

**Notice of a public meeting of  
Executive**

**To:** Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic, Ravilious and Webb

**Date:** Thursday, 14 December 2023

**Time:** 5.30 pm

**Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

**A G E N D A**

**Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any decisions made on items\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Monday, 18 December 2023**.

\*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

**1. Declarations of Interest**

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

- (1) *Members must consider their interests, and act according to the following:*

| <b>Type of Interest</b>   | <b>You must</b>   |
|---|---|
| <i>Disclosable Pecuniary Interests</i>  | <i>Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>   |
| <i>Other Registrable Interests (Directly Related)</i><br><b>OR</b><br><i>Non-Registrable Interests (Directly Related)</i> | <i>Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>  |
| <i>Other Registrable Interests (Affects)</i><br><b>OR</b><br><i>Non-Registrable Interests (Affects)</i>                   | <i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being:<br/><br/>(a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and<br/><br/>(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.<br/><br/>In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i> |

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

**2. Minutes** (Pages 1 - 20)

To approve and sign the minutes of the Executive meeting held on 16 November 2023.

**3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Executive.

**Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Tuesday 12 December 2023.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

### **Webcasting of Public Meetings**

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

- 4. Forward Plan** (Pages 21 - 24)  
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
- 5. Lord Mayoralty 2024/25** (Pages 25 - 30)  
The purpose of this report is to invite the Executive to receive details of the annual nomination of the Lord Mayor for the City of York Council. The Executive will be asked to formally confirm those with the most points to qualify for nomination of the Lord Mayor for the forthcoming municipal year, 2024/2025.

**6. Refreshed Governance Arrangements for York’s Human Rights & Equalities Board (HREB)** (Pages 31 - 50)

This report will describe the outputs and recommendations of work undertaken by the Council of the City of York (“CYC”) and York Human Rights City Network (“YHRCN”) to refresh governance arrangements and Terms of Reference (“TOR”) for the HREB.

**7. City of York Council Actions in Response to the York Anti-Racism and Inclusion Strategy** (Pages 51 - 92)

This report provides a plan of action as the City of York Council’s (CYC) response to the Five Year Anti-Racism and Inclusion Strategy which was presented to and approved by Executive and full Council in July 2023.

**8. Reprourement of the Adult Community Wellbeing and Support Service** (Pages 93 - 188)

This report seeks permission to reprocure the City of York Council’s Community Wellbeing and Support contract for Adults for a maximum 7-year value of £6,638,625.

**9. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services officer:

Name: Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- E-mail – [Robert.flintoft@york.gov.uk](mailto:Robert.flintoft@york.gov.uk)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim  
własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

City of York Council

Committee Minutes

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|                        |   |
|------------------------|---|
| Meeting                | Executive   |
| Date                   | 16 November 2023  |
| Present                | Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic and Webb  |
| In Attendance          | Councillor Ayre   |
| Officers in Attendance | Ian Floyd – Chief Operating Officer<br>Bryn Roberts – Director of Governance and Monitoring Officer<br>Debbie Mitchell – Chief Finance Officer<br>Kathryn Daly - Head of City Development<br>David Warburton – Head of Regeneration<br>Nick Collins - Property Manager -Commercial<br>Jamaila Hussain - Corporate Director for Adults and Integration<br>Michael Jones – Head of Housing Delivery and Asset Management<br>Sophie Round - Housing Delivery Programme Manager<br>Maxine Squire - Assistant Director, Education and Skills |
| Apologies              | Councillor Ravilious  |

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## **PART A - MATTER DEALT WITH UNDER DELEGATED POWERS**

### **47. Declarations of Interest (17:32)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Councillor Kilbane confirmed that he had a personal interest in relation to minute 13 Extension of the Young People's Community Wellbeing and Support Service as his partner worked for Safe and Secure Homes (SASH).

**48. Exclusion of Press and Public (17:32)**

Resolved: That the press and public would not need to be excluded for consideration of annex K of agenda item 10.

**49. Minutes (17:34)**

Resolved: That the minutes of the Executive meeting held on 12 October 2023 be approved and then signed by the Chair as a correct record.

**50. Public Participation (17:35)**

It was reported that there had been 7 registrations to speak at the meeting under the Council's Public Participation Scheme. The Committee had also considered 1 written representation from the York BID.

Andrew Dickinson questioned the scientific evidence around the effects of global warming and impact that air pollution had on peoples health. He asked the Executive to start questioning scientific evidence on climate change.

Anna Semlyen stated that the Council required additional policies if it was to meet its target of reducing car journeys by 20% by 2030. She recommended policies such as work place car parking levy, encouraging a reduction in the number of second car homes, and policies that promote alternative healthier forms of travel.

Cllr Nelson welcomed the Councils universal free school meals pilot. She hoped that the pilot would assist in ironing out any issues with early implementation and welcomed that the pilot would be held at Westfield Primary, as this would help some of the most disadvantaged children in the city.

Flick Williams welcomed the proposal to maintain blue badge parking at the castle car park site. Regarding the road layout for Castle Mills and Piccadilly she welcomed segregated cycle lanes but asked that these end at bus stops.



Juliet James highlighted performance data which showed cycling had decreased in York over a number of years. She stated that cycle provision improvements proposed in the Castle Gateways update needed to be the start of improvements across the city.

Denise Craghill welcomed the proposals to maintain the building of Passivhaus standard homes in the Housing Delivery Programme and asked that Passivhaus be extended to building on Castle Mills. She asked how the Council would pay for 100% affordable homes and whether this would impact the Council's ability to manage existing properties.

Chris Donegani raised concerns regarding noise levels from both Spark and development in the Castle Mills area and have negatively affected local residents. He asked that should approval to extensions be provided that officers take the health of residents into account.

**51. Forward Plan (17:59)**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

**52. Finance & performance monitor 2 (18:00)**

The Chief Finance Officer introduced the report, highlighting that the Council had a forecast overspend of £11.1m, with mitigations identified which would reduce the forecast net overspend to £1.1m. She noted that should savings not be identified the Council would need to use reserves, to meet the required savings she also suggested that there should be an expectation of a reduction in some services.

The Executive Member for Finance, Performance, Major Projects and Equalities noted that the Council was in a difficult position similar to many local authorities across the country. She highlighted austerity and a lack of a fair funding review from central government had significantly affected the Council. She

confirmed that the Executive would aim to make decisions on the Council budget in line with the Council Plan.

Resolved:

- i. Note the finance and performance information.

Reason: To ensure expenditure is kept within the approved budget.

**53. Capital Programme Monitor 2 (18:07)**

The Chief Finance Officer introduced the report outlining the projected outturn position for 2023/24. She confirmed that a proposed decrease of £13.009m was detailed in the monitor resulting in a revised capital programme for 2023/24 of £135.736m.

The Executive considered the recommendation in the report and agreed to recommend to Full Council the adjustments in the capital programme.

Resolved:

- i. Noted the 2023/24 revised budget of £135.736m as set out in paragraph 6 and Table 1;
- ii. Noted the restated capital programme for 2023/24 – 2027/28 as set.

Reason: To enable the effective management and monitoring of the Council's capital programme.

**54. Treasury Management and Prudential Indicators 2023/24 Mid-Year Review and Quarter 2 Prudential Indicators (18:10)**

The Chief Finance Officer introduced the report and confirmed that there had been no new borrowing in this financial year. It was also confirmed that the Treasury Management and Prudential Indicators 2023/24 Mid-Year had been considered by the Audit and Governance committee.

Resolved:

- i. Noted the Treasury Management activities to date in 2023/24;
- ii. Note the Prudential Indicators set out at Annex A and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies policies set.

**55. Medium Term Financial Strategy Update (18:12)**

The Chief Finance Officer noted that the medium term financial position of the Council showed serious financial challenges which included a forecast budget gap of £40m over the next four years. The Chief Operating Officer suggested that this was likely the biggest challenge the Council had faced and that budget savings would need to be identified from a low base level of service. He advised that the Council would likely require significant cuts in order to reduce a budget gap of £40m.

The Executive Member for Finance, Performance, Major Projects and Equalities highlighted that the Council was amongst the lowest funded local authorities in the country. She acknowledged the statutory services the Council needed to provide and that the Council would need to make cuts and maximise income in order to maintain those services.

The Executive noted that the reduction in the rate of inflation was positive for the Council as the cost of goods would stop to rise as fast as they had been. The Executive noted that one of funding had been used in previous years to meet budget gaps and that longer term solutions were required. They noted that they would seek to work with city partners to deliver their commitments and would explore new funding opportunities where available.

Resolved:

- i. Agreed the Medium Term Financial Strategy as outlined in this report.

Reason: To ensure the Council meets future financial challenges and produces a robust budget.

**56. Castle Gateway Update (18:28)**

Officers explained that initial approval for the Castle Gateway project was granted in 2018, however, rising interest rates and building costs had negatively affected the delivery of phase one of the project. They confirmed that following a review the report set out a proposed revised plan for the Executive to consider.

The Executive Member for Finance, Performance, Major Projects and Equalities welcomed the review into the project and welcomed that the proposals put forward had considered the response to the My Castle Gateway consultation. She also welcomed the additional green space at the Eye of York, the maintaining of blue badge parking, and the proposal to not continue with plans for a new multi-story car park. She welcomed the extension for Spark York and noted that the Council would work to find a permanent home for Spark. Finally, the tying-in of refurbishment at the Coppergate Centre was welcomed.

The Executive Member for Economy & Transport thanked officers for the report and work on the city centre vision. He noted that the multi-story car park in the original plans was not value for money and was disappointed to have to write of the cost of work on this part of the project. He confirmed that the Council was reviewing parking across the city.

Resolved:

17- 21 Piccadilly

- i. Approved the granting of a further head lease to Spark York of the 17- 21 Piccadilly site for a further 2-year period from and including: 1st November 2024 until and including 31st October 2026;
- ii. Delegated to the Director of Housing, Economy, and Regeneration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), authority to negotiate the

terms of and the entry into of such further lease of the 17-21 Piccadilly site to Spark York.

Reason: To enable the current use to continue in the short term and provide a continued income to the Council, whilst allowing Spark York the opportunity to identify an alternative location in the city.

### Castle Mills

- iii. Confirmed that further work on developing the Castle Mills site is paused and ask officers to investigate appropriate meanwhile use options in parallel with exploring longer term opportunities for the future delivery of 100% affordable housing on this Council owned site;
- iv. Delegated authority to the Director of Housing, Economy and Regeneration (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers) to commission any necessary professional advice required for said work in compliance with the Public Contract Regulations 2015 ('the Procurement Regs') and the Council's Contract Procedure Rules under Appendix 11 of the Council's Constitution ('Council's CPRs'), and to draft, negotiate, and conclude any contractual arrangements and/or legal documentation required for said work.

Reason: To seek an active use for this City Centre site and to progress the Council's objective of 100% affordable housing being delivered on Council owned sites.

- v. Instructed Officers to progress work to secure delivery of the pedestrian/cycle bridge, sustainable travel links, subject to confirmation of funding with West Yorkshire Combined Authority ("WYCA"); updated delivery costings; and all necessary approvals, planning, highways, and bridge agreement.
- vi. Delegated authority to the Director of Housing, Economy and Regeneration (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their

respective delegated officers) to commission any necessary contractors and/or consultants required for said works in compliance with the Procurement Regs and the Council's CPRs, and to draft, negotiate, and conclude any and all such contractual arrangements and/or legal documentation required for said works (including any and all planning agreements and/or highways agreements required; however for the sake of clarity this delegation is not for any requirements of either the Local Planning and/or Highways Authority).

- vii. Delegated authority to the Director of Housing, Economy, and Regeneration and the Director of Environment, Transport and Planning (and their delegated officers) in consultation with both the Director Governance (and their delegated officers) to draft, negotiate, and conclude with WYCA any and all such contractual arrangements and/or legal documentation relating to the funding for the proposed works.

Reason: To maximise use of external funding, previously allocated by WYCA, to deliver city centre connectivity in accordance with the sustainable travel principles of the Local Transport Strategy, with delivery progressed in advance of development of the Castle Mills site, achieving the wider aims of the Castle Gateway masterplan.

### St George's Field Car Park

Resolved:

- viii. Confirmed that the Council will not proceed with the building of a Multi-story car park (MSCP) on St George's Car Park and that officers are to develop proposals which balance: improved parking capacity; pedestrian and cycle connectivity; and coach drop off facilities within a surface level layout. This decision acknowledges that there will be an in-year revenue impact to the Council of up to £1m;
- ix. Delegated authority to the Director of Housing, Economy and Regeneration and the Director of Environment, Transport and Planning (and their delegated officers) in consultation with both the

Director Governance and the Chief Finance Officer (and their respective delegated officers) to commission any necessary professional advice required for said work in compliance with the Procurement Regs and the Council's CPRs, and to draft, negotiate, and conclude any contractual arrangements and/or legal documentation required for said work.

Reason: A MSCP does not represent value for money in terms of providing additional spaces, reconfiguring the surface level parking will provide improved facilities in accordance with the draft Local Transport Plan.

### Castle & Eye of York

- x. Confirmed the re-purposing of the Castle car park to support the delivery of a revised Castle Gateway Masterplan, with retained Blue Badge parking; subject to an updated business case being brought back to Executive for full consideration, and where closure will only occur when a revised Scheme has been approved for delivery;
- xi. Delegated authority to the Director of Housing, Economy and Regeneration and the Director of Environment, Transport and Planning (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers) to commission any necessary professional advice required for the updated business case in compliance with the Procurement Regs and the Council's CPRs, and to draft, negotiate, and conclude any contractual arrangements and/or legal documentation required for said work. A further report to the Executive will be required once the business case has been concluded as it will have a budget impact.

Reason: To enable the Council plan objectives, and Castle Gateway masterplan benefits, to be delivered with parking capacity and city centre traffic reduction prioritised in accordance with the draft Local Transport Plan.

- xii. Confirmed the re-design of the Castle and Eye of York Scheme, with a specific emphasis on the retention of blue badge parking numbers, flexible green space with children's play provision and a keen focus on reducing capital and management costs and the submission of revisions to the planning application;
- xiii. Delegated authority to the Director of Housing, Economy and Regeneration and the Director of Environment, Transport and Planning (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers) to commission any necessary contractors and/or consultants required for said works in compliance with the Procurement Regs and the Council's CPRs, and to draft, negotiate, and conclude any and all such contractual arrangements and/or legal documentation required for said works (including any and all planning agreements and/or highways / bridge agreements as required; however for the sake of clarity this delegation is not for any requirements of either the Local Planning and/or Highways Authority).

Reason: To enable the existing planning application to be revised with a simpler, more affordable Scheme reflecting the more inclusive ambitions of new Council Plan.

#### Coppergate Centre

- xiv. Approved the granting to Mahavir Properties Ltd. of a new headlease for a period of 250 years [from and including the date of grant of such lease] in return for Mahavir: (i) carrying out improvement works to the shopping centre; (ii) transferring to the Council unencumbered ownership of an agreed area of land to the rear of the Coppergate Centre); and (iii) settlement of rent reconciliations on the basis set out in the report (paras 76-77). Upon the grant of the new lease, the existing lease shall be surrendered;
- xv. Delegated to the Director of Housing, Economy, and Regeneration (and their delegated officers), in



- consultation with the Director of Governance (and their delegated officers), authority to negotiate the terms of and the entry into of such surrender and replacement head lease of the Coppergate Centre site to Mahavir Properties Ltd. on the basis of the terms set out in this Report;
- xvi. Agreed to waive the requirements of Rules 11.1.3(iii) and 11.4 of the Council's CPRs in respect of any proposed Leaseholder Development Agreement ("LDA") at the Coppergate Centre site between the Council and Mahavir Properties Ltd., further to Rule 26.1 of the Council's CPRs;
  - xvii. Subject to paragraph 16 of this Report, agreed to delegated authority to the Director of Housing, Economy and Regeneration (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers), authority to negotiate the terms of and the entry into a LDA at the Coppergate Centre site with Mahavir Properties Ltd. on the basis of the terms set out in this Report, in compliance with the Procurement Regs and the Council's CPRs.

Reason: To facilitate investment into the shopping centre and provide land to the Council which will aid the plans for Castle Car Park.

#### **57. Specialist Mental Health Housing and Support (18:55)**

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the report and noted her support to amend the existing Section 75 Agreement with the Integrated Care Board to seek to support individuals with mental ill-health in placements in York rather than more expensive out of area placements. She welcomed the proposed 12- month pilot of 7- units at 92 Holgate Road.

Resolved:

- i. To adopt a phased approach of delivery for the wider programme which significantly includes a 7-unit pilot at 92 Holgate Road for 12-months;

- ii. To enter a service contract with mental health support services provider (the “Provider”) for a Term of 12-months for provision by the Provider from 92 Holgate Road of a 7-unit mental health support service (the “Service Contract”);
- iii. To grant a lease of 92 Holgate Road to the Provider for a Term of 12-months (the “Lease”)
- iv. To amend the existing Section 75 Agreement with the ICB to address changes to the long-term intentions of the Mental Health Housing and Support project and the funding requirements for the 12-month pilot at 92 Holgate Road;
- v. To delegate authority to the Corporate Director of Adult; Services and Integration (“DASS”) (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to:
  1. negotiate the provisions, and conclude the entry into, of the Service Contract and the Lease;
  2. negotiate and approve any required amendments to the existing Section 75 Agreement and arrangements with the ICB on the Council’s behalf; and
  3. negotiate and agree any arrangements and agreements with TEWV, ICB or other stakeholders as may be required including (but not limited to) any alternatives or replacements to the existing ICB Section 75 Agreement if necessary.

Reasons: The reasons for this are as follows:

- a) The Pilot should allow for in-year financial savings against high-cost residential placements.
- b) The delivery of suitable accommodation at the 2-sites previously identified at Woolnough House and Crombie House will take several years. A 7-unit pilot at 92 Holgate Road will enable immediate delivery of the project’s aspirations within a currently vacant resource.
- c) The level and acuity of demand has only increased since the development of the original delivery plan. The Pilot will enable us to go a small way towards meeting this increased level of need.

d) Although the shared house setting is not suitable for people with the highest level of associated risks who require self-contained accommodation, it will increase our ability in the interim to meet the needs of people we have been previously unable to successfully support due to levels of complexity. The pilot cohort will contain a mixture of people who have been in expensive out-of-area residential placements, in long-term NHS rehabilitation placements, people within the resettlement pathway with significant mental health and substance use disorder support needs and people stepping down from Foss Park.

e) This new service will not succeed without the support of other specialist services such as the mental health teams with TEWV, Drug and Alcohol services, police and community safety, primary care and the third sector offer for people with multiple and complex needs. The pilot will provide an opportunity to develop a methodology of how York successfully supports people with multiple and complex needs in a community setting. Work is ongoing with TEWV and other partners to develop what this support will look like. The pilot is an opportunity to develop partner working arrangements whilst managing the risk by working with a smaller cohort of people. These arrangements will be tested and refined over the pilot period ready for the expansion into the final phase of the project.

**58. Delivering More Affordable Housing in York – update on the Housing Delivery Programme (19:07)**

The Head of Housing Delivery and Asset Management and the Housing Delivery Programme Manager introduced the report that sought approval to directly develop 100% affordable housing projects at Ordnance Lane and Willow House, to dispose of land at the former 68 Centre and Woolnough House sites to Registered Provider Partners to deliver 100% affordable housing. as well as,

support for further developing pipeline opportunities through the York and North Yorkshire Housing Partnership and at York Central.

The Executive welcomed the opportunity to deliver 100% affordable housing on Council owned land. The Executive Member for Housing, Planning and Safer Communities highlighted significant challenge to residents in York caused by high rental and house prices. He welcomed the ability to build homes at Ordinance Lane to passivhaus standard due to officers being able to reduce projected building costs. The Executive agreed to recommend to Full Council that Housing Revenue Account (HRA) borrowing be used to purchase 10 homes for the Local Authority Housing Fund (LANF) to assist with rehousing. The Executive also welcomed the Council's involvement with the York and North Yorkshire Housing Partnership.

Resolved:

- i. To seek planning permission at the Ordinance Lane site, with the aim of delivering a 100% affordable housing scheme (with associated communal and commercial spaces);
- ii. That in consultation with the Head of Commercial Procurement (and their delegated officers), to tender a building contract to develop 100% affordable housing, communal and commercial spaces at the Ordinance Lane site, in line with the Council's Contract Procedure Rules ("CPRs"), the Public Contract Regulations 2015 (the "Procurement Regs"), the revised planning permission, and return to Executive with a budget ask following the completion of this process;
- iii. To seek planning permission at the Willow House site with the aim of delivering a 100% affordable housing scheme;
- iv. Accepted the Local Authority Housing Fund ("LAHF") grant funding offer of £1.2m to purchase 10 homes for resettlement and temporary accommodation;
- v. Delegated authority to the Director of Housing, Economy & Regeneration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to

- negotiate the provisions, and conclude the entry into any funding terms and conditions prior to acceptance of the LAHF grant, subject to compliance with the requirements of the Subsidy Control Act 2022;
- vi. To seek to dispose of land at the former Woolnough House care home site to a registered provider for the purposes of developing general needs 100% affordable housing;
  - vii. To seek to dispose of land at the former 68 Centre site to a registered provider for the purposes of developing general needs 100% affordable housing;
  - viii. Delegated to the Executive Member for Housing, Planning and Safer Communities and Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion, the finalisation of the disposal route and evaluation criteria to select a purchaser;
  - ix. Noted that the Council has formally become a member of the 'York and North Yorkshire Housing Partnership', ensuring that the Council's voice is heard in order to influence the type and number of affordable homes developed in the city alongside supporting opportunities for joint working on specific projects and increasing the attractiveness of the sub-region as a place for investment and partnership working to unlock sites for affordable housing;
  - x. To work strategically alongside the co-owners of York Central and the master developer to create a business case around the delivery of affordable housing through the Housing Delivery Programme.

Reason: To deliver more affordable housing in York.

**59. Extension of the Young People's Community Wellbeing and Support Service (19:21)**

The Corporate Director for Adults and Integration introduced the report, outlining the proposal to extend the Community Wellbeing and Support Contract for Young People.

The Executive Member for Children, Young People and Education welcomed the work delivered by Safe and Sound

Homes (SASH) as part of the contract and stated that a 6-month extension would allow the Council to review the Youth Homelessness Pathway.

Councillor Kilbane left the meeting for this item due to his declared interest at minute 49.

Resolved:

- i. To approve the extension of the current Community Wellbeing and Support Contract for Young People with SASH by 6- months until 31st July 2024;
- ii. To delegate authority to the Director of the Corporate Director of Adults and Integration (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers) to draft, negotiate and conclude any necessary documentation with SASH to extend the Contract, in compliance with the terms and conditions of the Contract, the Council's Contract Procedure Rules set out within Appendix 11 of the Council's Constitution ("the Council's CPRs") and the Council's statutory obligations under the Public Contract Regulations 2015 ("the Procurement Regs").

Reasons: To enable the Council to use existing the Contract to both meet current deliverables and enable the Council to stretch its resources, potentially no additional cost, while the Council works to deliver any strategic aims generated by the review of the wider Youth Homelessness Pathway.

To ensure the Contract is extended in compliance with its terms and conditions and in line with the Council's CPRs and statutory obligations.

**60. Delivery of KS2 Universal Free School Meals Pilot Project (19:31)**

The Assistant Director for Education and Skills outlined the proposal for a free school meals pilot at Westfield Primary School and subject to additional funding a breakfast offer for all pupils at Burton Green Primary Academy.

The Executive Leader welcomed the opportunity of the free school meals pilot. The Executive Member for Children, Young People and Education noted support he had seen for the proposal and that starting at Westfield would support some of the most disadvantaged children in the city. They confirmed that fund raising for the project as part of the established community fund was available. They noted that they would work with schools to introduce auto enrolment for free school meals for those currently eligible via central government funding. They confirmed that the Council would continue working alongside head teachers and noted that due to this partnership working the potential breakfast plot was considered.

Resolved:

- i. that implementation of the pilot project that focuses on delivery of a lunchtime offer at Westfield Primary School, subject to the pilot remaining within available funding, between January 2024 and December 2024 is approved;
- ii. that subject to additional funding from the Community Fund being found, a breakfast offer for all pupils attending Burton Green Primary Academy is piloted for the period January 2024 to December 2024 is approved; and
- iii. to delegate authority to the Corporate Director for Children's and Education, (and their delegated officers) in consultation with the Director of Governance and the Chief Finance Officer (and their respective delegated officers) to assist the pilot schools (and their respective Trusts) to negotiate, draft and conclude any necessary contractual arrangements with existing catering contractors at the schools to implement the pilot project, including (but not limited to) any necessary amendments, changes, extensions, modifications, updates and/or variations to any existing contractual arrangements, in line with the Council's obligations under the Public Contract Regulations 2015 (the "Procurement Regs") and the Contract Procedure Rules set out in Appendix 11 of the Council's Constitution (the "Council's CPRs"), as well as any contract procedure

- rules and/or standing orders of the chosen schools and (where applicable) their Trusts; and
- iv. to delegate authority to the Corporate Director for Children's and Education, (and their delegated officers) in consultation with the Director of Governance and the Chief Finance Officer (and their respective delegated officers) to commission and negotiate, draft and conclude any necessary contractual arrangements (including (but not limited to) any necessary amendments, changes, extensions, modifications, updates and/or variations thereto) with the University of York to provide assistance with the collection and analysis of qualitative and quantitative data sets from the pilot project, in line with the Council's obligations under the Procurement Regs and the Council's CPRs, as well as any contract procedure rules and/or standing orders of the chosen schools and (where applicable) their Trusts.

