activity does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p>Proceed</p>	<p>Green</p> 

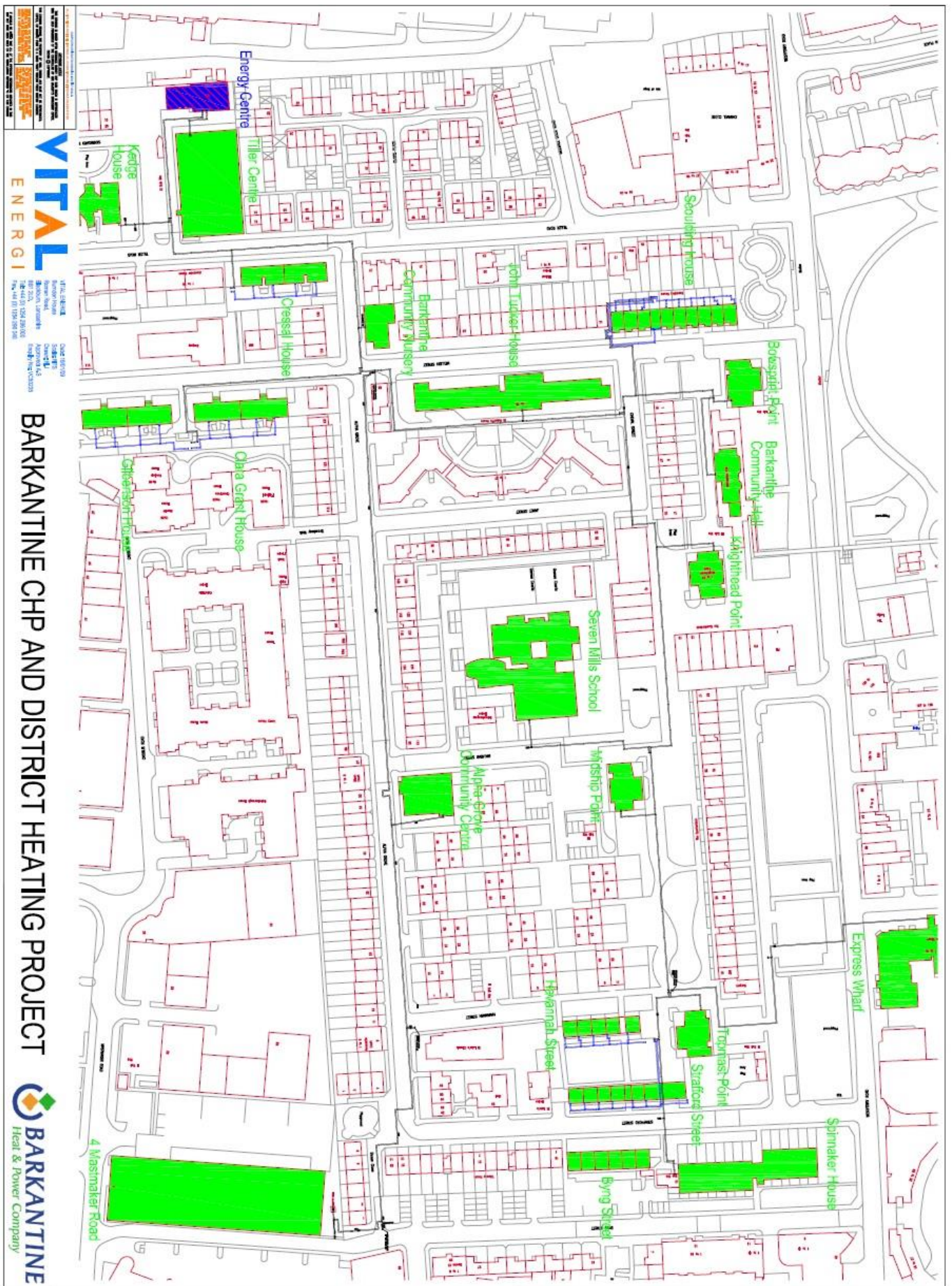
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Appendix 3 - Critical Path – Transitional Period

Activity	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26			
Contract extension PFI	Development of delivery options appraisal	Steering group decision to extend	Development of HOT of extension			Finalise SOC - early March		Cabinet approval of extension	Agree contract modifications with EDF			Contract lead in period / remobilisation of amended services					contingency period			Amend ed customer agreements	PFI expiry										
Review of asset condition	Technical Work on Asset Condition Survey	Asset condition survey	Detailed review of asset condition survey	Development of full asset register (EDF)																											
Funding/Grant Application for asset replacement		Capital Grant Application Developed by EDF						Grant Application Deadline	Application review stage			Asset replacement process																			
Engagement with existing customers	Customer initial engagement			Negotiation & Consultation period						Agreement in principle with existing customers	Undertake any required changes to One Housing Agreement / Confirm no changes for direct agreement between EDF and customers					Amended customer contracts in place	contingency period		Any new customer contracts in place												
Procurement and mobilisation of the decarbonisation	Updated TEF			Finalise SOC - parameters of decarb and expansion option	Preferred way forward		Develop Outline Business Case					OBC in place	Tower Hamlets Approval Processes	Launch PIN / Launch procurement	Procurement process																

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