Reason: to provide more detailed information to inform the planning of any future scale up of the project due to the contrast in circumstances of the proposed pilot schools. The pilot will also be used to explore the financial sustainability of the delivery of the school meals offer, both at Westfield Primary School and to fully understand the implications and benefits of any future full city implementation.

## **PART B - MATTERS REFERRED TO COUNCIL**

### **61. Capital Programme Monitor 2 (18:07)**

The Chief Finance Officer introduced the report outlining the projected outturn position for 2023/24. She confirmed that a proposed decrease of £13.009m was detailed in the monitor resulting in a revised capital programme for 2023/24 of £135.736m.

The Executive considered the recommendation in the report and agreed to recommend to Full Council the adjustments in the capital programme.



Recommended:

- i. To Full Council the adjustments resulting in a decrease in the 2023/24 budget of £13.009m as detailed in the report and contained in Annex A.

Reason: To enable the effective management and monitoring of the Council's capital programme.

**62. Delivering More Affordable Housing in York – update on the Housing Delivery Programme (19:07)**

The Head of Housing Delivery and Asset Management and the Housing Delivery Programme Manager introduced the report that sought approval to directly develop 100% affordable housing projects at Ordnance Lane and Willow House, to dispose of land at the former 68 Centre and Woolnough House sites to Registered Provider Partners to deliver 100% affordable housing, as well as, support for further developing pipeline opportunities through the York and North Yorkshire Housing Partnership and at York Central.

The Executive welcomed the opportunity to deliver 100% affordable housing on Council owned land. The Executive Member for Housing, Planning and Safer Communities highlighted significant challenge to residents in York caused by high rental and house prices. He welcomed the ability to build homes at Ordnance Lane to passivhaus standard due to officers being able to reduce projected building costs. The Executive agreed to recommend to Full Council that Housing Revenue Account (HRA) borrowing be used to purchase 10 homes for the Local Authority Housing Fund (LANF) to assist with rehousing. The Executive also welcomed the Council's involvement with the York and North Yorkshire Housing Partnership.

Recommended:

- i. To full council a contribution of £1.47m of Housing Revenue Account (HRA) borrowing to enable the purchase of up to 10 homes for the Local Authority Housing Fund (LAHF) programme.

Reason: To deliver more affordable housing in York.

Cllr Douglas, Chair

[The meeting started at 5.31 pm and finished at 7.49 pm].

## Forward Plan: Executive Meeting: 14 December 2023

**Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 25 January 2024**

| Title and Description  | Author          | Portfolio Holder  |
|--|-----------------|---|
| <p><b>Capital &amp; Investment Strategy</b></p> <p>Purpose of Report: To set out a framework for all aspects of the council's capital and investment expenditure including prioritisation, planning, funding and monitoring.</p> <p>Members will be asked: To recommend the strategy to full council</p> | Debbie Mitchell | Executive Member for Finance, Performance, Major Projects, and Equalities |
| <p><b>Purpose of Report:</b></p> <p>To present the capital programme, including detailed scheme proposals.</p> <p>Members will be asked: To recommend the proposals to full Council</p>  | Debbie Mitchell | Executive Member for Finance, Performance, Major Projects, and Equalities |
| <p><b>Capital Programme Update monitor 3</b></p> <p>Purpose of Report: To provide members with an update on the capital programme.</p> <p>Members are asked: To note the issues and recommend to Full Council any changes as appropriate.</p>  | Debbie Mitchell | Executive Member for Finance, Performance, Major Projects, and Equalities |

| <b>Title and Description</b>  | <b>Author</b>                                     | <b>Portfolio Holder</b>  |
|---|---|--|
| <p><b>Finance &amp; performance monitor 3</b></p> <p>Purpose of Report: To present details of the overall finance and performance position.</p> <p>Members will be asked: To note the report.</p>   | <p>Debbie Mitchell<br/>and Ian<br/>Cunningham</p> | <p>Executive<br/>Member for<br/>Finance,<br/>Performance,<br/>Major Projects,<br/>and Equalities</p> |
| <p><b>Financial Strategy 2024/25</b></p> <p>Purpose of Report: To present the Financial Strategy, including detailed revenue budget proposals.</p> <p>Members will be asked: To recommend the proposals to full Council.</p>  | <p>Debbie Mitchell</p>                            | <p>Executive<br/>Member for<br/>Finance,<br/>Performance,<br/>Major Projects,<br/>and Equalities</p> |
| <p><b>Treasury Management Quarter 3 Prudential Indicators</b></p> <p>Purpose of Report: To provide members with an update on the treasury management position.</p> <p>Members will be asked to: Note the issues and approve any adjustments as required to the prudential indicators or strategy.</p> | <p>Debbie Mitchell</p>                            | <p>Executive<br/>Member for<br/>Finance,<br/>Performance,<br/>Major Projects,<br/>and Equalities</p> |

| Title and Description   | Author          | Portfolio Holder  |
|---|-----------------|---|
| <p data-bbox="91 181 1160 225"><b>Treasury Management Strategy Statement 2024/25 - 2028/29</b></p> <p data-bbox="91 300 1337 427">Purpose of Report: To set out the treasury management strategy, including the annual investment strategy and the minimum revenue provision policy statement and prudential indicators.</p> <p data-bbox="91 502 1200 545">Members will be asked: To recommend the strategy to full Council.</p> | Debbie Mitchell | Executive Member for Finance, Performance, Major Projects, and Equalities |

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 20 February 2023**

None currently listed.

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|                      |                                       |
|----------------------|---------------------------------------|
| <b>Meeting:</b>      | Executive                             |
| <b>Meeting date:</b> | 14/12/2023                            |
| <b>Report of:</b>    | Bryn Roberts – Director of Governance |
| <b>Portfolio of:</b> | Councillor Douglas - Executive Leader |

## **Decision Report: Lord Mayoralty 2024/25**

### **Subject of Report**

1. The purpose of this report is to invite the Executive to receive details of the annual nomination of the Lord Mayor for the City of York Council. The Executive will be asked to formally confirm those with the most points to qualify for nomination of the Lord Mayor for the forthcoming municipal year, 2024/2025

### **Pros and Cons**

2. A clear and simple process for the selection of a Lord Mayor is essential in the interests of public transparency and secures the full and proper engagement of all parties in the appointment of a Lord Mayor for the City. Failure to adopt a universally accepted process would potentially arise in disputes regarding the integrity of any appointments made.

### **Policy Basis for Decision**

3. The appointment of the Lord Mayor in York is a fundamental part of the city's continuing historic traditions. The role of Lord Mayor is firmly enshrined in the Council's Constitution, as an ambassador for the city and its cultural and economic ambitions. As such, the appointee will play an active part in promoting all the Council's priorities.

## Recommendation and Reasons

4. Members are asked to:
  - i. consider the accumulated points system as set out in paragraphs 3-6 below; and to;
  - ii. invite the Labour Group to consider accepting the nomination for Lord Mayor for 2024/2025, in line with the accumulated points system.

Reason: To ensure that the Council adopts an appropriate method by which to nominate Lord Mayors for Office.

## Background

5. The system for nominating the Lord Mayor is based on an accumulation of points determined by the number of seats held by each group or individual on the Council. The group (or individual) having the largest cumulative total of points on Lord Mayor's Day each year is invited to nominate the Lord Mayor for the following year. A group (or individual) loses 47 points when nominating the Lord Mayor or when not taking up the offer of nominating. It should be noted that currently a nominee for Lord Mayor requires at least four years' service as a City of York Councillor, and should be elected to serve a further term. (Article 5 of the Constitution, revised March 2022).
6. Should a group lose all its seats on the City Council, it may have any accumulated points frozen until seats are once again gained by that group on the Council.
7. Under the current points system, the number of points accumulated by each group or independent Member, as we move towards the Annual Meeting in May 2024, is as follows:

| <b>Party</b>  | <b>Points at LM Day 2023</b> | <b>Loss for LM 23/24</b> | <b>Points at LM Day 2024</b> | <b>Total</b> |
|---------------|------------------------------|--------------------------|------------------------------|--------------|
| Labour        | 18                           |                          | 18 + 24                      | 42           |
| Lib Dem       | 23                           | -47                      | 23 + 19 - 47                 | -5           |
| Conservatives | 5                            |                          | 5 + 3                        | 8            |



|  |  |  |        |     |
|--|--|--|--------|-----|
| Councillor<br>Warters<br>(Independent) | -37 (inc -47 for<br>non<br>acceptance in<br>23/24) |  | -37 +1 | -36 |
|--|--|--|--------|-----|

8. The above table shows that the Labour Group, with a total of 42 points, will qualify for the Lord Mayoralty in 2024/2025 under the existing points system.
9. Traditionally, the outgoing Lord Mayor assumes the mantle of Deputy Lord Mayor following their year in office. This is to ensure there is an experienced Member to chair meetings of Full Council, should the incumbent Lord Mayor be absent for any Council meetings during their term. Otherwise, the role of Deputy Lord Mayor is very minimal, given that the civic standing of York requires it to have a Sherriff to work alongside and share duties with the Lord Mayor during their year of office.

## Consultation Analysis

10. No consultation has been necessary on the preparation of this report which follows customary practice in relation to the selection of a Lord Mayor. The qualifying Group will undertake its own consultative exercises within the Group as part of its process for securing its nominee for the role.
11. Once the Group has reached an agreement for its nomination to the Office of Lord Mayor, the Leader of the Group will make a formal announcement with their nominee at a forthcoming meeting of the Council, prior to the Annual Meeting being held.

## Options Analysis and Evidential Basis

12. Under the existing points system, the available option to Members is to invite the Labour Group to consider their nomination for the office of Lord Mayor for the Municipal Year 2024/2025, in line with the accumulated points system, set out in paragraphs 3-7 above.

13. The nomination of a Lord Mayor is an annual event which is undertaken by way of a points system (to ensure a fair and robust outcome). This system has been in place for many years and has operated successfully in terms of rotating the role and honour of becoming Lord Mayor on a cross party basis.
14. In accordance with customary practice, the Leader of the nominating Group will announce their nominee at a forthcoming meeting of Full Council prior to the Annual Meeting, as outlined in paragraph 11 above.

## **Organisational Impact and Implications**

15. There are no direct implications in relation to financial, human resources, legal or equalities arising from the recommendations in this report.

## **Risks and Mitigations**

16. Failure to appoint a Lord Mayor in the second most traditional city outside of London could have a significant impact on the Council's reputation in terms of maintaining its civic heritage. It is important that an equitable and robust system is applied to the nomination process.

## **Wards Impacted**

17. All Wards.

## **Contact details**

For further information please contact the authors of this Decision Report.

### **Author**

|                      |                                 |
|----------------------|---------------------------------|
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| <b>Job Title:</b>    | Democratic Services Team Leader |
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|                         |            |
|-------------------------|------------|
| <b>Report approved:</b> | Yes        |
| <b>Date:</b>            | 02/11/2023 |

## Background papers

- None

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|                      |   |
|----------------------|---|
| <b>Meeting:</b>      | Executive   |
| <b>Meeting date:</b> | 14 December 2023  |
| <b>Report of:</b>    | Laura Williams – Assistant Director<br>Customer, Communities and Inclusion                                |
| <b>Portfolio of:</b> | Cllr Lomas – Executive Member for<br>Finance, Performance, Major Projects,<br>Human Rights and Equalities |

## Refreshed Governance Arrangements for York’s Human Rights & Equalities Board (“HREB”)

### Subject of Report

1. This report will describe the outputs and recommendations of work undertaken by the Council of the City of York (“**CYC**”) and York Human Rights City Network (“**YHRCN**”) to refresh governance arrangements and Terms of Reference (“**TOR**”) for the HREB.
2. This will allow the board and its members to move forward in ensuring that York delivers against its commitment as a Human Rights City.
3. The report also contains a brief response to the York Human Rights City Network’s Annual Indicator Report (2022) and outlines plans to develop a Human Rights and Equalities Analysis Tool and associated training.

### Benefits and Challenges

4. The key benefits of making the decisions outlined in this report are:
  - I. Re-establish an expert group who will be able to assist in policy development at a critical time for York.

- II. Benefit from the expertise of the world leading Centre for Applied Human Rights in developing and refining both the Council's Human Rights and Equalities Analysis ("HREA") and human rights training.

## **Policy Basis for Decision**

5. The new Council Plan, which was adopted in September 2023, contains four core commitments to enable it to deliver the vision for the next four years. The first of these is 'Equalities and Human Rights - Equality of Opportunity'.
6. The commitment states: 'We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.'
7. Having the HREB in place will enable CYC to draw on the experience of partners in the city, who will act as 'critical friends', and to effectively hold itself to account.

## **Financial Strategy Implications**

8. Once the HREB is reconvened, and the new HREA is in place, there will be a need for a dedicated equalities resource within the Council and therefore associated staffing costs which will be contained within existing budgets. Resources within the Communities Team are being reviewed to create some capacity to support EDI and Human Rights work corporately. The work across all directorates could be considerable in terms of meeting statutory equalities and human rights responsibilities, including the need for additional training resources to support the delivery of these responsibilities.
9. In light of the Council's current financial challenge, funding any growth in this area of work will require compensatory savings to be identified elsewhere across the Council.

## **Recommendations and Reasons**

### **10. Recommendations:**

That Executive:

- a) Approve the refreshed governance arrangements included in this report including the new Terms of Reference for the Human Rights and Equalities Board at **Annex A**.

b) Note the response to the YHRCN Annual Indicator Report.

c) Note the plans for developing Human Rights & Equality Analysis (“**HREA**”) to support decision-making and plans for subsequent officer training.

11. **Reason:** To allow the Human Rights and Equalities Board and its members to move forward in ensuring that York delivers against its commitment as a Human Rights City.

## **Background**

12. On 24<sup>th</sup> April 2017, the Lord Mayor of York signed a declaration making York the UK’s first Human Rights City. The declaration states that it marks an ambition, not a destination, and as such work on the human rights agenda should be ongoing, with human rights and equalities at the heart of policy and decision making in the city.

13. On 31<sup>st</sup> January 2023, a report was taken to the Decision Session of the Executive Member for Culture, Leisure, and Communities on the Council’s recommitment to York as a Human Rights City (see **Background Papers**). This followed significant discussions to reset the relationship between CYC and the YHRCN following a fundamental breakdown because of City Centre Access decisions made in 2021.

14. One of the recommendations approved by the Executive Member was to commit to moving forward in agreement with YHRCN with a refreshed structure for the Human Rights and Equalities Board produced by a joint task group. This report, along with the refreshed Terms of Reference (**Annex A**), is the culmination of that work.

15. There was also a commitment to respond to the Annual Indicator Report, which is included below.

## **York’s Human Rights & HREB**

16. The full Terms of Reference for the HREB are included at **Annex A**, and significant changes to note are:

I. There will be co-chairs moving forward to address any conflict issues, particularly where the Board disagrees with a decision of the CYC Executive. The co-chairs will be the relevant portfolio

lead Executive Member and one Independent Chair, elected annually from within the membership of the board.

- II. Reviewing a sample of CYC's Human Rights and Equalities Analyses used in CYC policy decision-making to identify learning, areas for improvement and to recommend training as required, has been added to the remit.
- III. The HREB will now consider any "**Declaration of Incompatibility**" which is submitted from the YHRCN Steering Group, prepare commentary and guidance on its contents, and provide that commentary and guidance to the Leader of the Council and the Chair of the Corporate Services, Climate Change, and Scrutiny Management Committee, either of whom may choose to refer the issue for consideration by scrutiny.

## **York Human Rights City Network's Annual Indicator Report (2022) 'Human Rights in York: Seeking to Rebuild'**

17. Since 2016, the YHRCN has produced an annual indicator report to measure York's journey to becoming a Human Rights City. The report measures indicators in 5 key areas, which were developed in partnership with CYC, North Yorkshire Police and the voluntary sector. In the January 2023 report CYC committed to respond to each indicator report and report back to Executive.
18. The recommendations contained in the report, along with the CYC response, are detailed below:

### **Earnings Gap**

- **YHRCN Recommendation** – *"...to make the city more resilient to economic shocks such as the cost of-living crisis, we recommend that employers in York work towards paying their employees the Living Wage Foundation's Real Living Wage (£12:00 per hour). We also recommend that the Council does what it can to encourage this."*

### **Gender Pay Gap**

- **YHRCN Recommendation** – *"We recommend that the Council carry out research into the particular issues underlying wage inequality in York, so that strategies can be developed in order to tackle this issue. We also recommend that economic policy planners ensure that the problem of*



*tackling gender-related wage disparity is foregrounded in their work.”*

- **CYC Response** – CYC is proud that gap between wages for men and women in CYC is very low (The mean gender pay gap for CYC is 0.6% [0.6%] and the median gender pay gap for the Council is -0.4% [-0.5%]). This has been the case for quite some time and CYC is committed to ensuring this does not change significantly in the future.

A key priority in the Council Plan is ‘A fair thriving, green economy for all’. CYC has been a Living Wage employer since 2013, and in 2021 joined a movement of organisations in York when it signed up to the Good Business Charter, which requires accredited organisations to pay the Living Wage as part of a series of 10 commitments. York subsequently became the first Good Business Charter City, with the local NHS Trust, both Universities, Aviva and the Joseph Rowntree Foundation being a key part of that accreditation and all signing up to the GBC themselves. At time of writing, 96 York organisations and businesses become GBC accredited, with a [list](#) maintained on the Council website, alongside a complementary list of 54 [Real Living Wage employers in York](#). CYC continues to encourage all businesses to consider this step as a means of boosting employee morale and productivity, fighting the cost-of-living crisis, and attracting new staff. York Economic Partnership has established a Good Business Task and Finish group and, among other priorities, will be working to expand GBC membership in York.

### **Attainment Gap**

- **YHRCN Recommendation** – *“We encourage the Council to build upon its efforts to lower the attainment gap in York and recommend that it consider whether greater efforts could be made to tackle the financial barriers to education.”*
- **CYC Response** - Even though CYC has made progress in improving attainment outcomes for children from disadvantaged backgrounds through our work to improve speech, language and communication in the early years, the gap remains too wide, and CYC still has more to do. A key commitment in addressing the financial barriers highlighted

in the indicator report is the KS2 Universal Free School Meals Pilot, which was considered at Executive on 16<sup>th</sup> November 2023. A healthy breakfast or lunchtime meal can improve academic performance, including school attendance, which impacts on achievement and attainment. Research shows that providing a healthy school breakfast is a cost-effective way to increasing attainment, bringing 2-months of additional progress in an academic year for KS1 pupils (Crawford et al. 2016) and two grades higher at GCSE (Adolphus et al. 2019).

### Disaggregated Data

- **YHRCN Recommendation** – *“We [therefore] recommend that the Council work with civil society groups, and others, to identify areas where there are gaps in information, and to determine what new kinds of data are needed.”*
- **CYC Response** – Publishing data can be costly, but CYC recognises the need, as custodian of the city’s data, to try and do as much of this as possible. Suggestions for new datasets can be submitted via the contact form at <https://www.yorkopendata.org/faqs/>. The CYC Communities’ Team and Ward Councillors will continue to work with groups across the city to identify gaps and flag those to the Business Intelligence Team. Similarly, if any group would like a conversation with the Business Intelligence team directly, the request can be submitted at the above link. There are no planned events around Open Data, but this could be resourced and advertised in 2024.

### Accessible Information

- **YHRCN Recommendation** – *“We [therefore] welcome the Council’s endeavours to increase digital inclusion in York. We urge the authority to devote the requisite resources to that project so that those who wish to interact with public services through digital means have the capacity to do so. However, not everyone has the capability, or the desire to interact in this way. We therefore encourage the Council to make all efforts to ensure that a variety of formats are available through which York’s residents can interact with the public sphere.”*

- **CYC Response** - 100% Digital York is a partnership of organisations which aims to give residents in York the choice and opportunity to get online and know where to access help when they need it. We want everyone to understand how digital can benefit them, be able to gain the skills they need to make the most of digital and get connected. We also recognise that some people may not be able to get online, no matter how much support they are given, at a time when there is more focus on digital delivery of services than ever before. Teams continue to look at the most effective ways to provide non-digital support and improve accessibility.

## **Human Rights and Equalities Analysis Tool**

19. An Equalities Assessment, or Analysis, is an evidence-based approach designed to help organisations ensure that their policies, practices, events, and decision-making processes are fair and do not present barriers to participation or disadvantage any protected groups from participation.
20. CYC currently uses an Equalities Impact Assessment (“**EIA**”) Tool during the initial stages of developing new strategies, policies, functions, or services, prior to starting a procurement exercise and before decisions are made.
21. This tool does include a section for Human Rights Impacts to be considered, but it is not always used effectively. We would like to bring this to the fore and will be working with the University of York’s Centre for Applied Human Rights (“**CAHR**”) to develop a new Human Rights and Equalities Analysis Tool.
22. To develop this tool, CAHR will work alongside Council officers on the second phase of the City Centre Access Consultation. Using the access workshops and recommendations to inform that development means that the Centre has a “live” example to design the tool and stress test thinking.
23. Once complete, the HREA will replace the EIA at CYC in all circumstances. As referenced in the HREB TOR at **Annex A**, the HREB will look at a random selection of completed HREA on a regular basis to look for learning points, good practice and identify any training needs.

## **Human Rights Training**

24. In addition to the support provided to develop the HREA the CAHR has provided training for both Members (during the 2023 Member Induction Programme) and Chief Officers.
25. A version of this training, with particular focus on proportionality in decision making using the new HREA tool will be rolled out across CYC over the next year.

## **Consultation Analysis**

26. The Leader, Deputy Leader, and portfolio holder along with senior officers, including the Chief Operating Officer, have met with the YHRCN Executive to develop the proposals included in this report.
27. The work to refresh both the TOR and governance arrangements for the HREB was undertaken by a task group made up of members of the YHRCN Executive, CYC and other members of relevant civil society groups, such as Inclusive Equal Rights UK, reflecting our commitment to partnership working and co-production.
28. The draft TOR was shared with the YHRCN Steering Group for their consideration. YHRCN is a civil society partnership hosted jointly by York CVS (Centre for Voluntary Service) and the CAHR at the University of York. York CVS roots the Network within York's vibrant civil society. CAHR roots the Network in wider human rights discourse.

## **Options Analysis and Evidential Basis**

### **Options**

29. The three options Members could consider in respect of this report are below:
  - I. Option 1 – To agree the recommendation at paragraph 10a and reconvene the HREB.
  - II. Option 2 – To suggest an alternative governance structure or mechanism to consider Human Rights issues in the City.
  - III. Option 3 – To disband the HREB.

## Analysis

30. It is recommended that Executive progress Option 1 and agree the recommendations at paragraph 10a.
31. When the Lord Mayor signed the declaration making York a Human Rights City in 2017 it was the result of six years hard work and campaigning by civil society. It was recognised that this marked an ambition, not a final destination.
32. The two-year period that the HREB has now been inactive is a significant disturbance to that journey and it is vital to the Equalities and Human Rights commitments contained in the Council Plan that it is reconvened as soon as possible. The recommendation of the Steering Group and task group involved in the development of the TOR is to reconvene on this basis recognising that prior to city centre access decisions in 2021 the HREB partnership worked well.
33. Option 2, to suggest an alternative structure, is not recommended given that the HREB format worked very well until 2021 and the governance arrangements and TOR are the result of co-production between YHRCN, CYC and civil society. It would also result in further delay to the City's ambitions around being a Human Rights City.
34. Option 3, to disband HREB, would further damage the relationship between CYC and YHRCN and leave CYC without a mechanism to hold itself to account and draw on the incredible experience and expertise that partners have to offer in this area and is therefore not recommended.

## Organisational Impact and Implications

35.
  - **Financial** – The financial implications are outlined in paragraph 8 above. Whilst the staffing costs will remain within existing budgets, further resources will be needed for training purposes across all equalities responsibilities.
  - **Human Resources (HR)** - An additional post will be created to lead EDI in the council, including work to support the HREB. Resources will be built into the Equalities, Access & Inclusion Team in the new financial year. The renewed focus

on Human Rights and Equalities will positively impact staff as well as residents.

- **Legal** –As this decision will likely impact more than one ward within the city it should be classed as a Key Decision per Article 7.3 of the CYC Constitution. The Executive are therefore the appropriate body to take any decision related to the matters discussed in this report.

As in the report to the Executive Member Decision Session that took place on 31<sup>st</sup> January 2023, the continuation of the Human Rights City commitment will assist in demonstrating CYC's consideration of the human rights impacts of both the Executive and non-Executive decisions taken by CYC.

Article 7.2.1 of the CYC Constitution requires that all decisions taken on and behalf of the Council will made respect for human rights and equality of opportunity.

It is noted from the proposed amendments to the TORs in **Annex A**, that as part of its remit the HREB will be able to consider any "Declaration of Incompatibility" submitted by the YHRCN Steering Group, and then prepare commentary and guidance on its contents, and provide that commentary and guidance to the Leader of CYC and the Chair of the CYC Corporate Services, Climate Change, and Scrutiny Management Committee, either of whom may then choose to refer the issue for consideration by Scrutiny.

In the event that both the Leader of the Council and the Chair of the Corporate Services, Climate Change and Scrutiny Management Committee do not, within a period 2-months, refer the Declaration of Incompatibility, and the associated commentary and guidance, for consideration by Scrutiny, the HREB may then choose to refer the matter to all the Group Leaders of the Council, who in whom may choose to refer the issue for consideration by Scrutiny.

As per Section 11 of the Scrutiny Procedure Rules under Appendix 5 of the CYC Constitution, only Councillors have the ability to request that a decision be subject to call-in.

The proposed amendment to HREB TORs does not in Legal's view directly conflict with the CYC Constitution (including, but not limited to Articles 7 (Decision Making), 8

(Scrutiny) and the relevant procedure rules in Appendices 3 to 6), so long as submission of any matters raised by HREB to Scrutiny are done so via the proper channels. That being said, in line with *Wednesbury* principles, the Council's discretion to take decisions, which at times may be contrary to the expressed views of the HREB or the YHRCN, cannot be fettered in any way, and members of Executive or Scrutiny should not allow any declarations, commentary, or guidance from HREB or any other outside body to predetermine or colour their opinion in anyway.

- **Procurement** – There are no direct procurement impacts contained in this report. However, protected characteristics can be focused on when considering social value in procurement and the new HREA Tool will be used prior to starting a procurement exercise.
- **Health and Wellbeing** – The UK is a signatory to the International Covenant on Economic, Social and Cultural Rights (ICESCR). This means the UK is bound, in international law, to protect the right to health. The HREB will support the Council Plan ambition of a 'health generating city for children and adults' and the new HREA tool will consider health impacts. The Public Health team will support the development of this tool.
- **Environment and Climate action** - In a resolution of 8 October 2021, the UN Human Rights Council (UNHRC) recognised that access to a healthy and sustainable environment is a universal right. Although nonbinding, this resolution could be a first step towards filling a significant gap in international law. The HREB and the new HREA Tool will support CYC to ensure that the financial burden of climate action is not carried by those groups who can least afford it. YHRCN are also giving thought to an additional indicator to reflect this focus on climate action.
- **Affordability** – Article 25 of the Universal Declaration of Human Rights (UDHR) states '*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in*

*circumstances beyond his control*. The HREB and the new HREA Tool will support CYC to ensure that the core commitment of affordability is met, so that everyone who lives in York benefits from the success of the city, targeting support at those who need it most and supporting communities to build on their own strengths and those of the people around them.

- **Equalities and Human Rights** - The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). Equalities Impact Assessments/Analysis should be completed during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made. They can also be used to aid delivery of other projects or schemes. As this report seeks to improve both the Council's governance around Human Rights and Equalities and the development of a new Human Rights and Equalities Analysis Tool, there will be significant positive impacts for all those protected under the Equalities Act 2010 and Human Rights Act if the recommendations in the report are taken forward.
- **Data Protection and Privacy** - As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions AD-01633.
- **Communications** The communications service annual plan is being developed to take account of the commitments of the newly adopted council plan, 'One City for all', and consequently work done by the to create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths will be intrinsic to communications activity. In relation to this specific report and



the recommendations within it communications activity is likely to be restricted to media management.

- **Economy** - There are no direct economic impacts contained in this report. However, Article 23 of the Universal Declaration of Human Rights (UDHR) states '*Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.*' The work of the HREB will support the Council Plan ambition of a 'fair, thriving, green economy for all'. Any work undertaken as a response to recommendations of the HREB, or the annual Human Rights Indicator Report, will be considered in line with resource available.

## **Risks and Mitigations**

35. The main risks that have been identified associated with the proposals contained in this report are those which concern effective partnership working and York's Human Rights City status.
36. To not move forward with this commitment to a refreshed Human Rights and Equalities Board would significantly impact the Council's ability to deliver on key commitments to Human Rights and Equalities. The board will bring together partners who are experts in their field and allow council decisions to receive proper scrutiny and robust, constructive challenge.

## **Wards Impacted**

All

**Contact details:**

For further information please contact the author of this Decision Report.

**Author**

|                         |  |
|-------------------------|--|
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| <b>Report approved:</b> | Yes  |
| <b>Date:</b>            | 05 December 2023                                       |

**Background papers**

- Decision Session – Executive Member for 2023 Culture, Leisure and Communities, 31 January 2023 ‘*City of York Council - Human Rights City Commitment Strategy*’ [Report.pdf \(york.gov.uk\)](#)
- York Human Rights City Network’s Annual Indicator Report (2022) ‘*Human Rights in York: Seeking to Rebuild*’ [York Human Rights City Indicator Report 2022](#)
- Digital Inclusion Update – Children, Culture & Communities Scrutiny Committee 7 November 2023 [Digital Inclusion Final Scrutiny Report 2023-11.pdf \(york.gov.uk\)](#)

**Annexes**

Annex A: Draft Terms of Reference – Human Rights and Equalities Board

**Abbreviations**

CAHR – Centre for Applied Human Rights (University of York)

CYC – City of York Council

EIA – Equalities Impact Assessment

HREA – Human Rights and Equalities Analysis (Tool)

HREB – Human Rights and Equalities Board

NEET – Not in Education, Employment or Training

TOR – Terms of Reference

UNHDR - Universal Declaration of Human Rights

YHRCN – York Human Rights City Network

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## **Draft Terms of Reference Human Rights and Equalities Board (HREB)**

The City of York Council (CYC) and the civil society-led York Human Rights City (YHRC) Steering Group established the Human Rights and Equalities Board in 2018. The Terms of Reference were reviewed and updated in x 2023 following the suspension of the Board in 2021 to reset the relationship between the City of York Council and YHRC Steering Group.

### **Purpose**

To play a strategic leadership role in creating a 'human rights culture' in the city of York.

To advise CYC on steps required to ensure that Human Rights and Equalities are further embedded within CYC and to increase knowledge and awareness of human rights and equalities amongst elected members and officers across CYC.

To provide a focal point for interactions between CYC, civil society organisations and other key agencies in the city about Human Rights and Equalities issues.

### **The remit of HREB is to:**

- Provide strategic direction for the Council's Human Rights and Equalities work.
- Consider issues raised in the York Human Rights City Indicator Report.
- Consider recommendations made through the Indicator Report and Community Voices projects.
- Review a sample of CYC's Human Rights and Equalities Analysis Tools to identify learning, areas for improvement and to recommend training as required.
- Receive the quarterly CYC Equalities report and make such recommendations as it considers helpful.

Annex A

- Consider swiftly such current issues/systemic concerns as are deemed necessary by the Board, and to advise CYC accordingly.
- Develop task and finish groups to work on specific issues as identified and to advise the Board accordingly.
- Be cognisant of work being undertaken across the city that could contribute to the work of the Board.
- Consider any 'Declaration of Incompatibility' which is submitted from the YHRCN Steering Group, prepare commentary and guidance on its contents, and provide that commentary and guidance to the Leader of the Council and the Chair of the Corporate Services, Climate Change, and Scrutiny Management Committee, either of whom may choose to refer the issue for consideration by scrutiny. In the event that both the Leader of the Council and the Chair of the Corporate Services, Climate Change and Scrutiny Management Committee do not, within a period two months, refer the declaration of incompatibility, and the associated commentary and guidance, for consideration by scrutiny, the Board may choose to refer the matter to all Group Leaders of the Council.

### **Membership**

The Board will have a core membership drawn from:

- The York Human Rights City Network Steering Group
- York CVS
- North Yorkshire Police
- Higher York (to represent the student population)
- The Centre for Applied Human Rights (University of York)
- Business (e.g., York BID, Chamber of Commerce, Federation of Small Businesses)
- Health (to be drawn from Primary Care, Mental Health services and Tees, Esk and Wear Valleys NHS Trust [TEWV])
- One City of York councillor from each of the political groups represented on the Council.

From time-to-time experts by lived experience, or profession, may be invited to meetings for specific items.

Annex A

Efforts will also be made to ensure appropriate diversity of board members (including race and ethnicity to reflect the CYC Anti-Racism Action Plan).

**Chair**

The Board will be co-chaired by:

- the appropriate CYC Executive Member.
- an independent person who will be elected from the Board on an annual basis.

The co-Chairs will share equal rights and responsibilities for chairing the Board taking account of, and declaring, any Conflicts of Interest as they arise. Either of these co-Chairs can call a meeting of the Board.

**Conflict of Interest**

Each member is personally responsible for deciding whether they should disclose an interest in a meeting, but it can be helpful for them to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained if the CYC co-Chair (Executive Member) declares a conflict of interest, the Independent co-Chair will be expected to step in as Chair for that item/meeting, and vice versa.

**Meetings**

Meetings will be held quarterly. At least one annual meeting will be held in public.

Meetings will be administered and supported by CYC, as a CYC board. Senior CYC Officers will also be available in an advisory capacity.

Agenda and minutes of the board to be published on the CYC website as a CYC board.

**Review of Terms of Reference**

These Terms of Reference will be reviewed on an annual basis.

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|                      |  |
|----------------------|--|
| <b>Meeting:</b>      | Executive  |
| <b>Meeting date:</b> | 14 <sup>th</sup> December 2023   |
| <b>Report of:</b>    | Director of Customer & Communities   |
| <b>Portfolio of:</b> | Executive Members for Finance, Performance, Major Projects and Equalities, and Housing, Planning and Safer Communities |

## **Decision Report: City of York Council Actions in Response to the York Anti-Racism and Inclusion Strategy**

### **Subject of Report**

1. This report provides a plan of action as the City of York Council's (CYC) response to the Five Year Anti-Racism and Inclusion Strategy which was presented to and approved by Executive and full Council in July 2023. A commitment was made to provide a further report to Executive in response to the strategy, *making recommendations for change where actions can be implemented in the short term and also identifying medium and longer-term measures.*
2. The council also agreed to sign up to the city's anti-racism pledge and is committed to provide city leadership on this issue, working hard with all partners to do the same in declaring that structural and systemic racism is unacceptable and committing to a clear route to making the actions a reality.

### **Benefits and Challenges**

3. York has long been recognised as a City of Sanctuary and Human Rights City and the work that partners do every day to demonstrate

this in respect of for example work with migrant communities in particular is very evident.

4. CYC acknowledges that however in terms of casual, institutional and structural racism there is a long way to go within the council, and lessons and improvement actions need to be learnt from the experiences of employees and users of the council's services.
5. This work sits alongside the current self assessment work ongoing in the council to meet the requirements of the Equalities Framework for Local Government (EFLG) which will feed into a full review of related employee and customer facing policies and procedures, and importantly an Equalities, Diversity & Inclusion (EDI) Strategy 2024-2027.

## Policy Basis for Decision

6. Demonstrating the council's commitment to becoming an anti-racist and inclusive city is consistent with the Council Plan One City, For all 2023-2027 around addressing all inequalities in the City.
7. This work will contribute to the council's core commitments around:
  - a. **Equalities & Human Rights** – this report focuses not only people of colour, those from ethnic minority backgrounds but also intersectional representation and multi complex needs – see Equalities Impact Assessment attached.
  - b. **Affordability** – systemic and institutional racism can impact on access to jobs, skills development and economic opportunity and so any improvements made will have direct benefits of the financial and economic wellbeing of the community
  - c. **Climate & Environment**– there are no likely direct impacts on the Environment of this report although celebration of culture and the city's black and ethnic history will bring a positive contribution to our community places and spaces.
  - d. **Health** – there are known health disparities for people of colour and ethnic minority groups, both nationally and seen

in data on the health of people in York, and any improvement in opportunity impacting on health and wellbeing will have a positive impact on the community.

8. Specific related priorities in the Council Plan are:

***Equalities and Human Rights - Equality of opportunity***

*We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.*

With specific priorities:

- *Celebrate being a Human Rights City with an Anti-Racism Action Plan*
- *Be recognised by LGA as “excellent” in Equalities, Diversity and Inclusion.*

9. The impact of structural inequalities and racism, however will have an impact on every element of the Council Plan and associated policies.

## **Financial Strategy Implications**

10. The costs relating to this report will be contained within existing budgets. Some elements of workforce monitoring may be limited or otherwise by the nature and capability of systems in use and data available which require further investment as part of ICT development plans. Resources within the Communities Team are being reviewed to create some capacity to support EDI and Human Rights work corporately. The work across all directorates could be considerable in terms of meeting statutory equalities and human rights responsibilities, including the need for additional training resources to support the delivery of these responsibilities.
11. In light of the Council’s current financial challenge, funding any growth in this area of work will require compensatory savings to be identified elsewhere across the Council.

## Recommendation and Reasons

12. Executive is asked to approve the initial CYC Anti-Racism Action Plan attached at Annex A including:

- Actioning the output from a workforce race equality impact assessment which will inform further plans;
- Reviewing further the Anti Racism and Equality Strategy findings and recommendations relating to Housing, Schools and Social Care and work with directorate management teams on dedicated responses;
- Continue to engage with the council's Black, Asian and Racially Minoritised Communities (BARMC) staff group and wider workforce to inform strategy, policy and process change; and
- Work with city partners and IERUK 3.0 on city wide solutions.

Reason: To demonstrate the City of York Council's commitment to eradicating racism and working with partners to become an Anti-Racist City.

## Background

13. In line with a full Council resolution approved on 21<sup>st</sup> October 2021 to aspire to make York an Anti-Racist and Inclusive City, on 13 July 2023 the Executive received the city-wide strategy and action plan from the independent and cross-sectional working group led by Inclusive Equal Rights UK 3.0 (IERUK 3.0), and confirmed approval of the council's response and next steps. Full Council also gave the Strategy its full support and approval on 20 July 2023.

14. This included a strong commitment to include clear priorities in the new Council Plan and to deliver a detailed plan of delivery within 3 months. This plan is attached at Annex A.

15. The council also agreed to declare, pledge and provide city leadership on this issue and to work with all partners to do the same, in declaring that the failure reported through the strategy is unacceptable with a clear route needed to making the actions a reality.

16. The actions in the Action Plan are derived from three sources:

- a. actions from the Five Year Anti-Racism & Inclusion Strategy and Action Plan (IERUK 3.0);
  - b. actions from the City Wide Anti-Racism Pledge (July 2023);  
and
  - c. actions from the Equality Impact Assessments (from the July 2023 Executive/Council report and this report).
17. At the time of writing. A full self assessment was also being undertaken against the EFLG and the findings will inform and build on the recommendations in this report. An Equalities, Diversity & Inclusion (EDI) Strategy 2024-2027 will follow for Executive approval in Spring 2024.
18. The Action Plan at Annex A does not respond to the recommendations in the original Five Year Strategy which specifically relate to Schools, Social Care and Housing, as they all include non CYC providers. This will need further detailed work with and by leading teams within the council and therefore it is separately recommended that dedicated responses are developed by those services in partnership.
19. It also does not directly respond to recommendations made around councillor representation specifically around:
- a priority of recruiting BARMC candidates and consider establishing a Forum for BARMC members to give them a coherent voice;
  - identifying an Equality & Diversity Lead to work to work on improving community engagement and representation. In addition, sourcing effective diversity training for all councillors;
  - investing in positive action programmes to equip people from BARMC communities to participate in local politics and have a voice in party decision-making.

Whilst these are for political groups to consider, the Communities Team can support with this work in engaging with communities and their representatives.

## Consultation Analysis

20. The respective Executive portfolio holders along with senior officers, including the Chief Operating Officer, met regularly during 2022 and 2023. They continue to meet with members of IERUK 3.0 to consider how best they can consult and engage with CYC staff, and other city partners.
21. The engagement and consultation undertaken by the group and York St John University is outlined in the full report at:  
[30423+IERUK+Anti-Racism+Strategy+Document+WEB.pdf \(squarespace.com\)](#)
22. The council will continue to listen to those with lived experience through the continuing work of York St John University and any further work conducted by IERUK 3.0 and other partners in the city representing minority groups on anti-racism work.
23. To inform this report the author engaged with all CYC staff and the BARMC group as part of responding to the Strategy's recommendations. A summary of the key points raised are included in the EIA at Annex B and several members of staff expressed an interest in helping with the work going forward.
24. Key points they see as important in the Strategy:
  - investigate the reasons behind the low proportion of BARMC employees and take steps to actively increase diversity in the workforce, for example reviewing recruitment policies and practices to ensure they are inclusive and accessible to all;
  - explore whether BARMC individuals are concentrated in particular tasks or at particular levels within the workforce and take action to address any inequalities, including reviewing promotion and leaving issues.In addition:
  - BARMC staff members would like CYC to promote a more diverse leadership *and shape our workforce for all of our children coming through.*
  - a request that the Gypsy and Traveller community is fully considered in the anti-racism action plan.

## Options Analysis and Evidential Basis

25. There is no other recommendation but to accept the plan given the previous Executive and full Council approval for the Plan to be developed.
26. In terms of the recommendations to continue to engage with BARMC group to inform strategy, policy and process change and work with city partners and IERUK 3.0 on city wide solutions, this is implicit and necessary for full delivery of the action plans.
27. The ancillary recommendation to review further the Anti Racism and Equality Strategy findings and recommendations relating to Housing, Schools and Social Care and work with directorate management teams on dedicated responses, is necessary to provide a wholistic council response to the Strategy working with partners and providers.

## Organisational Impact and Implications

28.
  - **Financial** – The financial implications are described in paragraph 10 above and outline that, in light of the council's continued financial challenges, any additional costs will be managed by reprioritising existing budgets. Whilst the staffing costs incurred in doing this work will remain within existing budgets, further resources may be needed for training purposes across all equalities responsibilities. In light of the council's continued financial challenges, any additional costs will need to be managed by making compensatory budget cuts elsewhere within the Council or through reprioritising existing budgets.
  - **Human Resources** – An additional post will be created to lead EDI in the council taking forward the operational actions in the action plan. Human Rights and equalities training / awareness will be undertaken to embed actions into all aspects of everyday working at the council to further embed a positive anti -racism culture. Resources will be built into the Equalities, Access & Inclusion Team in the new financial year. HR will work alongside this team to review the outcome of the risk assessments and

resulting policy/process implications referred to in the report and the current self-assessment against the Equalities Framework for Local Government.

- **Legal:**
  - Executive needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).
  - Under the Human Rights Act 1998 it is unlawful for a public authority to act in a way which is incompatible with the rights set out in the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 ("the Convention"). In particular, the enjoyment of the rights and freedoms set out in the Convention must be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The report gives an update on how the council is seeking to meet its obligations under Equalities and Human Rights Acts with regard to race.

- **Procurement** - There are no direct procurement impacts contained in this report. However, protected characteristics under the Equalities Act can be focused on when considering social value in procurement.
- **Health and Wellbeing** - Health implications are covered in the EIA at Annex B but also in paragraph 7d above included as one of the council's core commitments.
- **Environment and Climate action** - There are no direct climate implications of the report, although implications for the city's spaces are covered in paragraph 7c above. Implementing the action plan will create stronger links and



inclusivity between the environment and the Black, Asian and Racially Minoritised Communities.

- **Affordability** - As described in the EIA and paragraph 7 b above systemic and institutional racism can impact on access to jobs, skills development and economic opportunity and so any improvements made as a result of this report will have direct benefits of the financial and economic wellbeing of the community.
- **Equalities and Human Rights:**
  - Whilst the recommendations within this report will have a favourable impact on people of colour and other ethnic minority and intersectional groups, there will be a need to ensure resources are dedicated to all equalities work across all protected characteristics under the Equalities Act. An Equalities Impact Assessment (EIA) has been carried out and is attached to this report at Annex B.
  - Whilst not changing the overall recommendations in this report, the identified actions from the EIA have been built into the final section of the Action Plan at Annex A which are:
    - Ensure ongoing engagement with those with lived experience of racism to seek joint development of solutions;
    - Provide specific guidance on to how to handle and respond to racism in council policies
    - Create a mechanism for all institutions and partners in the city to take joint action in reducing racism and promoting active inclusion.
- **Data Protection and Privacy**, - As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions AD-01633.
- **Communications** - Equalities and human rights is one of the four core commitments in our Council Plan- One City, for all. Communications support will be needed as we seek to deliver the anti-racism action plan. The publication of the initial report and action plan from IERUK received significant media attention. In this report, action 8 in the action plan is to raise awareness of the signing of the pledge internally and externally. Progressing the anti-racism strategy will require communications support to highlight the pledge the council has made and also to provide updates on the steps it is taking to make the city more inclusive.

- **Economy-** Similar to the Affordability implications the report will have positive implications access to jobs, skills development and economic opportunity if structural and systemic racism is eradicated in the city.

## Risks and Mitigations

29. Should the actions in this report and action plan not be delivered, institutional, structural and systemic racism will not be seen to be taken seriously or eradicated, and the council will remain unrepresentative of its communities, nor seen as a fair and inclusive employer.
30. Impacts for the city as a whole could be significant, impacting on the city's reputation as a welcoming and safe city in which to live, work, visit and do business. The actions in this report will seek to support the hard work of partners and council teams in relation to its City of Sanctuary and Human Rights City work (see accompanying report on this Executive's agenda).

## Wards Impacted

All wards

## Contact details

For further information please contact the authors of this Decision Report.

## Author

|                         |                                    |
|-------------------------|------------------------------------|
| <b>Name:</b>            | Pauline Stuchfield                 |
| <b>Job Title:</b>       | Director of Customer & Communities |
| <b>Service Area:</b>    | Customer & Communities             |
| <b>Report approved:</b> | Yes                                |
| <b>Date:</b>            | 29/11/2023                         |

## Background papers

### Executive 13<sup>th</sup> July 2023: Minute 18 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13919&Ver=4>

### Full Council 20<sup>th</sup> July 2023 Minute 20 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=13925&Ver=4>

## Annexes

- Annex A: City Of York Council Anti Racism Action Plan 2023
- Annex B: Equalities Impact Assessment (EIA)

## Abbreviations

|           |   |
|-----------|---|
| AD        | Assistant Director                                |
| BHM       | Black History Month                               |
| BARMC     | Black, Asian and Racially Minoritised Communities |
| CYC       | City of York Council                              |
| EDI       | Equality, Diversity & Inclusion                   |
| EFLG      | Equalities Framework for Local Government         |
| EIA       | Equalities Impact Assessment                      |
| HREA      | Human Rights and Equalities Analysis (Tool)       |
| HREB      | Human Rights and Equalities Board                 |
| ICT       | Information, Communications & Technology Services |
| IERUK 3.0 | Inclusive Equal Rights UK 3.0                     |
| LGA       | Local Government Association                      |
| OD        | Organisational Development                        |
| PDRs      | Personal Development Review                       |

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Actions from the Five Year Anti-Racism & Inclusion Strategy and Action Plan (IERUK 3.0)

| Ref | Action   | How?  | Responsibility  | Date                  |
|-----|--|---|---|-----------------------|
| 1.  | <p>City of York Council to investigate the reasons behind the low proportion of BARMC employees and take steps to actively increase diversity in the workforce. This could involve reviewing recruitment policies and practices to ensure they are inclusive and accessible to all.</p> <p><i>Related Pledge Action:</i></p> <ul style="list-style-type: none"> <li>• <i>where possible collate and analyse staff and board level data to understand any barriers facing BARMC employees</i></li> <li>• <i>proactively examine any ethnic pay gap data or ethnic profile in senior leadership</i></li> <li>• <i>increase representation of BARMC employees at senior and leadership levels, and set targets to deliver real change and progress</i></li> </ul> | <p>Conduct a detailed Workforce race equality impact assessment to identify structural barriers to recruitment which will include reviewing policies, procedures, analysis of recruitment data and consultation with our BARMC Group. We will then implement the actions to ensure they enable the recruitment of an ethnically diverse workforce at all levels in CYC.</p> | <p>Head of Human Resources &amp; OD,<br/>Director/Assistant Director Customer &amp; Communities/Inclusion</p> | <p>September 2024</p> |

| Ref | Action  | How?   | Responsibility   | Date                               |
|-----|---|--|--|------------------------------------|
| 2.  | The Council to examine whether BARMC individuals are concentrated in particular tasks or at particular levels within the workforce and take action to address any inequalities, including reviewing promotion and leaving issues.   | As above   | As above   | September 2024                     |
| 3.  | To build an inclusive organisation where the workforce reflects the city they serve and the needs of all citizens. To review and enhance its entire recruitment policies and employ a Diversity and Inclusion team to ensure highlighted barriers are adequately addressed. | <p>We are committed to the development and implementation of an inclusive and intersectional equality, diversity and inclusion agenda. We will develop an EDI strategy that will create a diverse and inclusive workforce that reflects the diversity of our citizens.</p> <p>We will be recruiting to a Head of Equity, Diversity &amp; Inclusion and ensure the EDI team have the lived experience and skills to deliver the strategy.</p> | <p>Director/Assistant Director Customer &amp; Communities/Inclusion</p> <p>Assistant Director Customer &amp; Communities/Inclusion</p> | <p>April 2024</p> <p>June 2024</p> |

| Ref | Action   | How?   | Responsibility   | Date   |
|-----|--|--|--|--|
| 4.  | The Council to address the issue of undercounting of certain minority groups in the City, such as the Roma, Traveller, Gypsy group by initiating an exercise to establish a true figure for their numbers in the York population. This could involve consultation with representatives of these groups to ensure their voices are heard and their needs are taken into account | <p>The council's Public Health Team have conducted a Gypsy, Roma Traveller health needs assessment and will be implementing the recommendations through the Health &amp; Well Being Board.</p> <p>Further work will be outlined in a report to Executive in Spring 2024, which will look at current sites, future provision (energy efficiency etc), health, education, hate crime, and employment (working with the Travellers Trust).</p> <p>The refreshed Human Rights &amp; Equality Board can could consider this as part of community voices work (see 6 below).</p> | <p>Director of Public Health working with leads from all directorates and the Travellers Trust.</p> <p>Assistant Director Customer &amp; Communities/Inclusion</p> <p>Human Rights &amp; Equality Board (HREB)</p> | <p>March 2024</p> <p>FebruaryMarch 2024</p> <p>December 2024</p> |

| Ref | Action  | How?  | Responsibility   | Date      |
|-----|---|---|--|-----------|
| 5.  | City of York Council to review the work and membership of its Equalities and Human Rights Board to ensure the dimension of 'race' and ethnicity is appropriately represented.   | This has been included in the related report <i>Refreshed Governance Arrangements for York's Human Rights &amp; Equalities Board (HREB)</i> considered by Executive on 14th December 2023.  | Assistant Director Customer & Communities/ Inclusion   | Complete  |
| 6.  | Progressively build relationships with the BARMC community and regularly organise meetings to listen to their voices and address their needs.<br><br><i>Related Pledge Action:</i><br><br><i>Support and amplify the voices of marginalised communities and work to ensure that their needs and concerns are heard and addressed.</i> | Work in partnership with other large employers and organisations in the city alongside community groups including IERUK 3.0 to building a city wide voice of BARMC communities in York and advise on capacity including accessing external funding. | Director/Assistant Director Customer & Communities/Inclusion, Head of Human Resources & OD, CYC HREB members | Ongoing   |
| 7.  | To identify funding sources to reinstate youth services and youth club provision with specific steps to meet the needs of young people from Black communities   | To be built into the developing Youth Strategy work (see Council Plan)  | Corporate Director of Children & Education, Assistant Director Customer & Communities/Inclusion              | June 2024 |



Actions from the Cty Wide Anti-Racism Pledge (2023)

*Also identified in italics above*

| Ref | Action   | How?   | Responsibility   | Date  |
|-----|--|--|--|---|
| 8.  | Raise awareness of this Pledge internally and externally to teams, and service users   | Commenced in Black History Month October 2023. Included in planning looking at the embedding of the council's core commitments – Human Rights & Equality – February 2024 | Council Management Team, Communications Team, all staff  | February 2024                               |
| 9.  | Create and maintain safe and inclusive spaces for all members of our community, regardless of race, ethnicity, religion, gender identity, sexual orientation, or ability | Work in partnership with other large employers and organisations in the city alongside community groups including IERUK 3.0, and also HREB.                              | Director/Assistant Director Customer & Communities/inclusion, Head of Human Resources & OD, CYC HREB members | Ongoing                                     |
| 10. | Not tolerate racist behaviour and call out racism. Train employees on what being anti-racist means   | Build into communications and training plans working with HR and the BARMC group<br><br>Develop customer protocols and standards   | Director/Assistant Director Customer & Communities, Head of Human Resources & OD                             | March 2024<br><br>In progress<br>March 2024 |

| Ref | Action  |   | Responsibility   | Date                  |
|-----|---|---|--|-----------------------|
| 11. | Address racial inequality and improve opportunity and access to services and employment, such as reserved apprenticeship opportunities for BARMC people                             | Work in partnership with other large employers and organisations in the city alongside community groups including IERUK 3.0, and also HREB.   | Director/Assistant Director & Customer & Communities/Inclusion, Head of Human Resources, CYC HREB members      | Ongoing               |
| 12. | Educate ourselves and others about the history and impact of racism and discrimination in our society, and actively work to identify and challenge racist attitudes and behaviours. | <p>Reflect BARMC history in CYC office and named spaces of history significance.</p> <p>Celebrate historical figures in the city with BARMC heritage and build into culture and heritage strategies, events and displays.</p> <p>Instigate a further review of place names in York that are linked to slavery and understand the impact this can have on our residents.</p> | Corporate Director of Place, Director/Assistant Director & Customer & Communities/Inclusion, HREB/Make IT York | Commence January 2024 |

Actions from Equality Impact Assessments (July 2023 and November 2023)

| Ref | Action   |  | Responsibility   | Date           |
|-----|--|--|--|----------------|
| 13. | Ensure ongoing engagement with those with lived experience of racism to seek joint development of solutions. | <p>Further development of BARMC staff forum and training of managers and other staff – build into CYC action plans.</p> <p>Ongoing engagement with IERUK and other partners representing minority group in the city. <i>Link to Action 6 above</i></p> | <p>Director/Assistant Director Customer &amp; Communities/Inclusion<br/>Head of Human Resources &amp; OD, CYC<br/>HREB members</p> | Ongoing        |
| 14. | Provide specific guidance on to how to handle and respond to racism in council policies                      | <p>This will be addressed in Workforce risk assessment referred to above and work to address gaps in meeting the Equalities Framework for Local Government.<br/>Customer policy is under development</p>   | <p>Head of HR &amp; OD,<br/>Assistant Director for Customer, Communities &amp; Inclusion</p>                                       | September 2024 |

|     |   |   |   |           |
|-----|---|---|---|-----------|
| 15. | Create a mechanism for all institutions and partners in the city to take joint action in reducing racism and promoting active inclusion | Citywide partner groups such as refreshed Human Rights & Equality Board/Safer York Partnership– review membership to ensure all key organisations are included and joint action and responsibility is taken. To be involved in city wide initiatives and summits currently in discussion with community sector leads and IERUK 3.0 led task group | Director/AD for Customer, Communities & Inclusion | Immediate |
|-----|---|---|---|-----------|

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

|   |   |                      |                          |
|---|---|----------------------|--------------------------|
| <b>Directorate:</b>                                       | Customer and Communities                                    |                      |                          |
| <b>Service Area:</b>                                      | Equalities, Access & Inclusion                              |                      |                          |
| <b>Name of the proposal :</b>                             | <b>Anti-Racism &amp; Inclusion Strategy and Action Plan</b> |                      |                          |
| <b>Lead officer:</b>                                      | Pauline Stuchfield  |                      |                          |
| <b>Date assessment completed:</b>                         | 12 <sup>th</sup> November 2023                              |                      |                          |
| <b>Names of those who contributed to the assessment :</b> |   |                      |                          |
| <b>Name</b>   | <b>Job title</b>  | <b>Organisation</b>  | <b>Area of expertise</b> |
| Pauline Stuchfield<br><br>Using work of IERUK 3.0         | Director of Customer & Communities                          | City of York Council | Director                 |

|                       |   |          |                         |
|-----------------------|---|----------|-------------------------|
| Laura Williams        | Assistant Director of Customer, Communities & Inclusion | As above | Communities & Inclusion |
| CYC BARMC staff Group | Confidential  | As above | -                       |
| CYC Wider workforce   |   |          |                         |

### Step 1 – Aims and intended outcomes

|            |  |
|------------|--|
| <b>1.1</b> | <b>What is the purpose of the proposal?</b><br>Please explain your proposal in Plain English avoiding acronyms and jargon.   |
|            | <b>This report</b> provides a plan of action as the <b>City of York Council's (CYC)</b> response to the Anti-Racism and Inclusion Strategy which was presented to and approved by Executive and full Council in July 2023. A commitment was made to provide a further report to Executive in response to the strategy, <i>making recommendations for change where actions can be implemented in the short term and also identifying medium and longer-term measures.</i> |

|            |   |
|------------|---|
| <b>1.2</b> | <b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)   |
|            | Equalities Act and Human Rights legislation compliance. The council will adopt compliance with the Equalities Framework for Local Government in developing policy and practice. |

|            |  |
|------------|--|
| <b>1.3</b> | <b>Who are the stakeholders and what are their interests?</b>  |
|            | <p>All employees and particularly those who are from BARM Communities (BARMC).</p> <p>All residents in the city using council services and affected by racism in York particularly people of colour but also with other minority ethnic backgrounds, also those who are covered by other protected characteristics under equalities legislation as the independent review was carried out by an inter sectional task group.</p> <p>All York city partners</p> <p>All employers/businesses and education /skills partners in relation to the items contained in the strategy and action plans</p> |

|                   |   |
|-------------------|---|
| <p><b>1.4</b></p> | <p><b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Priorities and other corporate strategies and plans.</p>   |
|                   | <p>Through the proposals in the report the Executive is recommended to:</p> <ol style="list-style-type: none"> <li>1. Executive members are asked to approve the initial CYC Anti Racism Action Plan attached including: <ul style="list-style-type: none"> <li>• Actioning the output from workforce race equality impact assessment which will inform further plans;</li> <li>• Review further the Anti Racism and Equality Strategy findings and recommendations relating to Housing, Schools and Social Care and work with directorate management teams on dedicated responses;</li> <li>• Continue to engage with the council’s Black, Asian and Racially Minoritised Communities (BARMC) staff group and wider workforce to inform strategy, policy and process change; and</li> <li>• Work with city partners and IERUK 3.0 on city wide solutions.</li> </ul> </li> </ol> <p>The outcomes required relate to meeting the council’s 4 core commitments:</p> <ol style="list-style-type: none"> <li>2. This work will contribute to the council’s core commitments around: <ol style="list-style-type: none"> <li>a. <b>Equalities &amp; Human Rights</b> – this report focuses not only people of colour, those from ethnic minority backgrounds but also intersectional representation and multi complex needs – see Equalities Impact Assessment attached.</li> <li>b. <b>Affordability</b> – systemic and institutional racism can impact on access to jobs, skills development and economic opportunity and so any improvements made will have direct benefits of the financial and economic wellbeing of the community</li> </ol> </li> </ol> |



- c. **Climate & Environment**– there are no likely direct impacts on the Environment of this report although celebration of culture and the city’s black and ethnic history will bring a positive contribution to our community places and spaces.
- d. **Health** – there are known health disparities for people of colour and ethnic minority groups and any improvement in opportunity impacting on health and wellbeing will have a positive impact on the community.

Specific related priorities in the Council Plan are:

***Equalities and Human Rights - Equality of opportunity***

*We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.*

*Specific priorities:*

- *Celebrate being a Human Rights City with an Anti-Racism Action Plan*
- *Be recognised by LGA as “excellent” in Equalities, Diversity and Inclusion.*

- 3. The impact of structural inequalities and racism, however will have an impact on every element of the Council Plan and associated policies.

## Step 2 – Gathering the information and feedback

|   |   |  |
|---|---|--|
| 2.1   | <b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.  |  |
| <b>Source of data/supporting evidence</b>   | <b>Reason for using</b>   |  |
| All the data is contained in the detailed report at<br><br><a href="https://www.squarespace.com/30423+IERUK+Anti-Racism+Strategy+Document+WEB.pdf">30423+IERUK+Anti-Racism+Strategy+Document+WEB.pdf (squarespace.com)</a>  | The actions in the strategy document are based on the date in the report and the earlier data report quoted <i>A Snapshot View of Racial Disparity in the City of York</i> published by IERUK in February 2023  |  |
| Results from IERUK’s engagement with the council’s leadership group in early June 2023.   | Contained in the report in the above link this feedback has been used to shape some of the actions in the report.   |  |
| <b>June 2023</b> Feedback from the council’s own Black, Asian & Racially Minoritised Communities staff group <ul style="list-style-type: none"> <li>• Majority of the group like working for York, people are friendly and some people have gained opportunities to progress.</li> <li>• There are some really good champions and allies across the Council and we should grow these.</li> <li>• Really pleased with York recognising the existence of racism and moving to become a anti racist city.</li> </ul> However there needs to be a real focus on <ul style="list-style-type: none"> <li>• Racism what does that mean and how micro and macro aggressions can affect people who are a minority</li> </ul> | This feedback, whilst positive in terms of the initial findings confirmed and mirrored some of the evidence contained in IERUK’s report confirming that the council needs to think seriously about its understanding of racism, its impacts on staff, need for open discussions on colour and race and acceptance of difference, recruitment and retention policies and processes, empowering and developing of all staff confidence to stand up to racism and unacceptable behaviour, and the need to lead change in a city where racism is prevalent. |  |

|  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Open discussions about colour and race</li> <li>• Recruitment of diverse groups but most importantly retention</li> <li>• Acceptance of difference</li> <li>• Many of the group are really conscious that people are more ready to complain about them than other team members but equally do not feel empowered to complain if they have an issue.</li> <li>• Other raised that they felt welcomed by the Council however felt that racism is very prevalent within the city in particular those who live in York.</li> </ul>  |   |
| <p><b>October 2023 staff feedback (not verbatim)</b></p> <p>The following should be priorities as they are elsewhere in Health and Local Government:</p> <ul style="list-style-type: none"> <li>• investigate the reasons behind the low proportion of BARMC employees and take steps to actively increase diversity in the workforce, for example reviewing recruitment policies and practices to ensure they are inclusive and accessible to all.</li> <li>• explore whether BARMC individuals are concentrated in particular tasks or at particular levels within the workforce and take action to address any inequalities, including reviewing promotion and leaving issues.</li> </ul> | <p>Lived experience giving consistent conclusions as above. The priority points for the action plan mentioned more than once are:</p> <ul style="list-style-type: none"> <li>• investigate the reasons behind the low proportion of BARMC employees and take steps to actively increase diversity in the workforce, for example reviewing recruitment policies and practices to ensure they are inclusive and accessible to all.</li> <li>• explore whether BARMC individuals are concentrated in particular tasks or at particular levels within the workforce and take action to address any inequalities, including reviewing promotion and leaving issues.</li> </ul> |

- employ a Diversity and Inclusion team to ensure highlighted barriers are adequately addressed
- deliver diversity training for all councillors.

The following may lead to better and fairer BARMC representations in city leadership.

- Stages of recruitment process including wording in the Job advertisement needs to be looked into by a person that understands what CYC is looking for.
- It is important for senior leaders to build a trust and be able to give opportunity to people of colour to excel or given an opportunity to develop whether academically or practically.
- Widen the search.
- BARMC skills, experience and behaviours are to be considered thoroughly in the recruitment process – especially during marking and scoring. The current high scoring strategy can be misleading, especially in an interview for internal vacancies.
- CYC promote progression when possible
- BARMC candidates benefit more if employment records (current when internal vacancy is advertised) including supervision notes PDRS, attendance management are reviewed as part of the recruitment process. This should be considered as equally as

important to what is being put forward during the interview.

- BARMC candidates often can walk into an interview with a lots of apprehensions based on their relationship with the interviewing panels (especially if the panel is not independent) which can affect the answers provided during interview. External interviewers (not related to same work settings) should constitute the interview panels.
- Promote a more diverse leadership and shape our workforce for all of our children coming through.
- Training and awareness for all levels of workforce within CYC on diversity should be a key.
- Leadership to encourage friends and colleagues of non-colour to be able to ask questions about diversity eg the BHM background on the teams meeting or anti racism pledge,
- Make it a common practice to share our support on Anti racism pledge
- Building upon the work done already -put on a similar kind of informative event or conference aimed at CYC, teachers & business owners – inviting speakers who do work on the ground, such as those

at Equal Inclusive Rights – to show what is actually meant by “anti-racism” in practice, and drawing on anti-racist and decolonial research and approaches.

- board memberships and working groups that are open to the public need to make a very conscious effort to include members of marginalised communities

Request that the Gypsy & Traveller community is fully considered in the anti-racism strategy.

### Step 3 – Gaps in data and knowledge

|  |   |  |
|--|---|--|
| 3.1  | <b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b> |  |
| <b>Gaps in data or knowledge</b>   |   | <b>Action to deal with this</b>  |
| Ongoing engagement with those with lived experience of racism to seek joint development of solutions.                            |   | Further development of BARMC staff forum and training of managers and other staff – build into CYC action plans. Ongoing engagement with IERUK and other minority group partners in the city.                |
| Specific guidance on to how to handle and respond to racism in council policies  |   | This will be addressed in Workforce race equality impact and work to identify gaps in meeting the Equalities Framework for Local Government  |
| A mechanism for all institutions and partners in the city to take joint action in reducing racism and promoting active inclusion |   | Citywide partner groups such as refreshed Human Rights & Equality Board/Safer York Partnership– review membership to ensure all key organisations are included and joint action and responsibility is taken. |

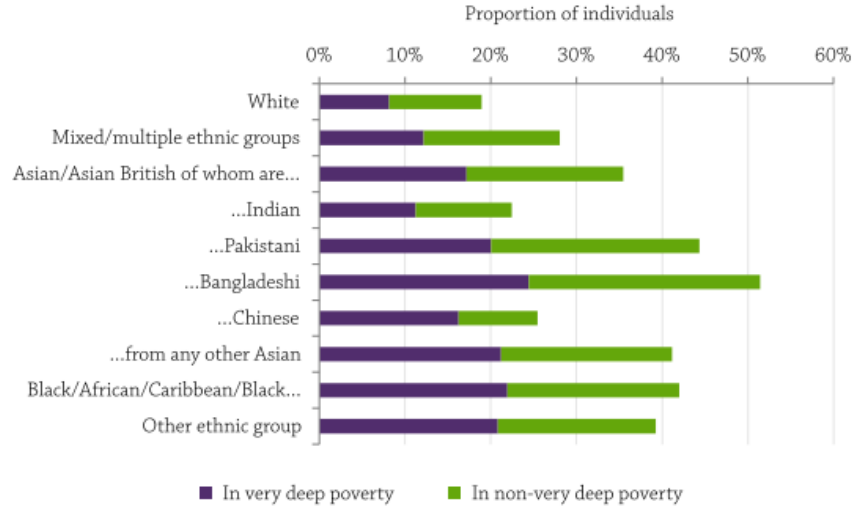
## Step 4 – Analysing the impacts or effects.

| 4.1                               | <p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p> |   |                                   |
|-----------------------------------|---|---|-----------------------------------|
| Equality Groups and Human Rights. | Key Findings/Impacts  | Positive (+)<br>Negative (-)<br>Neutral (0) | High (H)<br>Medium (M)<br>Low (L) |
| Age                               | Reducing hate crime, improving life chances and skills, career progression, reducing poverty and reducing health inequalities   | +   | H                                 |
| Disability                        | As above – the findings of the independent report – reflected intersectional lived experience   | +   | H                                 |
| Gender                            | As above – the findings of the independent report – reflected intersectional lived experience   | +   | H                                 |
| Gender Reassignment               | No specific actions around gender re-assignment but potential for work to be extended with this community through further intersectional , but approach does not have a negative impact in this area  | +   | L                                 |
| Marriage and civil partnership    | Greater awareness and respect for difference may bring a positive impact with regard to blended relationships   | +   | M                                 |
| Pregnancy and maternity           | No specific impacts although parents may feel safer bringing their children up in the city when hate/crime reduces and job prospects improve  | +   | L                                 |



|  |   |   |   |
|--|---|---|---|
| <b>Race</b>                                    | The focus of the report and recommendations – extremely high as the council and city responds positively  | + | H |
| <b>Religion and belief</b>                     | Race and religion can be related and therefore a greater understanding and respect for difference, and reduced hate crime will have a positive impact. More understanding and supportive employers.   | + | H |
| <b>Sexual orientation</b>                      | No specific actions around sexual orientation but potential for work to be extended with this community through further intersectional work, but approach does not have a negative impact in this area  | + | M |
| <b>Other Socio-economic groups including :</b> | <b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>  |   |   |
| <b>Carer</b>                                   | No specific impacts on carers depending on the cultural background and reliance on intergenerational support  | + | L |
| <b>Low income groups</b>                       | <p>The Council’s financial inclusion strategy contains the following key commitment:</p> <ul style="list-style-type: none"> <li>▶ <b>inclusion for all.</b> We will seek to eliminate the disproportionate impact of poverty on, for example, black &amp; minority ethnic communities, disabled people, carers and older people. Equalities impacts will be tackled, and barriers removed by clear actions not words;</li> </ul> <p>This will be entirely consistent with the actions to be developed through the CYC anti racism work to improve life opportunities.</p> <p>Joseph Rowntree Foundation Data:</p> | + | M |

**People in the Bangladeshi ethnic group have the highest overall poverty rate, followed by Pakistani and other Asian and Black ethnic groups, but very deep poverty rates vary less between different ethnic groups**



Source: Households Below Average Income, 2020/21, DWP

Ethnic minority families are disproportionately affected by changes to the benefit systems. They are also more likely to be working in low-paying insecure work, so labour market trends are also critical. There are also differences in the typical family types for different ethnic groups, with the average family size for some ethnic minorities being higher than average. They will also have higher household costs because they are more likely to have children in their household.

**Veterans, Armed Forces Community**

No specific actions around armed forces communities but potential for work to be extended through partnership working on the city’s response to the anti racism strategy, but approach does not have a negative impact in this area

**+**

**L**

|                                 |   |  |  |
|---------------------------------|---|--|--|
| Other                           |   |  |  |
| <b>Impact on human rights:</b>  |   |  |  |
| List any human rights impacted. | <p><b>The council has a duty to protect a person’s human rights and this report impacts positively on the following:</b></p> <ul style="list-style-type: none"> <li>• Article 2: Right to life</li> <li>• Article 3: Freedom from torture and inhuman or degrading treatment</li> <li>• Article 4: Freedom from slavery and forced labour</li> <li>• Article 5: Right to liberty and security</li> <li>• Article 9: Freedom of thought, belief and religion</li> <li>• Article 14: Protection from discrimination in respect of these rights and freedoms</li> </ul> <p>There is no need to balance equalities duties and Human Rights as all will be protected by the actions recommended in this report</p> |  |  |

**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups

- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

|   |   |
|---|---|
| <p><b>High impact</b><br/>(The proposal or process is very equality relevant)</p>       | <p>There is significant potential for or evidence of adverse impact<br/>The proposal is institution wide or public facing<br/>The proposal has consequences for or affects significant numbers of people<br/>The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>      |
| <p><b>Medium impact</b><br/>(The proposal or process is somewhat equality relevant)</p> | <p>There is some evidence to suggest potential for or evidence of adverse impact<br/>The proposal is institution wide or across services, but mainly internal<br/>The proposal has consequences for or affects some people<br/>The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p> |
| <p><b>Low impact</b><br/>(The proposal or process might be equality relevant)</p>       | <p>There is little evidence to suggest that the proposal could result in adverse impact<br/>The proposal operates in a limited way<br/>The proposal has consequences for or affects few people<br/>The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>                                 |

## Step 5 - Mitigating adverse impacts and maximising positive impacts

|  |   |
|--|---|
| 5.1  | <b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b> |
| <p>The original Strategy report highlights many areas of systematic and/or institutional racism - the local CYC action plan that has been developed from the independent report will seek to mitigate the findings from the data and the feedback from staff . It is important to put the staffing resources in place to support a change in process, systems and culture and reflect and revisit the agreed actions over time. It will be necessary to have ongoing feedback and involvement from the workforce staff group and community to hear the voice of lived experience to ensure the solutions involve them and address their needs and risks.</p> |   |

## Step 6 – Recommendations and conclusions of the assessment

|  |  |
|--|--|
| 6.1  | <b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b> |
| <p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p> |  |

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

**Important:** If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

| <b>Option selected</b>          | <b>Conclusions/justification</b>   |
|---------------------------------|--|
| No major change to the proposal | <p>The independent Anti-Racism report is already evidence based and the clear feedback from our staff group continues to justify the conclusions and recommendations in the report with a positive impact on all affected groups.</p> <p>It is important however to ensure that areas identified from this EIA are built into the action plan in the following areas so we have added the following actions:</p> <ul style="list-style-type: none"> <li>• Ongoing engagement with those with lived experience of racism to seek joint development of solutions.</li> <li>• Specific guidance on to how to handle and respond to racism in council policies</li> <li>• A mechanism for all institutions and partners in the city to take joint action in reducing racism and promoting active inclusion.</li> </ul> |

## Step 7 – Summary of agreed actions resulting from the assessment

| <b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>                    |   |   |                  |
|--|---|---|------------------|
| <b>Impact/issue</b>  | <b>Action to be taken</b>   | <b>Person responsible</b>   | <b>Timescale</b> |
| Ensure ongoing engagement with those with lived experience of racism to seek joint development of solutions. | Further development of BARMC staff forum and training of managers and other staff – build into CYC action plans.<br>Ongoing engagement with IERUK and other partners representing minority group in the city. | Head of HR & OD/AD for Customer, Communities & Inclusion CYC HREB Members | Ongoing          |
| Provide specific guidance on to how to handle and respond to racism in council policies                      | This will be addressed in Workforce risk assessment referred to above and work to address gaps in meeting the Equalities Framework for Local Government. Customer policy is under development                 | Head of HR & OD/AD for Customer, Communities & Inclusion                  | September 2024   |
| Create a mechanism for all institutions and partners in the city to take joint action in reducing            | Citywide partner groups such as refreshed Human Rights & Equality Board/Safer York Partnership– review  | Director/AD for Customer, Communities & Inclusion                         | Immediate.       |



|  |  |  |  |
|--|--|--|--|
| <p>racism and promoting active inclusion</p> | <p>membership to ensure all key organisations are included and joint action and responsibility is taken. To be involved in city wide initiatives and summits currently in discussion with community sector leads and IERUK 3.0 led task group membership to ensure all key organisations are included and joint action and responsibility is taken</p> |  |  |
|--|--|--|--|

**Step 8 - Monitor, review and improve**

|             |   |
|-------------|---|
| <b>8. 1</b> | <b>How will the impact of your proposal be monitored and improved upon going forward?</b><br>Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded? |
|             | The refreshed Human Rights & Equality Board may monitor progress if agreed, there will be reports to Executive member on progress and likely overview from scrutiny committees. Reports to Executive and Executive members will include updated EIAs.   |



|                      |                                   |
|----------------------|-----------------------------------|
| <b>Meeting:</b>      | Executive                         |
| <b>Meeting date:</b> | 14 <sup>th</sup> December 2023    |
| <b>Report of:</b>    | Abid Mumtaz / Caroline Billington |
| <b>Portfolio of:</b> | Cllr Jo Coles                     |

## **Decision Report: Procurement of the Adult Community Wellbeing and Support Service**

### **Subject of Report**

1. This paper seeks permission to reprocure the City of York Council's ("**the Council**") Community Wellbeing and Support contract for Adults for a maximum 7-year value of £6,638,625.
2. The contract was commissioned on 1<sup>st</sup> February 2017 from The Cyrenians Ltd. (t/a Changing Lives) to reduce homelessness. The Contract will expire on 31<sup>st</sup> January 2024 (the Term having previously been extended beyond the original expiry date of 31<sup>st</sup> January 2022 by a further 2-years). The current contract will need a further extension to the 31<sup>st</sup> July 2024 to ensure continued delivery during the 6-month procurement process (see Annex 4 for Procurement Timelines). The current annual cost is £1,098,375 and a 6-month extension would be at a cost of £549,188.
3. In 2022/23 the Service provided support to 218 of the city's most vulnerable people through provision of the following commissioned services:
  - 24/7 hostel provision at Union Terrace (39 male units);
  - 24/7 hostel provision at Robinson Court (14 female units and 4 young people units);
  - floating tenancy support to shared housing and people within the community (74 units across 14 houses, including Scarcroft, and 12 training flats);

- a Bed Ahead homeless discharge support & advice service within York Hospital;
- Making Every Adult Matter (“MEAM”) service which provides intensive support and multi-agency coordination to up to 28 multiply excluded adults with complex needs; and
- Mental Health Housing First (“MHHF”) service supports up to 21 individuals with a long history of mental ill health and challenging lives to live independently. NB this service element is currently funded by ICB/TEWV as part of the future specialist Mental Health Supported Accommodation pathway.

## Benefits and Challenges

### 4. Benefits of the proposal

Hostels are a key element in the provision of services for those who are homeless, many of whom have other support needs. Without this hostel provision and the support offered through these services the fundamental part of the homeless pathway and strategy will not be able to be delivered. The Council is committed to reducing homelessness and providing appropriate housing for its citizens. The current administration has made a clear commitment to ending rough sleeping through both provision of increased access to affordable housing and to meeting the needs of those currently experiencing rough sleeping and the accompanying health inequalities. The hostels, shared housing and floating support under this Contract provide alternatives to rough sleeping for hundreds of people a year, thus is beneficial in helping the Council meet its preventative duties under the Care Act 2014. Without this provision rough sleeping numbers would dramatically increase, as would associated cost pressures on other Council resources and the wider system – to say nothing of the human cost to the individuals.

5. This Service plays a beneficial role in the Council’s approach to preventing, delaying, or reducing costly care packages. Most people within the resettlement pathway have additional complexities around mental health needs, substance use disorder etc. Without the support provided within these Services, there would be an increase in need and therefore an increase in the numbers of people to whom the Council has a statutory duty of care. It would also have a significant impact on the city’s health inequalities.

6. The service will offer a pathway to substance misuse services as well as general health promotion advice and support. This will ensure the needs of those accessing the service are maximised and making every contact count as an opportunity to improve general health and wellbeing.
7. Monitoring data informs us that the hostels are at capacity most of the time, with the specialist Services above capacity. The impact of decommissioning this contract would be, but not limited to:
  - Decrease in 52 hostel placements resulting in more rough sleeping and increased pressure and demand in alternative provision.
  - Overcrowding within in-house hostel provision and a lack of emergency beds resulting in increased rough sleeping.
  - Visible increase in street homelessness for York residents and visiting tourists.
  - Decreased support from the MEAM team for homeless people coming out of prison/in contact with the criminal justice system/with ongoing substance misuse disorder could increase risk around community safety and a demand on neighbourhood enforcement teams.
  - Significant increase in safeguarding cases for the Council.
  - Reduced preventative options would result in increased referrals to social services without any recourse for onward referral.
  - Social work teams would be overwhelmed managing high numbers of complex vulnerable individuals at a high financial cost than a support worker.
8. The benefits of commissioning services from the market are that it often enables greater efficiency, responsiveness, and innovation. The benefit of procurement is that it enables us to stimulate and shape the local market ensuring that it works to the delivery of outcomes set and monitored by the Council.

### **Challenges of the proposal**

9. There is an untested assumption around the benefits of in-house delivery in relation to economy, efficiency, and effectiveness as per the Local Government Act 1999. Factors such as the current shared delivery of the Homelessness Pathways with the Resettlement Services indicate there would be some level of increased effectiveness through reducing systemic duplication and a closer

working across the pathway. In addition, in-house services deliver better outcomes in relation to the key indicator of positive and planned move-on. The disadvantage of this approach would be the financial impact on the Council of the increased staffing costs. The absence of a financially informed options analysis, particularly given the complexity in relation to TUPE, is a barrier to recommending this as a beneficial approach.

## **Policy Basis for Decision**

10. The Council Plan highlights that in York the average cost of houses are at least 10 times higher than average earnings and rents rising 10% in 2021-22. In York, 4.5 per 100,000 people slept rough for the same period compared to 3.1 regionally. By a different measurement 24 people were sleeping rough on the last Thursday in July 2023.
11. The Council Plan demonstrates this administration's commitment to reducing homelessness by including "number of people sleeping rough" as one of its new key performance indicators.
12. In addition, provision of good quality housing to meet the range of needs across the City's residents is recognised as central to the Council's 2023-27 Plan as part of Core Commitments, Affordability and Health and Wellbeing, and to the vision of "One City, for all".
13. The National Institute for Health and Care Excellence ("NICE") guidelines published last year highlighted that people experiencing homelessness face significant health inequalities: mortality is around ten times higher than the rest of the population and life expectancy is around 30 years less. Barriers accessing health and social care services is attributed in part to the high numbers of preventable deaths within this population. The draft Council plan contains a focus on fairness and health inequalities with the ambition to reverse the widening trend of health inequalities in our city. It is recognised in the Health and Wellbeing Strategy that housing access and affordability is fundamental in meeting the aims of the Strategy and tackling wider determinants of health.
14. The Council's approved 2018-23 Homelessness Strategy is currently under review. It is expected that the key themes relevant to this proposal will be maintained in the new strategy. This proposal

delivers outcomes integral to 3 of the key strategic aims set out in the document:

- Prevention of homelessness
- Ensure appropriate accommodation for people who are homeless or at risk of homelessness
- Ensure appropriate support for people that are homeless or at risk of homelessness

## Financial Strategy Implications

15. The contract has a current annual value of £1,098,375. Monitoring data shows that the services outlined in paragraph 1.3 are at capacity apart from the floating tenancy support service. Reduced demand for the floating tenancy support service element of service provision indicates scope for savings and contract reduction. £150k (~ 14%) could potentially be removed from the future contract without significant negative impact. This would result in an annual value/saving of £948,375 and a value/saving over full 7-year term of the contract of £6,638,625.

## Recommendation and Reasons

### 16. Recommendation(s):

- a) To delegate authority to the Corporate Director of Adults and Integration (and their delegated officers) in consultation with the Head of Procurement (and their delegated officers) to seek Providers from the market for provision of a total 7-year Community Wellbeing contract (with initial length and break-clauses to be delegated to the Corporate Director of Adults and Integration) via an open, fair and transparent competitive procurement process and evaluation criteria in compliance with the Council's Contract Procedure Rules under Appendix 11 of the Council's Constitution (the "**Council's CPRs**") and the Light Touch Regime under Regulations 74 to 76 and Schedule 3 of Public Contract Regulations 2015 (the "**Procurement Regs**").
- b) To delegate authority to the Corporate Director of Adults and Integration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to determine the provisions of the new Community Wellbeing

contract, and to award and conclude the Community Wellbeing contract following an open, fair, and transparent competitive process and evaluation criteria in compliance with the Council's CPRs and the Light Touch Regime under the Procurement Regs.

- c) To delegate authority to the Corporate Director of Adults and Integration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to negotiate the provisions of, and conclude and effect entry into, of leases to the appointed provider of the new Community & Wellbeing contract of:

- i. Union Terrace hostel;
- ii. Robinson Court hostel;
- iii. part of 16/18 Bootham;
- iv. 89/91 Scarcroft Road;
- v. 9 Melbourne Street; and
- vi. 2 Sandringham Street

for a Term of 7 years from and including the Commencement Date of the service contract but excluded from the security of tenure provisions of the Landlord and Tenant Act 1954 and containing provisions entitling the Council as landlord to terminate such leases early upon expiry/termination/non-extension of the service contract.

- d) To approve the extension of the current Community Wellbeing and Support Contract for Adults with Changing Lives by 6- months until 31<sup>st</sup> July 2024.
- e) To delegate authority to the Corporate Director of Adults and Integration (and their delegated officers) in consultation with both the Director Governance and the Chief Finance Officer (and their respective delegated officers) to draft, negotiate and conclude any necessary documentation with The Cyrenians Ltd (Changing Lives) to extend the Contract, in compliance with the terms and conditions of the Contract, the Council's Contract Procedure Rules set out within Appendix 11 of the Council's Constitution ("**the Council's CPRs**") and the Council's statutory obligations under the Public Contract Regulations 2015 ("**the Procurement Regs**").



f) To delegate authority to the Corporate Director of Adults and Integration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to negotiate the provisions of, and conclude and effect entry into, of further leases to The Cyrenians Ltd (Changing Lives) of the following properties::

- i. Union Terrace hostel;
- ii. Robinson Court hostel;
- iii. part of 16/18 Bootham;
- iv. 89/91 Scarcroft Road;
- v. 9 Melbourne Street; and
- vi. 2 Sandringham Street

for a Term expiring on 31<sup>st</sup> July 2024 excluded from the security of tenure provisions of the Landlord and Tenant Act 1954 and containing provisions entitling the Council as landlord to terminate such leases early upon expiry/termination/non-extension of the current extended service contract.

**17. Reason(s):**

The proposed Community & Wellbeing contract will ensure that services are procured in line with our statutory duties and obligations under the Care Act 2014 and the Light Touch Regime under the Procurement Regs, as well as our own standing orders set out within the Council's CPRs and to ensure the Contract is set up within the procurement timescales.

## **Background**

18. In 2016, the Executive agreed to deliver efficiency savings through the consolidation of the formerly ring-fenced Supporting People services into a Community Wellbeing Service. These services are non-statutory, and the majority of the individuals supported are prevented from eligibility for social care services through these preventative services. This provision enables us to meet our duties under Section 2(1) of the Care Act 2014 to "*provide or arrange provision of Services, facilities or resources that it considers will prevent, reduce or delay needs*". Our responsibilities apply to all adults including:

- a) *“people who do not have any current needs for care and support; and*
- b) *“adults with needs for care and support, whether their needs are eligible and/ or met by the local authority or not.”*

19. People who are rough sleeping are experiencing extreme deprivation often as part of a vicious cycle which perpetuates existing vulnerabilities and health needs. In addition to the moral case for supporting the most vulnerable in our society there is an economic case for reducing homelessness and its associated costs to the public sector. Under its previous form, Housing Related Support is not a key aspect of Adult Social Care, nor eligible under the Care Act 2014 but is seen as a preventative role best defined as *“support services which are provided to any person for the purpose of developing that person’s capacity to live independently or sustaining his/her capacity to do so.”*

## 20. **National Background**

In 2022 the Department for Levelling Up, Housing and Communities launched the national homelessness strategy *Ending Rough Sleeping for Good* acknowledging the national picture: *“We know that many people sleeping rough suffer from poor mental health and substance misuse. Some are caught in a vicious cycle between prison and a life on the streets. Others are leaving our care system without a fixed destination, uncertain of who to turn to for support.”*

This national strategy outlines four requirements to deliver the ambition. 1) ‘Prevention’ is the first pillar which mirrors our local ambition to improve availability and security of affordable housing. 2) ‘Intervention’ highlights the need for targeted action to get people off the streets as quickly as possible to prevent entrenched rough sleeping. The strategy estimates that 40% of people sleeping rough are new to the streets each month. 3) ‘Recovery’ acknowledges that there are multiple, complex and intersecting drivers behind rough sleeping. National data suggests 82% of people in the 2020 Rough Sleeping Questionnaire reported a mental health need, 60% a substance misuse disorder need and 26% had spent time in care. This pillar is relevant to the services at the heart of this paper and supports taking both a housing-led and Housing First approach as reflects our current delivery options. Key is an offer of specialist approaches to the range of personal and structural issues including unemployment, poor mental health, drug and alcohol misuse disorder as is reflected in our ‘Making Every Adult Matter’ service and ‘Mental

Health Housing First' service which is currently commissioned as part of this contract.

## 21. **Local Background**

The current administration has made a clear commitment to ending rough sleeping through both provision of increased access to affordable housing and to meeting the needs of those currently experiencing rough sleeping and the accompanying health inequalities.

York is an expensive place. The Council Plan 2023-27 highlights that in York the average cost of houses are at least 10 times average earnings and rents have risen 10% over the last year (2021-22).

Provision of good quality housing to meet the range of needs across the City's residents is recognised as part of Core Commitments of Affordability and Health and Wellbeing, and to the vision of "One City, for all".

The housing crisis has had an impact on York's most vulnerable. We have 4.5 per 100,000 people sleeping rough compared to 3.1 regionally. Alternative measures tell us 24 people were sleeping rough on the last Thursday in July 2023. To address this and reduce homelessness in the city the new administration have included "number of people sleeping rough" as one of its new key performance indicators.

The Council plan contains a focus on fairness and health inequalities with the ambition to reverse the widening trend of health inequalities in our city. It is recognised in the Health and Wellbeing Strategy that housing access and affordability is fundamental to meeting the aims of the Strategy and tackling wider determinants of health. The National Institute for Health and Care Excellence ("NICE") guidelines published last year highlighted that people experiencing homelessness face significant health inequalities: mortality is around ten times higher than the rest of the population and life expectancy is around 30 years less. Barriers accessing health and social care services is attributed in part to the high numbers of preventable deaths within this population. Addressing health inequalities within this population will require multiagency systems approach that includes the services under discussion within this paper.

## 22. **Local data and demographics**

In January 2022 a deep dive was undertaken with the 323 individuals within the York Homelessness Pathway. The research provided data around the demographics and specialist support needs within the

pathway to enable us to design services that better support people to achieve long-term positive outcomes. There are several key points of learning in relation to the needs of people currently in need of intervention and recovery strategies and how this will impact on the design and outcomes of the service to be recommissioned.

a) *Repeat Presentation.*

Two out of every five people within the pathway are currently on at least their third time through homelessness services. Of this cohort 59% are known to have been in the system for 6 or more years and 46% have been in the system for more than 10 years. This means nearly a fifth of all people currently within the pathway have been in the system for more than 10 years.



The future service model must support people who have successfully exited formal services to prevent future re-entry into the homelessness pathway. It must also deliver a person-centred service model that responds flexibly to individual changing needs that enables people who have been in the pathway for 10+ years to move towards more independent living.

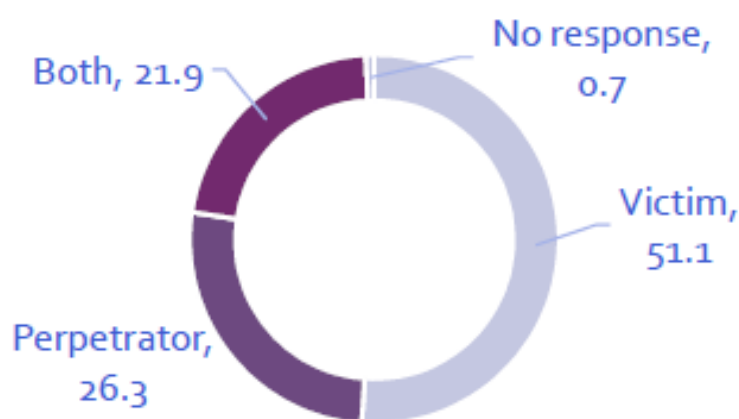
b) *Complexity of Need.*

The complexity of need of the people within the pathway is broken down using 14 Likert scales on page 14 of Annex 1, however, it is clear from the following headlines that increasing numbers of people within the homelessness pathway have a need for a more specialist offer, for example, individuals presenting more complex needs

including substance / alcohol misuse disorder, mental health issues as well as wider trauma as a result of issues including domestic abuse. This is reflected in the service utilisation data later in the paper.

- 6 in 10 people are known to have had some involvement with the secondary mental health services of Tyne Esk Wear Valley (TEWV), 29% of those in the pathway are currently open to TEWV.
- 68% are known to have experience of trauma.
- 1 in 10 people within the pathway are known to be care leavers - a cohort for which the Council is particularly committed to doing better.
- 42% of people have experience of domestic abuse.

### Nature of experience:



The new service model to be procured must deliver the right level of support for people with multiple and complex support needs and ensure that it operates within the wider system to create working partnerships and agreements with specialist support services.

## 23. Coproduction Principles

Following years of work reviewing the resettlement pathway a series of workshops was held in 2020 to share the data discussed above. These workshops were attended and contributed to by more than 100 people with lived and worked experience. These conversations were distilled into the following eight principles in order to use this work as a practical tool to inform both the design, outcomes and commissioning of this service due to be reprocurd and wider work around homelessness in the City.

1. Deliver a strengths-based, person-centred, positive risk-taking approach.
2. Build on trauma-informed practice.
3. Enable social connection, meaningful activities, and safe spaces.
4. Choice, control and flexibility within the pathway.
5. More consistency, coordination and joined up working between services.
6. Specialist mental health support.
7. Quality, skilled, consistent workforce enabled by working conditions to offer consistent supportive relationships.
8. Access to good quality, affordable and secure housing.

Work has begun in preparation for the procurement pending executive approval to turn these aspirations into deliverable and measurable outcomes for the future service (see Appendix 4 for timelines).

#### 24. **Previous Procurement Decisions**

The Contract commenced on 1<sup>st</sup> February 2017, and was originally due to expire on 31<sup>st</sup> January 2022.

The Council had the option to extend the Term up to a maximum of 2-years from 31<sup>st</sup> January 2022 – that extension option was exercised to take the Term up to and including 31<sup>st</sup> January 2024. (This time was used to undertake the work around the wider resettlement pathway. We are now able to incorporate the coproduced principles into the new model design.)

All available extensions have been utilised under this Contract. The last extension was granted to prepare for engagement with and procurement from the market. Any further extensions at this point will require a variation of the Contract (see **Legal Implications** below).

#### 25. **Current Contract Performance**

In 2022/23, the Service supported 218 people of which 137 had a planned positive move on out of the Service. Their performance in 2022/3 has been variable and dependent on each area of Service.

As the individuals in the homelessness pathway become more complex, with higher incidences of drug and alcohol and more significant mental health needs, the specialist services (“**MEAM/MHHF**”) are the most able to meet need and are therefore oversubscribed whereas the Floating/Shared Housing Services have experienced a lack of referrals.

This is potentially because their offer is increasingly unable to meet the level of mental health complexity required by these individuals.

In addition, the complexity of need and resulting challenging behaviours are being found to be progressively more difficult to manage within a hostel setting resulting in lower levels of planned positive move-ons.

## 26. **Union Terrace and Robinson Court Hostels**

The Union Terrace Centre (owned by the Council and currently leased to The Cyrenians Ltd until 31<sup>st</sup> January 2024.):

- Capacity for 34 men (and couples)
- Supported 32 men to move on to planned positive outcomes in 22/23
- 22/23 Average capacity at 97%

Robinson Court (owned by the Council and currently leased to The Cyrenians Ltd until 31<sup>st</sup> January 2024):

- Capacity for 14 women and 4 young people
- As at 31/3/23 - Supported 6 women to move on to planned positive outcomes in 22/23
- 22/23 Average capacity at 94%

## 27. **Shared Housing and Floating Support**

The Shared Housing and Floating Support Service closed several houses during the 6-years of the Contract due to lack of referrals and community complaints about the multiple and complex needs of the people in those properties. This Service was designed to provide tenancy support as opposed to support to people with multiple and complex needs:

- Capacity for caseload of 163 individuals

- Current caseload of 74 (31/3/23)
- Current capacity at 45% (31/3/23)
- 22/23 supported 84 individuals to have a positive move-on

28. **Making Every Adult Matter (“MEAM”)**

The MEAM Service provides intensive support and multi-agency co-ordination to multiply excluded adults with complex needs who often have a significant history of poor engagement or exclusion from local services. It aims to support people to move away from chaotic lifestyles and develop networks and skills to lead fulfilled independent lives as part of the community. Of the 29 individuals on the case load in Q4 of 2022/23, 26 were in Substance Misuse Services, 21 in Probation Services and 16 open to Mental Health Services. Despite that, the Service has managed to support 62% of their caseload to maintain tenancies and supported a further third to maintain contact whilst in custody to plan for more positive future on discharge. The Service has been consistently over capacity in 2022/23.

29. **Mental Health Housing First (“MHHF”)**

The project works under the MEAM remit, supporting individuals facing multiple complex needs and exclusion with a focus on severe and enduring Mental Health need. This Service was launched in 2020 and will be integrated into the Specialist Mental Health Support pathway when it is commissioned in 2025. It is at current capacity and in progress to expand to the planned capacity of 21 individuals.

## **Consultation Analysis**

30. In 2022/3 an in-depth piece of co-production was undertaken to review the resettlement pathway and related services and support. Key stakeholders across York attended and contributed to 4 key recommendations which will inform the delivery and design of the future Service.

31. The planned procurement of this Service has been discussed with Senior Managers and Providers. It was also a topic of interest at “Project Board - Review of Resettlement Pathway & Related Services and Support” on 13th June 2023.



32. The contract funding and finance are currently being interrogated through the budgetary processes to address the deficit.

33. **Option 1 – No service**

As described in paragraph 4.5 and 6 the impact of not having a service is significant and will increase costs and impacts on other areas of service provision as well as having a detrimental effect on those using the services who already have multiple and complex needs.

34. **Option 2 – In-house delivery**

Paragraph 8 describes the situation in relation to in-house service delivery and without a financially informed options analysis this cannot be recommended at this stage.

35. **Option 3 – Procuring Services from the Market**

Commissioning from the market often enables greater efficiency, responsiveness, and innovation. The benefit of procurement is that it enables us to stimulate and shape the local market ensuring that it works to delivery of outcomes set and monitored by the Council and will evidence that the Council receives Value for Money by advertising this tender and evaluating suitable bidders on Quality/Price weightings and criteria.

In relation to in-house provision, management and control of the Contract remains with the funders and thus delivery is often more responsive and driven by performance.

## **Organisational Impact and Implications**

- **Financial**, contact: Chief Finance Officer

The current annual contract value is £1,098,375, made up of the core contract (£960,175), MEAM service (£61,500) and Housing First service (£76,700). The MEAM service is currently funded by Housing and the Housing First workers are funded by the Mental Health specialist accommodation pathway budget.

The proposed £150k saving will come from floating tenancy support service element of the core contract.

- **Human Resources (HR)**, contact: Head of HR
- **Legal**, contact: Head of Legal Services

### **Contract and Procurement Law Implications**

#### **General**

All options will require advice from Legal Services and Commercial Procurement on the different routes and the associated advantages and risks of each route to ensure compliance with relevant legislation and our constitution.

#### **Options 1 & 2 – No Service or In-House Delivery**

Options 1 and 2 would have no procurement law implications.

However, if the intention is to let the Contract expire, then Adults & Integration must consider and factor into their planning any relevant provisions under the Contract, including (but not limited to):

- Clauses 6.24 to 6.37 (**Employment Exit Provisions**) (i.e., TUPE);
- Clause 18 (**Effects of Termination**).

Further advice on any requirements upon termination/expiry within the Contract must be obtained from Legal Services before proceeding with this option, as well as advice from other relevant departments (e.g., HR and Finance in respect of any TUPE/Pension related issues).

### **Option 3 – Reprocuring the Services**

This final option carries the least amount of risk from a procurement law perspective.

Any new Contract will need to be commissioned via a compliant procurement route under the Council's CPRs and the Light Touch Regime under the Procurement Regs, with advice from the Commercial Procurement team. An appropriate form of contract will need to be drafted and completed with support from Legal Services.

### **Extending the current contract**

As outlined in **Background** above, there are no available extensions left under the Contract, and at present the Contract is due to expire on 31<sup>st</sup> January 2024.

In order to comply with both Clause 12 (**Variation**) of the Contract and Rules 19.3, 20.1 and 20.2 of the Council's Contract Procedure Rules, if the Council wishes to proceed with a 6-month extension, this will require both the Council and Changing Lives agreeing and entering a Deed of Variation to amend the terms of the Contract. Such a Deed will need to be drafted and ultimately sealed by Legal Services.

The Procurement Regs limit the circumstances in which public contracts can lawfully be varied. Regulation 72 of the Procurement Regs is intended to clarify the circumstances in which lawful variations can take place. The regulation establishes several "safe harbours" for certain types of amendment to public contracts without the need of having to run a new procurement exercise. Amendments which fall outside the scope of Regulation 72 will require a new procurement procedure in accordance with the Procurement Regs.

If the Council is successfully challenged (by way of a CPR, Part 7 procurement claim and/or a CPR, Part 8 judicial review claim) for failing to commence a new procurement procedure, the courts may impose a number of sanctions, including the payment of damages by the contracting authority to the claimant, a declaration of ineffectiveness, a fine, or contract shortening.

From the available safe harbour provisions, the following seem most likely to apply in these circumstances:

- **Reg. 72(1)(b) - Additional works, services and supplies by the original supplier**

Reg. 72(1)(b) permits variations to public contracts to allow for additional works, services or supplies by the original supplier where these have become necessary (and were not provided for in the initial procurement) and a change of contractor cannot be made for both economic or technical reasons, and where a change of contractor would cause significant inconvenience or substantial duplication of costs to the contracting authority.

Any increase in price must also not exceed 50% of the value of the original contract (subject to indexation).

Reg. 72(1)(b) can be relied upon in circumstances where the need for the additional works, services, or suppliers was foreseeable, but the contracting authority failed to provide for them for other reasons.

In this instance, the value of the proposed 6-month extension would be £568,363(exc. VAT) (£682,035 inc. Indicative 20% VAT). This would mean that the value of the proposed extension would be considerably less than 50% of the original total contract value:

I.e.,

$£1,008,938 * 7\text{-years} = £7,062,566$

$50\% = £3,531,283$

$£568,363 / £7,062,566 = c.8.05\%$

Therefore, CYC could in theory rely upon this safe harbour provision.

However, it should be noted that when relying on this ground contracting authorities must also publish a modification notice via the Find a Tender Service (“**FTS**”). Such a modification notice would need to outline not only that the relevant financial thresholds have been met but must detail why a change of contractor cannot be made for both economic or technical reasons, and where a

change of contractor would cause significant inconvenience or substantial duplication of costs to the contracting authority. Advice must be sought from Commercial Procurement on completing and publishing such a notice before any variation to the Contract is entered into.

Publishing a notice on FTS has the potential to invite further scrutiny from the market, and therefore carries the risk of a procurement challenge. To mitigate any potential legal challenge, no variation to the Contract should be entered into until 30-days after the publication of the notice on FTS at the earliest. Once the 30-day period has expired, this should mean that any claim against CYC failing to commence a new procurement procedure will be time barred under Regs. 92 and 93 of the Procurement Regs. However, this subject to the notice on FTS being valid and without any defects, which is why advice should be sought from Commercial Procurement (and where necessary Legal Services) when drafting the notice.

- **Regs. 72(1)(e) and 72(8) - non-substantial changes**

Reg. 72(1)(e) permits variations to public contracts where those variations, irrespective of value, are not substantial. A “substantial” variation is defined by Reg 72(8) as any change, irrespective of value, which meets any one or more of the following conditions:

- a. it renders the Contract materially different in character from the original;
- b. it would have allowed other potential suppliers to participate or be selected, or another tender to be accepted;
- c. it changes the economic balance of the contract in favour of the contractor in a way which was not provided for;
- d. it extends the scope of the contract “considerably;” or
- e. it replaces the original contractor, other than where the change arises from a review or option clause in the original contract or from corporate restructuring such as merger, takeover or insolvency.

Point (e) immediately above does not apply in this instance.

As long as no other changes are made to the Services, rates, and/or the terms and conditions, then theoretically (a) and (c) above should not apply.

With regards to (d) above, the term “considerably” is not defined anywhere in the Procurement Regs unfortunately. However, given that the value of the proposed extension falls below the Light Touch Regime procurement threshold, and that it only represents c. 6.99% of the original total value of the Contract when it was first tendered, and that arguably just the extension of the Term on its own would not change the character of the original Contract such as to demonstrate an intention between the parties to renegotiate the essential terms of the Contract, then we may be able to argue that (d) does not apply also.

With regards to (b), this will require advice from Commercial Procurement and review of the original tender submissions and scoring from 2017, however so long as Commercial Procurement and Adults & Integration are satisfied that they can prove on a balance of probabilities that no other ‘realistic hypothetical bidder’ would have applied for the Contract had it been originally advertised with the extended Term, then (b) may not apply also.

If we were to rely on Regs.72(1)(e) and 72(8), then technically there is no requirement to publish a modification notice on FTS. However, a voluntary transparency notice (also known as VEAT notice) can protect a contracting authority from a declaration of ineffectiveness, in circumstances where a modification notice is not required. Further advice should be sought from both Commercial Procurement and Legal Services in due course on this point before proceeding to enter any variation with Changing Lives pursuant to Regs.72(1)(e) and 72(8).

### ***Property Law Implications***

According to the records of Legal Services:

- On 6<sup>th</sup> October 2020 the Council granted:
  - a lease of Union Terrace Centre to Changing Lives for a Term from and including that date until 31<sup>st</sup> January 2024 at a rent of £133,000 (exclusive of VAT) per annum; and
  - a lease of Robinson Court to Changing Lives for a Term from and including that date until 31<sup>st</sup> January 2024 at a rent of £75,000 (exclusive of VAT) per annum,

with both of those leases containing an option for either the landlord or the tenant to terminate the lease early at any time after expiry of the Wellbeing Service Contract.

- On 12<sup>th</sup> June 2018 the Council granted separate respective leases to The Cyrenians Ltd of the following properties:
  - 27/28 St Mary's (at a yearly rent of £20,600 (exclusive of VAT) per annum);
  - part of 16/18 Bootham (at a yearly rent of £7,200 (exclusive of VAT) per annum);
  - 89/91 Scarcroft Road at a yearly rent of £17,000 (exclusive of VAT) per annum);
  - 9 Melbourne Street (at a yearly rent of £4,850 (exclusive of VAT) per annum);
  - 2 Sandringham Street (at a yearly rent of £4,850 (exclusive of VAT) per annum),

each for a Term of 5-years from and including 1<sup>st</sup> February 2017 until and including 31<sup>st</sup> January 2022 (although all 5 leases contained provisions in which the Council and Changing Lives agreed that they would enter into further leases of these properties in the event that the Term of Service Contract was extended beyond 31<sup>st</sup> January 2022, it appears that further leases of these properties were not entered into even though the Term of the Service Contract was extended to 31<sup>st</sup> January 2024).

- On 9<sup>th</sup> July 2019 the Council granted Changing Lives a lease of property at 44 ETTY Avenue (at a yearly rent of £7,500 (exclusive of VAT) per annum) for a Term from that date until 31<sup>st</sup> January 2022 (although the lease of 44 ETTY Avenue contained provisions in which the Council and Changing Lives agreed that they would enter into a

further lease of that property in the event that the Term of Service Contract was extended beyond 31st January 2022, it appears that no further lease of that property was entered into even though the Term of the Service Contract was extended to 31<sup>st</sup> January 2024).

- On 22<sup>nd</sup> March 2022, Changing Lives served notices on the Council indicate that they would vacate/hand back possession of:
  - 27/28 St Mary's; and
  - 44 ETTY Avenue,

on/with effect from 25<sup>th</sup> April 2022

- All the above leases were excluded from/contracted out of the security of tenure/automatic renewal provisions of the Landlord and Tenant Act 1954.

It is understood that the Council's Housing Options Team have also granted leases/tenancies of a considerable number of other properties to Changing Lives for that service provider to house/place service users in as 'starter homes/flats. Legal Services are not aware of how many of those leases/tenancies are still subsisting or how many of those properties are still occupied by service users.

The Council has statutory powers:

- (Pursuant to Section 123 of the Local Government Act 1972) to dispose of any General Fund/non-HRA land held by the Council (including granting a lease of it). Although Section 123 requires that the consent of the Secretary of State for Housing, Communities and Local Government be obtained for a disposal at a consideration (price) less than best reasonably obtained, such consent is automatically given for the disposal of General Fund/non-HRA land by a General Consent Order where (both of the following conditions are satisfied):
  - the Council considers that the disposal will contribute to the promotion or improvement of the economic, environmental, or social well-being of its area; and
  - The difference/shortfall between the consideration/monetary receipt obtained and best consideration amount does not exceed £2M.



- (Pursuant to Section 32 of the Housing Act 1985) to dispose of any HRA land held by the Council (including granting a lease). Although Section 32 requires that the consent of the Secretary of State is obtained for a disposal of HRA land (whether at or below market value), General Consent Orders automatically give SoS consent to disposal/leasing of such land where:
  - the disposal is at market value; or
  - by way of 'short tenancy' comprising a lease for a term not exceeding 7-years (but on the expiry of such tenancy a further short tenancy of the land cannot be granted pursuant to such General Consent until at least one year after the original short tenancy has expired).

With regard to HRA land, Section 25 of the Local Government Act 1988 prohibits a local authority from providing/giving 'financial assistance or gratuitous benefit' when disposing of HRA land (including disposing for a price below market value) without the consent of the Secretary of State. However, a General Consent Order does give SoS consent to the provision of financial assistance/gratuitous benefit in the limited circumstances specified in such G.C.O. including to the provision to any person of financial assistance or gratuitous benefit consisting of the disposal of an asset comprising a dwelling house or hostel where:

- the aggregate amount or value of the financial assistance or gratuitous benefit provided by the local housing authority to all persons under this consent in any financial year shall not exceed the sum ascertained by multiplying the population of the area of the authority by the figure of £3.00;
- the disposal must be:
  - by way of a lease for a term not exceeding 21-years; and
  - to either:
    - a registered provider of social housing; or
    - a person who intends to use the accommodation for occupation by persons with a special need; and

- the aggregate number of dwelling-houses comprised in the disposal and any previous disposal by the local authority under this consent in the same financial year must not exceed a number (the “**ceiling**”) equal to the greater of 50 or one quarter of one per cent of the number of dwelling-houses owned by the authority at the commencement of the financial year in which the disposal takes place.

It is understood that the Council-owned properties presently used by the current service provider for the provision of the Services pursuant to the existing Contract (and therefore that the Council will need to lease to the appointed service provider of the new Contract) comprise a mixture of General Fund and HRA properties.

In any event, it is considered that General Consents give the Council power to dispose (by way of leases for a term up to 7 years) of the necessary properties to the appointed service provider without needing to apply for and obtain express consent from the Secretary of State.

- ***Procurement, contact: Head of Procurement.***

The Adult Community Wellbeing and Support Service contract was commissioned and awarded via an OJEU advertised Open Procedure procurement exercise in 2017 with the contract awarded to the provider The Cyrenians Ltd. (t/a Changing Lives). The Contract included the option to extend the Term up to a maximum of 2-years from 31<sup>st</sup> January 2022, which was taken by the Council and the Contract was extended up to and including 31<sup>st</sup> January 2024. All available extensions have now been utilised under this Contract.

This service has not been subjected to a competitive procurement procedure for over 6 years and therefore in compliance with the Council’s CPRs and with Public Contract Regulations 2015 the Adult Community Wellbeing and Support Service contract should be re-procured through an openly advertised procurement procedure for a maximum 7-year contract period and a contract value of £6,370,175.

The total contract value for the Adult Community Wellbeing and Support Service of £6,370,175 is well above the Light Touch Regime threshold as defined within the Procurement Regs, £663,540, and therefore a Contract Notice and tender

documents must be published in the Find a Tender website and on a accessible E-tendering website portal i.e. Yortender respectively in order to invite competitive tenders to be submitted by interested providers to the Council.

There are associated buildings and potentially existing staff that support the delivery of the current Adult Community Wellbeing and Support Service contract that will impact on the procurement and therefore the appropriate advice should be requested from colleagues within Property Services, Finance and Legal Services as well as support from Commercial Procurement to manage the procurement.

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There are associated buildings and potentially existing staff that support the delivery of the current Adult Community Wellbeing and Support Service contract that will impact on the procurement and therefore the appropriate advice should be requested from colleagues within Property Services, Finance and Legal Services as well as support from Commercial Procurement to manage the procurement.

- ***Health and Wellbeing***, contact: *Director of Public Health.*
- ***Environment and Climate action***, contact: *Director of Transport, Environment and Planning, and Head of Carbon Reduction.*
- ***Affordability***, contact: *Director of Customer and Communities.*
- ***Equalities and Human Rights***

The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate

discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

At the time of writing there are no equalities implications identified in respect of the matters discussed in this report. However, an Equalities Impact Assessment will be carried out in due course and the process of consulting on the recommendations in this report will identify any equalities implications on a case-by-case basis, and these will be addressed in future reports.

- **Data Protection and Privacy**, contact: [information.governance@york.gov.uk](mailto:information.governance@york.gov.uk) - every report must consider whether to have a Data Protection Impact Assessment (DPIA) and this section will include the compliance requirements from the DPIA or explain why no DPIA is required.
- **Communications**, contact: Head of Communications.
- **Economy**, contact: Head of City Development.
- **Specialist Implications Officers**, as appropriate.
- **Property Implications**, Contact: Head of Property Services

The Current Well Being contract uses two properties within the General Fund and four properties within the Housing Revenue account. The following gives brief comments about each property.

### **General Fund**

Union Terrace and Robinson Court were acquired from York Housing Association in 2020, following approval by the Executive in August 2018. The reasons for the acquisitions were to maintain the level of hostel provision, enable consistent decision making across the provision of hostel accommodation with the Council acting as landlord/owner, and ensuring strategic priorities are maintained through allocation decisions.

#### Union Terrace Centre

A purpose- built 35 bedroom homeless hostel on a 0.5 acre site built in 2009. Edge of City Centre location, close to York St John University. Leased to Changing Lives for the duration of the contract at a rental of £133,000 per annum plus a service charge to cover maintenance and repairs to the interior of the building.

This is a modern purpose-built and well used hostel with limited scope for an alternative use without major alterations. A multi million pound alternative use value is likely given the location, subject to Planning.

### Robinson Court

Purpose built hostel accommodation for vulnerable ex-offenders. Constructed 1992 in two blocks. Site area 0.181 acres. Edge of city centre location in a are of mixed uses including local authority housing, student housing and commercial uses. The property is let to Changing Lives on similar terms to Union Terrace at a rental of £75,000 per annum plus service charge to cover maintenance and repairs to the interior of the building. The property has recently undergone a programme of repairs and decoration to the external joinery of the building.

The building is well used by the service provider. Any alternative use for the building is precluded by a restrictive covenant on the property limiting its use to a bail hostel or other sheltered housing scheme.

## **Housing Revenue Account**

### 16-18 Bootham

Comprises a three storey Victorian building. The accommodation comprises two one bedroom flats on the first and second floors. Used as supported accommodation in connection with the Well Being contract. The ground floor is let to a pizza takeaway as part of the commercial estate. Let to Changing Lives at a rental of £7,200 per annum. Under the new contract, it is estimated that the rent would rise to c£9,000 per annum.

Possible alternative use would be as private flats to be sold off on premium leases. Value estimated at c£250k per flat.

### 9 Melbourne Street

Comprises a two storey Victorian terraced house with attic in the roof space. Has been subdivided internally to create bedsitting accommodation with communal kitchen, shower room and WC.

Fully refurbished internally by the Council in 2022. Included new central heating boiler, water heater and new internal fittings. Used as supported accommodation in connection with the Well Being contract. Let to Changing Lives as part of the well Being contract at a rental of £4,850 per annum. Under the new contract it is estimated that this would rise to c£6,000 per annum. Understood to be fully occupied.

Alternative use would be for private residential either as existing bedsit accommodation or conversion back to a single residential dwelling. Estimated value c£400,000.

### 2 Sandringham Street

A two storey two bedroom Victorian Terrace house. Used as supported bedsit accommodation for two residents. Retains its as-built layout. In need of internal refurbishment. Newly installed central heating boiler. Let to Changing Lives as part of the Well Being contract at a rental of £4,500 per annum. Under new contract it is estimated that this would rise to £6,500 per annum. As there are only two residents, this property is currently under-utilised.

Alternative use would be for a private residential dwelling. Situated in a good class residential area off Fishergate, Estimated value c£400,000.

### 89/91 Scarcroft Road

A pair of Victorian four storey semi-detached town houses converted into three 3 bedroom self-contained flats, with office, communal sitting room, kitchen and laundry facilities on the ground floor. Underwent internal refurbishment by the Council in 2021. Externally, in need of redecoration. Let to Changing Lives at current rental of £17,000 per annum. Under the new contract this would rise to c£22,000 per annum. Understood that most of the accommodation is occupied.

Alternative use would be for private flats or for conversion back to two separate private residential houses, possibly conversion to Hotel/B&B use. Situated in a high class residential area close to the junction of Scarcroft Road and The Mount Estimated value £650-700,000, although this could be a conservative one.

The rental levels quoted in the property implications above require reviewing as part of the procurement process to make sure that they are in line with current market or social housing levels.

The current service charges payable by Changing Lives in respect of The Union Terrace Centre and Robinson Court will require reviewing as part of the procurement process to make sure that they are in line with current and expected expenditure on the maintenance and repair of the buildings.

## **Risks and Mitigations**

### **36. No Service**

See above for impact of decommissioning the Service.

### **37. Procurement Failure**

There is a risk that having reduced the contact value that it will not be an attractive proposition to the market and no Providers will engage with the tender exercise. Should this happen we can mitigate the impact by re-engaging with the market and revisiting the ask.

### **38. Timescales**

Timescales associated with a procurement exercise on this scale will be demanding. There are a number of the Council properties that will require significant legal input to develop lease agreements etc. The TUPE implications will also have an impact on reasonable mobilisation periods. The biggest risk to completing the procurement exercise within a timely manner is ensuring approval through the governance processes.

### **39. Provider Quality**

With any procurement exercise there is a risk that the appointed provider will fail to deliver a satisfactory level of quality. This can be mitigated for through a rigorous tender procedure involving stakeholders at various stages. Should this fall further mitigations can be provided through contractual mechanisms such as break clauses.

## Wards Impacted

40. All wards will be impacted.

## Contact details

For further information please contact the authors of this Decision Report.

### Author

|                         |                       |
|-------------------------|-----------------------|
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| <b>Report approved:</b> | Yes                   |
| <b>Date:</b>            | 01/08/2023            |

### Co-author

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|-------------------------|-----------------------|
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| <b>Report approved:</b> | Yes                   |
| <b>Date:</b>            | 01/08/2023            |

## Annexes

Annex 1 – York Homelessness Pathway 2022

Annex 2 – Mental Health and Homelessness

Annex 3 – Mental Health Housing and Support Executive Report 27 August 2020



Annex 4 – Procurement Timetable

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# CHANGING LIVES

## York Homelessness Pathways Jan 2022

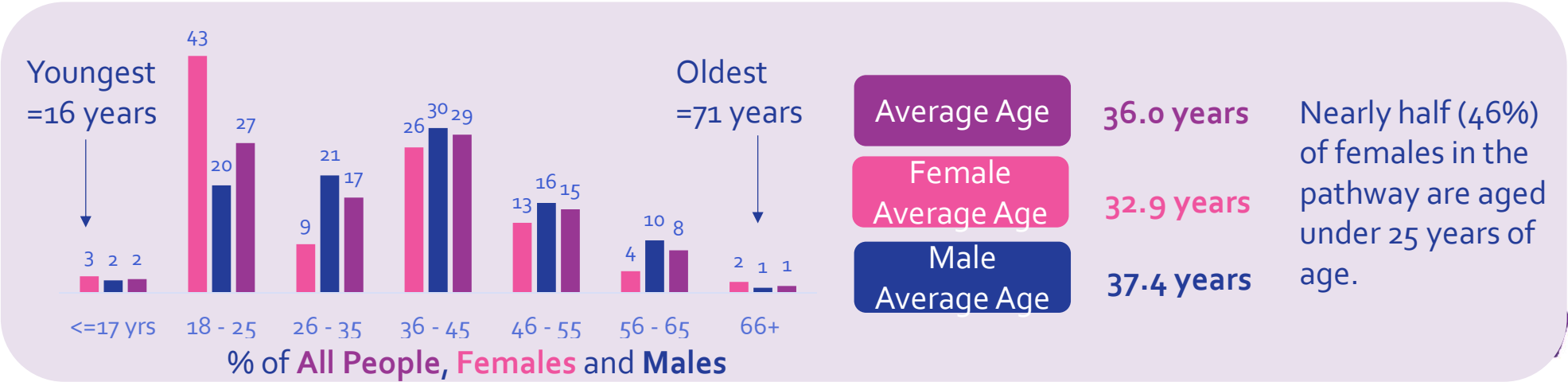
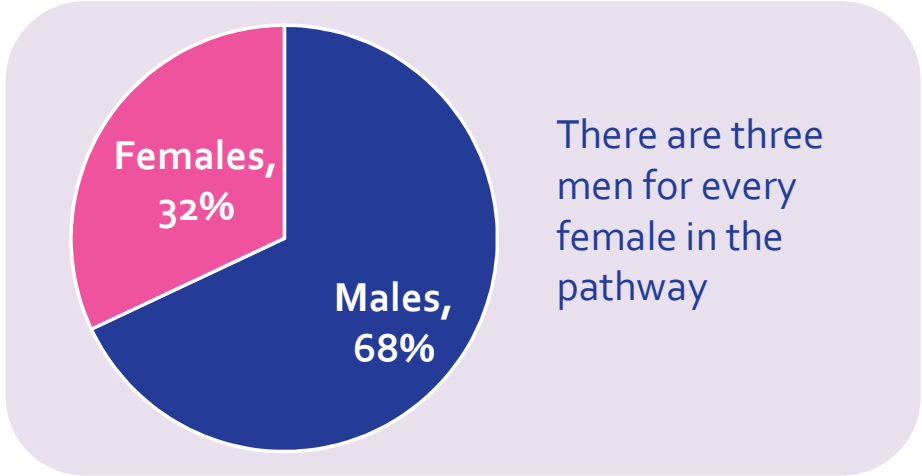
Presenter | Lissa Anderson

Date | 16<sup>th</sup> February 2022



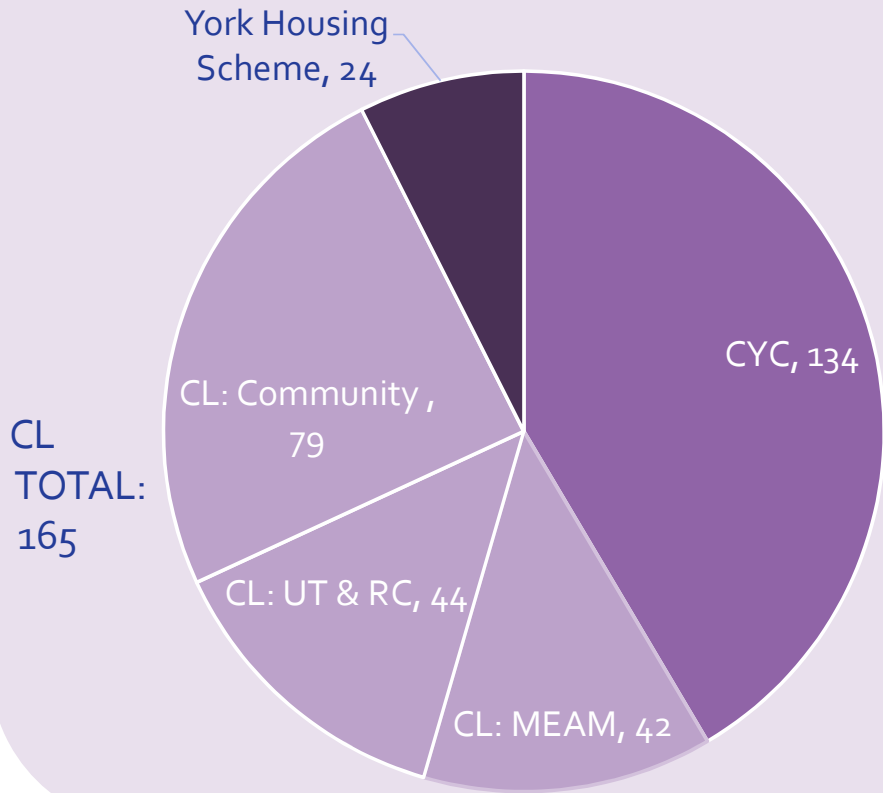
# Profile of those in York Homelessness Pathway - January 2022

**323**  
People in pathway

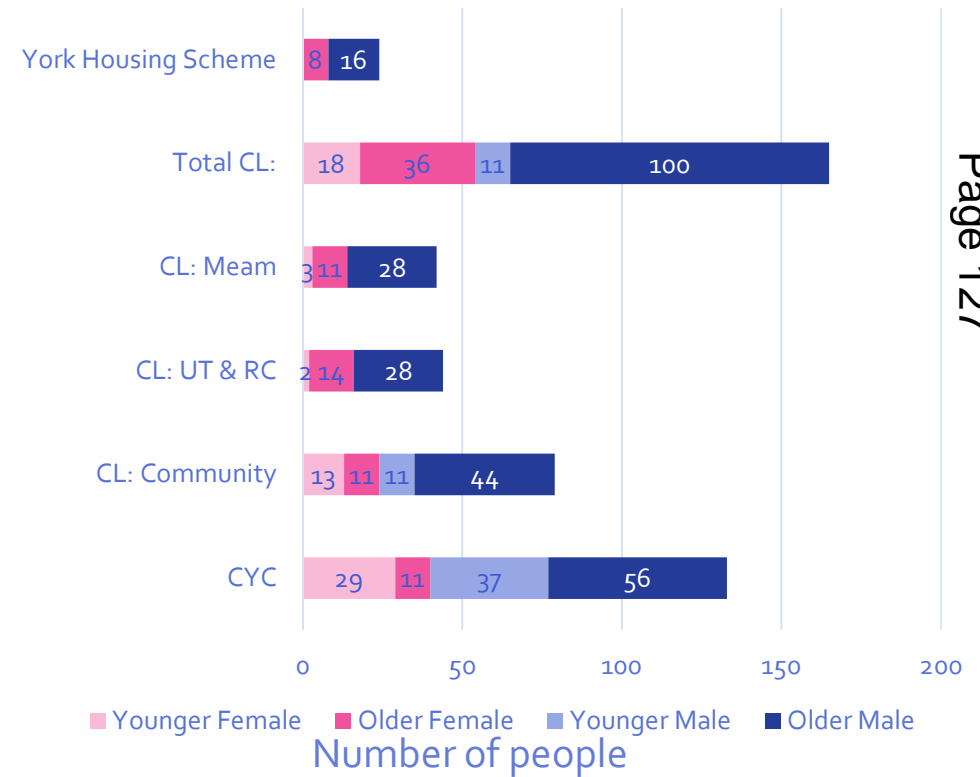


# Sample details by provider:

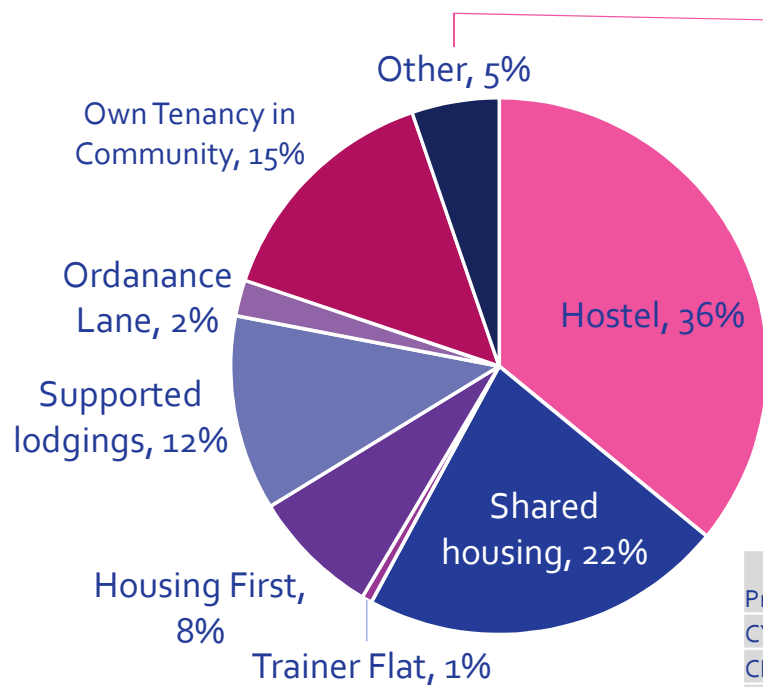
Number of people by Provider



Age and gender split by provider



# Type of accommodation:

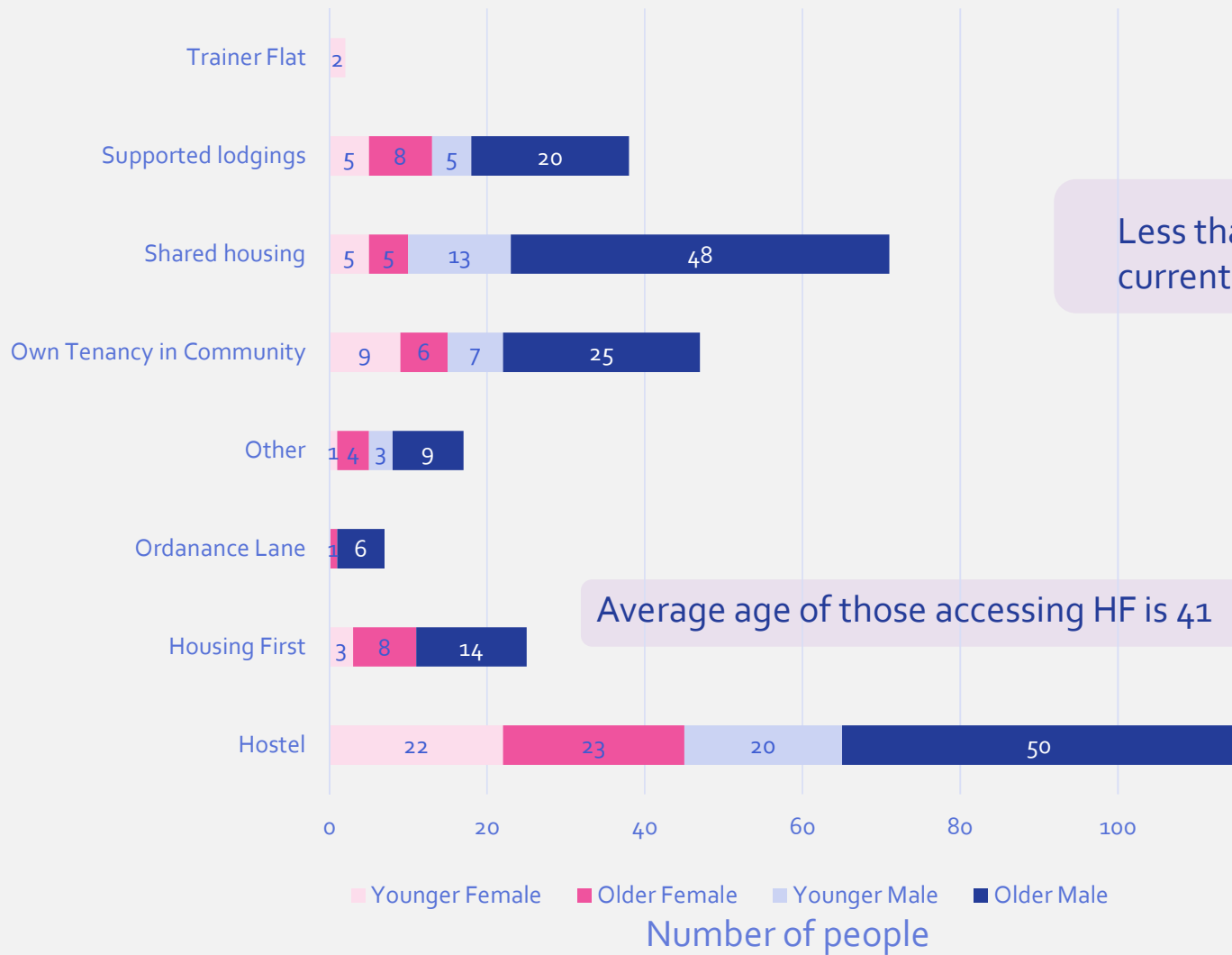


- Prison
- Partner
- Prison
- Prison
- Nighstop- will become SL
- Floating support
- Floating support
- B&B
- Sofa Surfing

## Type of accommodation by Provider:

| Project:            | Hostel | Housing First | Ordanance Lane | Other | Shared housing | Supported lodgings | Trainer Flat | Grand Total |
|---------------------|--------|---------------|----------------|-------|----------------|--------------------|--------------|-------------|
| CYC                 | 65     | 6             | 5              | 6     | 37             | 12                 |              | 131         |
| CL: Community       |        | 2             |                |       | 34             |                    | 2            | 79          |
| CL: MEAM            | 7      | 17            | 2              | 11    |                | 2                  |              | 42          |
| CL: UT & RC         | 44     |               |                |       |                |                    |              | 44          |
| CL: TOTAL           | 51     | 19            | 2              | 11    | 34             | 2                  | 2            | 165         |
| York Housing Scheme |        |               |                |       |                | 24                 |              | 24          |
| Grand Total         | 116    | 25            | 7              | 17    | 71             | 38                 | 2            | 323         |

## Type of accommodation by gender and age



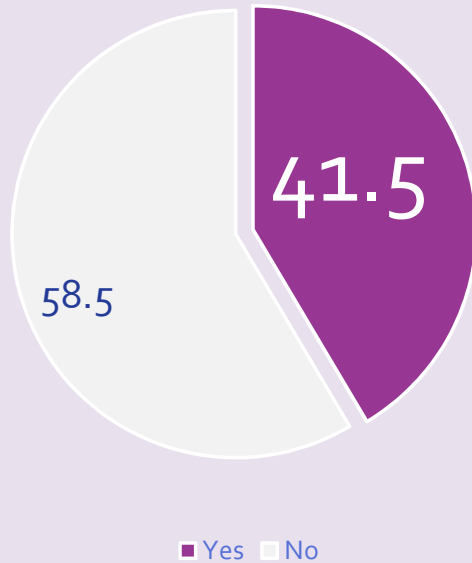
Less than 10% of Females are currently in Shared Housing

Average age of those accessing HF is 41

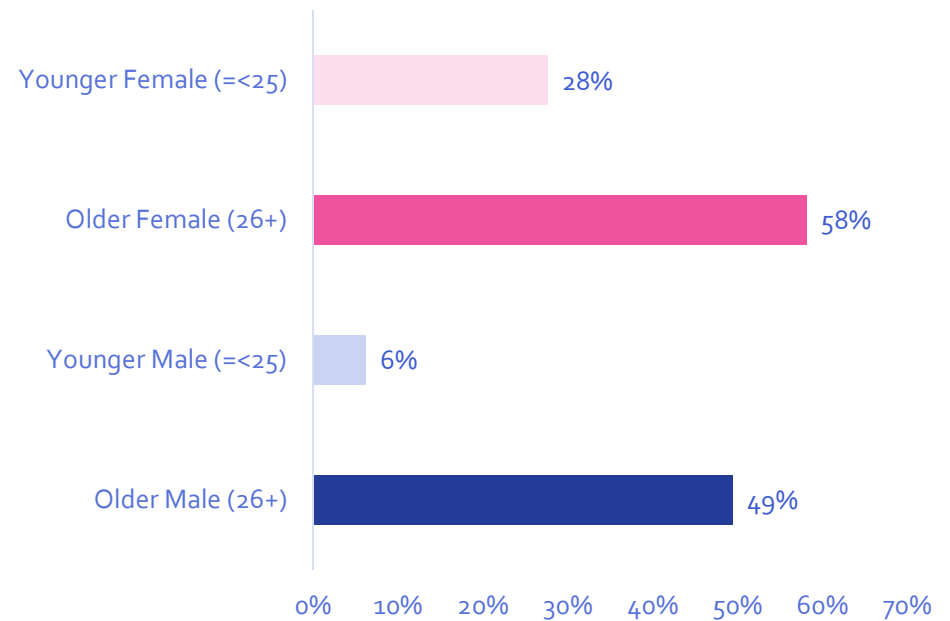
Disproportionally more Females are in Hostel accommodation (44%) compared to Males (32%)

# Repeat Presentations

% of people who are repeat presentations



Repeat presentations by gender & age



2 out of every 5 people are currently on at least their third stay. As you'd expect re-presentation rates increase with age, females have a slightly higher propensity to represent. There appears to be a spike in re-presentations amongst younger females, with 3 in 10 of those in the pathway on at least their third stay.



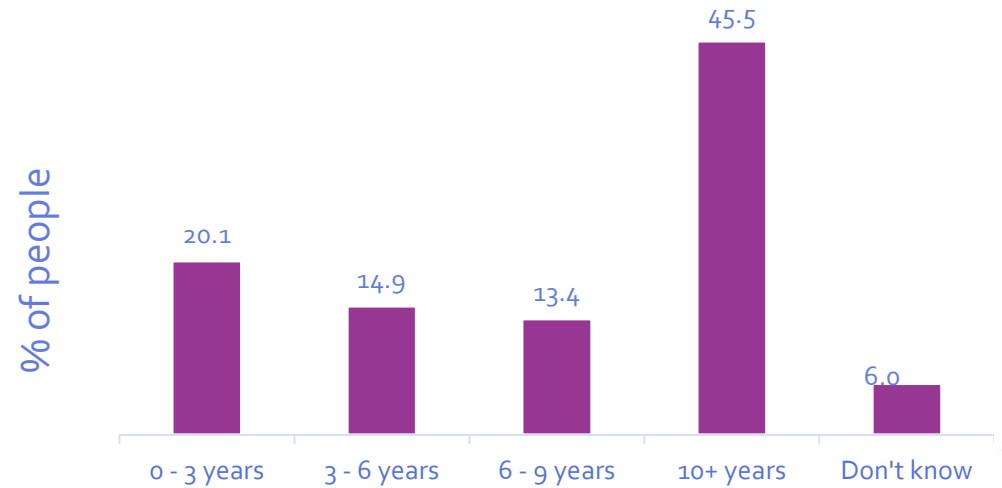
# Repeat Presentations

**41.5%**

Of people currently in the system are re-presentations

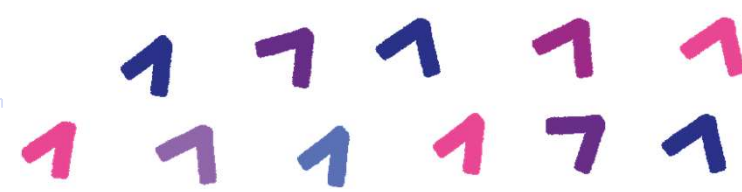
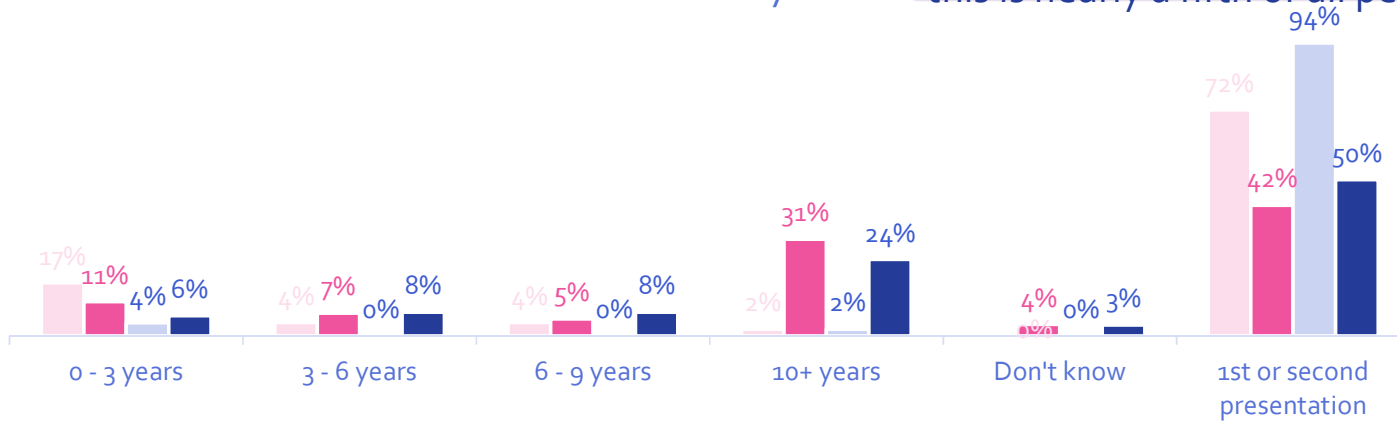


Time in the system



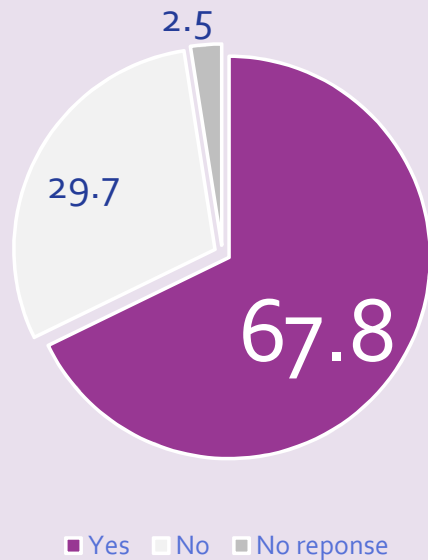
3 in 5 of those that are re-presentations (59%) are known to have been in the system for 6 or more years. Nearly half of all re-presentations (46%) have been in the system for more than 10 years, this is nearly a fifth of all people currently within the pathway (19%)

Time in the system

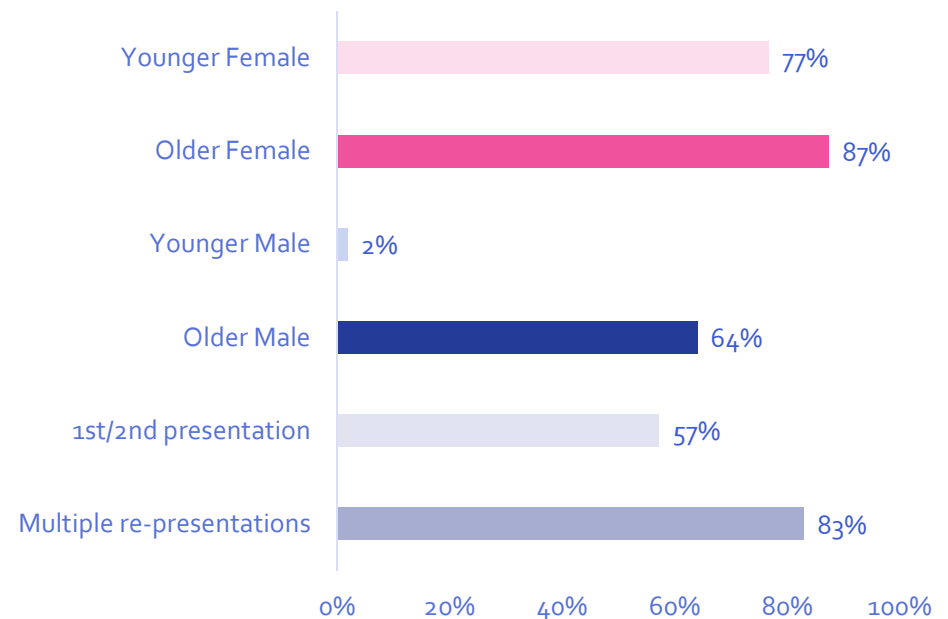


# Experience of Trauma

% of people who are known to have experience of Trauma



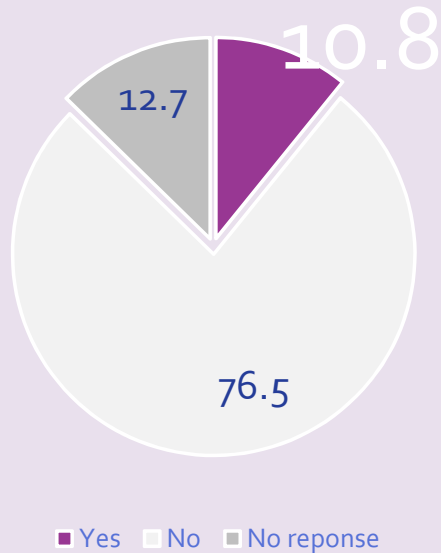
Who had experience of trauma:



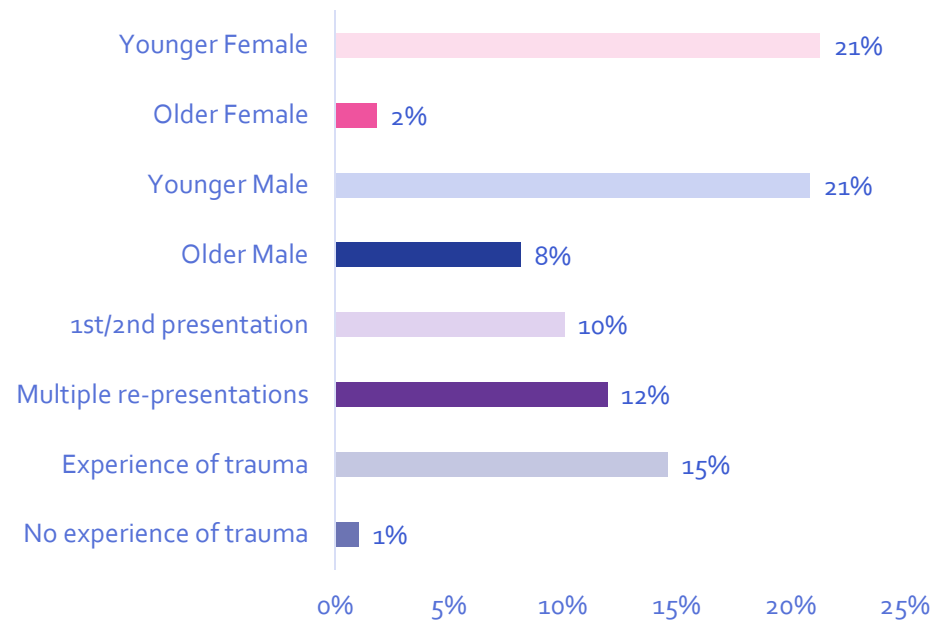
Over two thirds (68%) are known to have experience of Trauma. Females within the pathway are more likely to be identified with Trauma (80%) than males (61%). Those with multiple re-presentations into the pathway have an increased propensity to experience Trauma. Young males are significantly less inclined to experience or disclose Trauma.

# Care Leaver

% of people who are known to be a Care Leaver



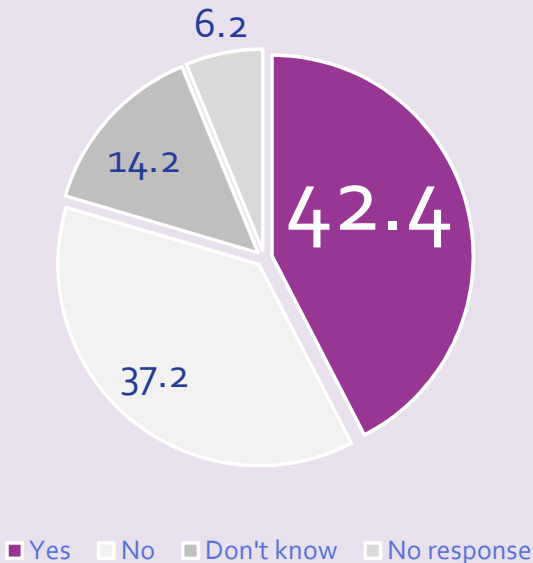
Who is a Care Leaver:



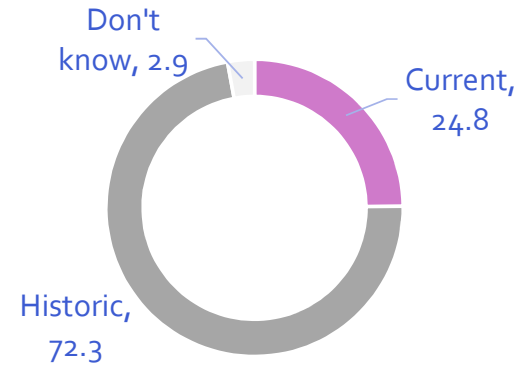
Only 1 in 10 people within the Pathway are known to be Care Leavers. There is a higher prevalence of those with experience of Care amongst the younger people accessing the pathway. 15% of those with experience of trauma, were Care Leavers, indeed nearly all (91%) of Care Leavers had experience of trauma.

# Domestic Abuse

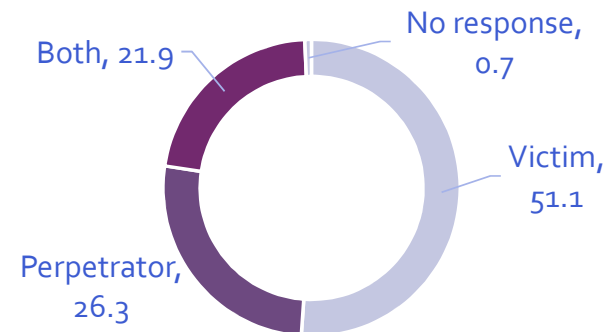
% of people who are known to have experienced Domestic Abuse



When:



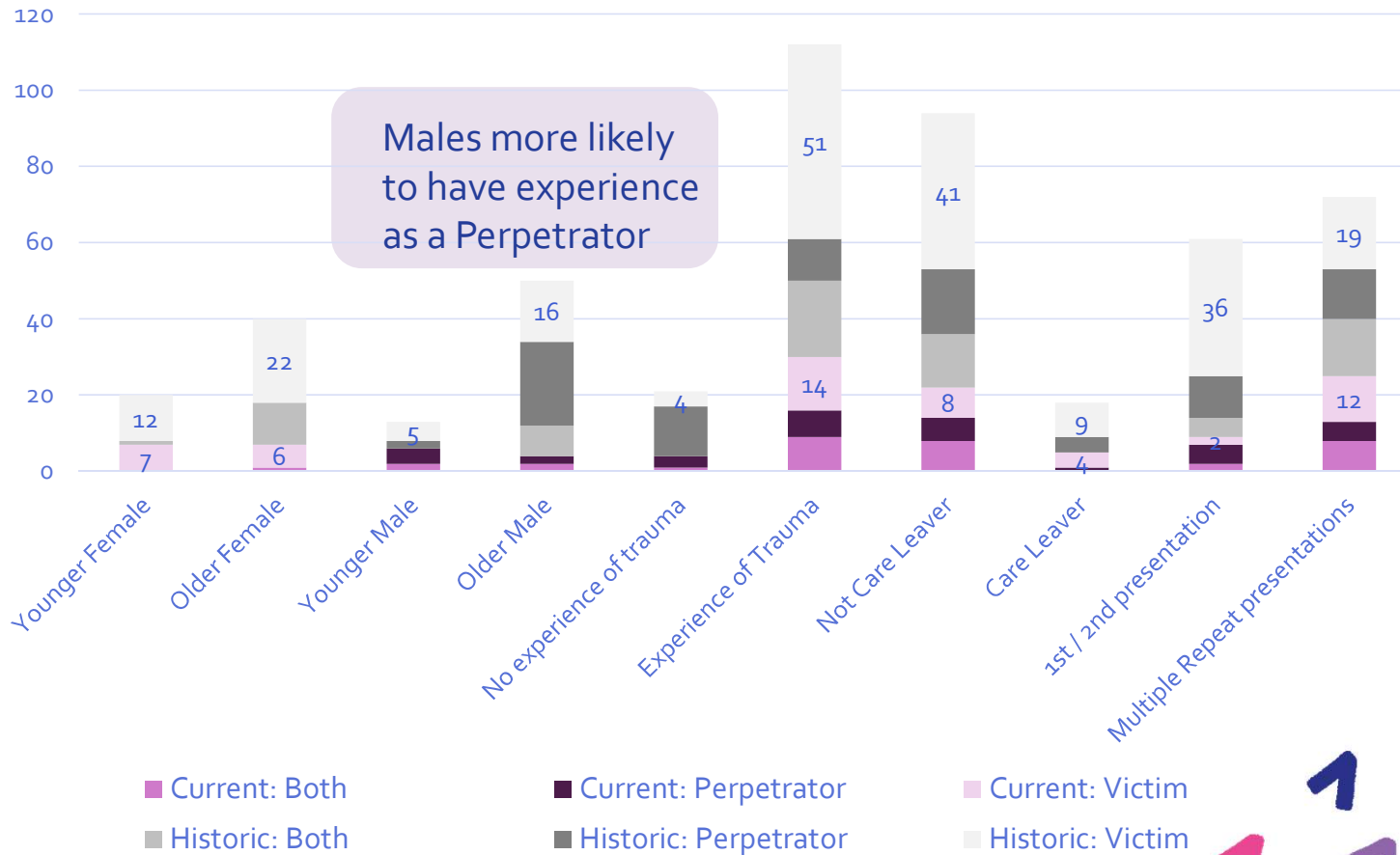
Nature of experience:



Four in ten people (42%) have experience of Domestic Abuse. The majority of experiences were historic (72%), a quarter (25%) of experiences are known to be current. 7 in 10 people (73%) have experience as a victim, nearly half (47%) have experience as the perpetrator.

# Domestic Abuse

Who has experienced domestic abuse

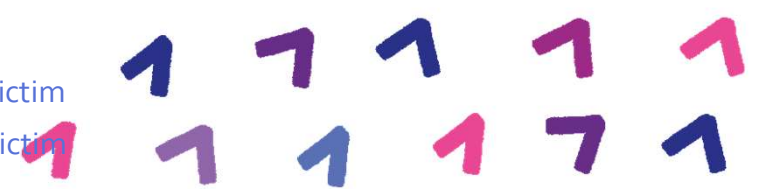
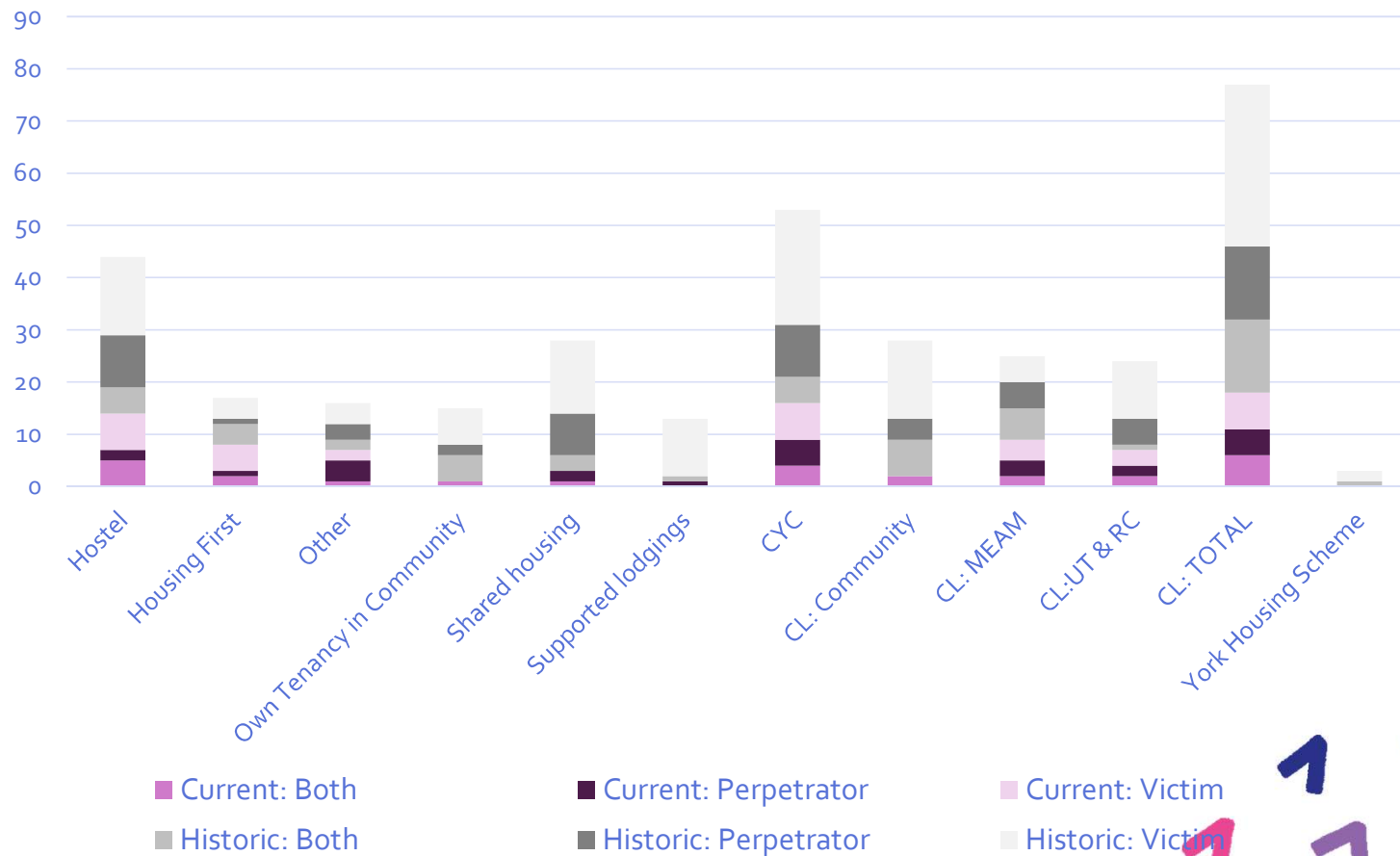


Males more likely to have experience as a Perpetrator

20 people have experience of DA (typically as a perpetrator), who are not know to have experienced trauma.

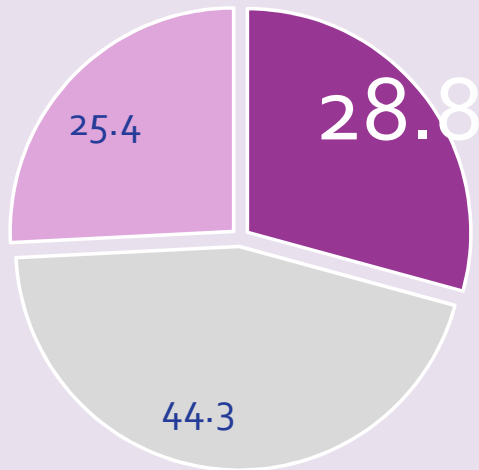
# Domestic Abuse

Experience of DA by type of housing / provider

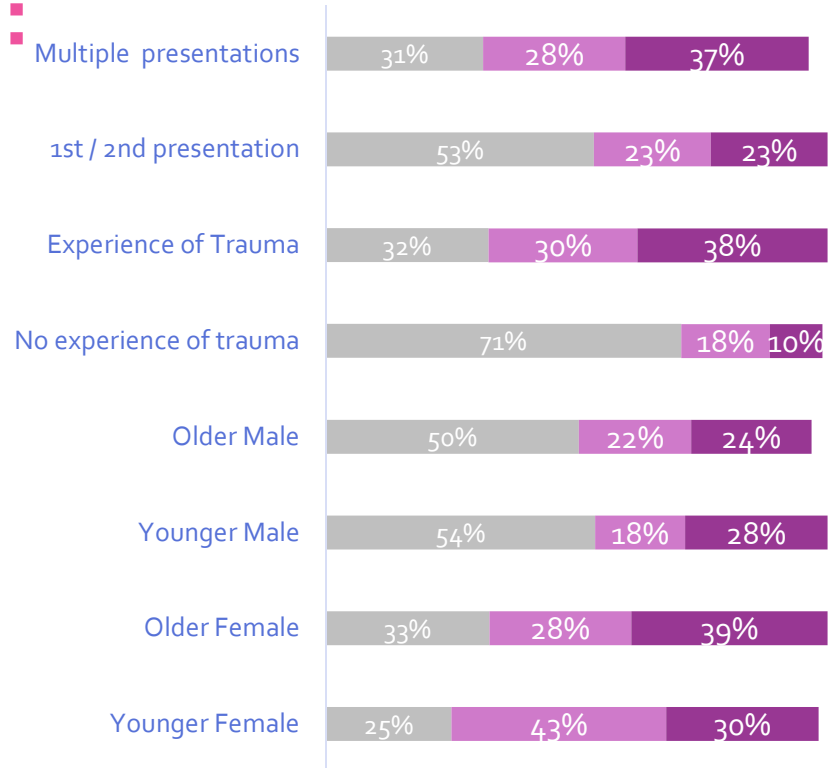


# Involvement with TEWV:

% of people: Involvement with TEWV



■ Yes, current   ■ None aware   ■ Yes, historic



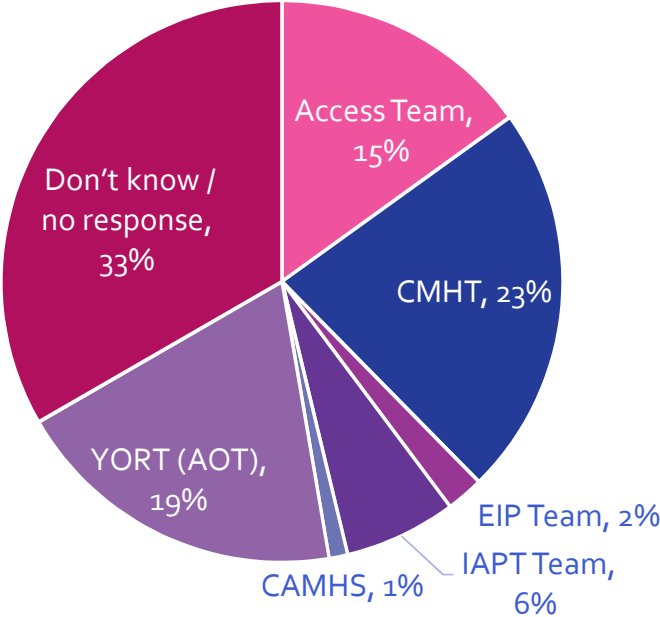
6 in 10 people are known to have had some involvement with TEWV, 29% of those in the pathway are currently on TEWV's books. Females are more likely to have either current or historic involvement.

# Involvement with TEWV:

**29%**  
Of people currently in  
involved with TEWV



Current programme:

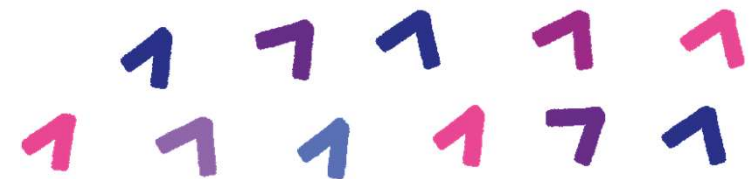


In a third of instances people were known to be involved with TEWV but the specific programme wasn't known or recorded. People within the pathway are most likely to engage with CMHT and YORT.



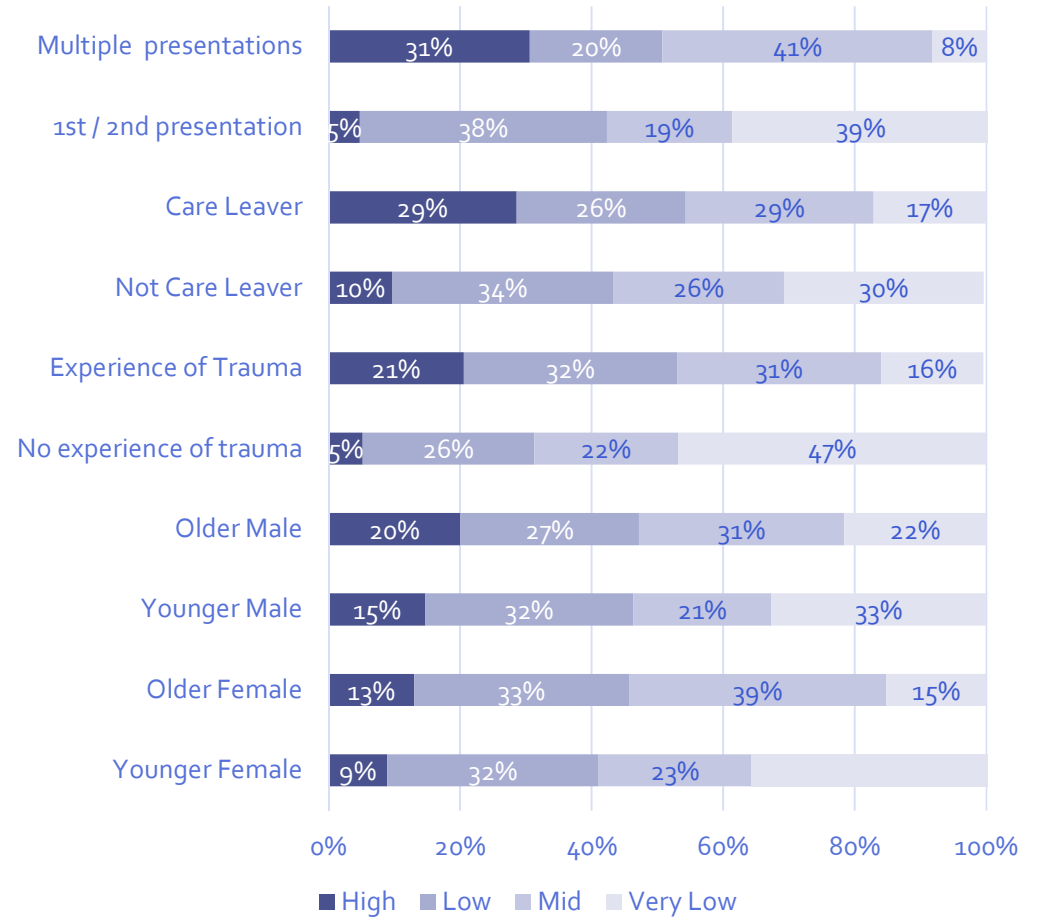
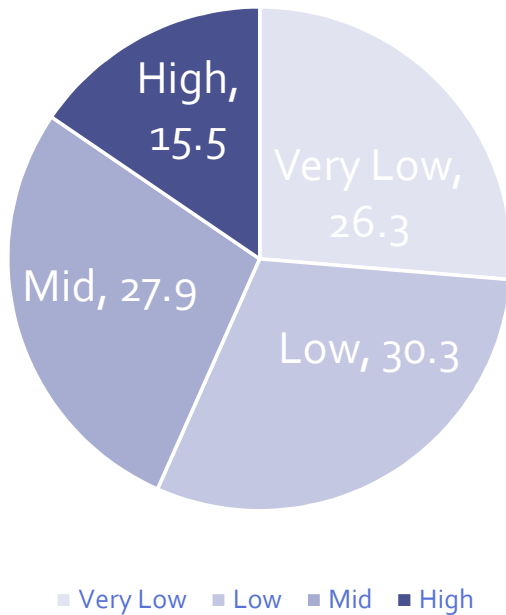
# Respondent Profiling

- 14 Likert scales used to clarify the experience, behaviour and circumstances of those in the pathway, each scoring 0 -4
- Based on these scores 4 profiles have emerged in relation to complexity of need
  - **Very Low complexity** (cumulative score =<9 with no scores of '4')
  - **Low complexity** (either cumulative score =<9 with one or more score of '4', or score range of 10 – 19 with now scores of '4')
  - **Mid complexity** (either score of 10 – 19 with scores of 4, or scores ranging from 20 – 29)
  - **High complexity** (scores 30+)
- These profiles are relative to the cohort, it is apparent that someone with a low complexity rating may have significant presenting needs and challenges
- Question topics:
  - Levels of engagement
  - Intentional self-harm
  - Unintentional self-harm
  - Risk to others
  - Risk from others
  - Stress & Anxiety
  - Social effectiveness
  - Alcohol / Drug abuse (prescription and illicit)
  - Impulse control
  - Housing
  - Physical health
  - Adult social care needs
  - Mental health
  - Contract with Criminal Justice



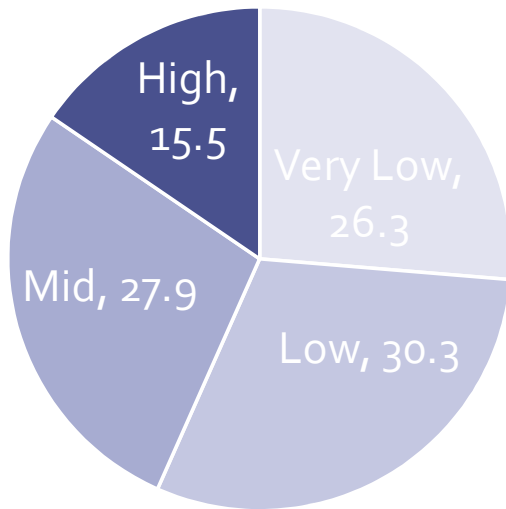
# Respondent Profiling

Complexity of need

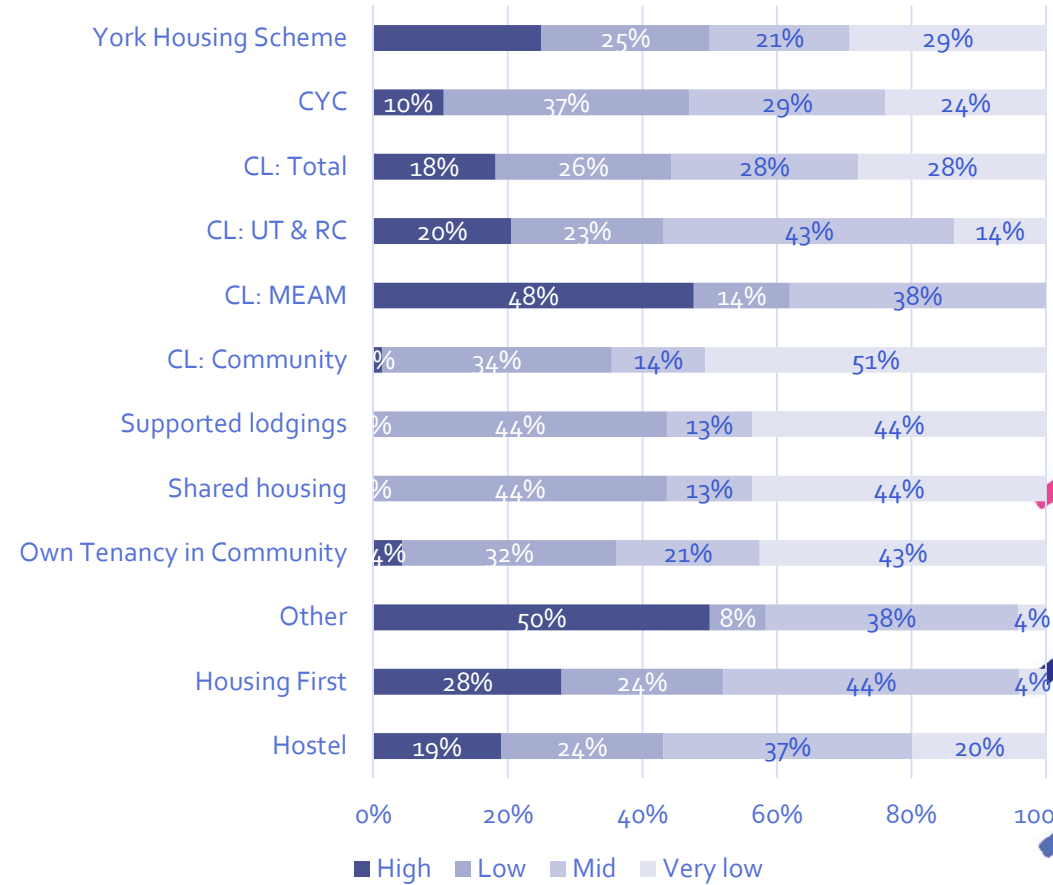


# Respondent Profiling

Complexity of need

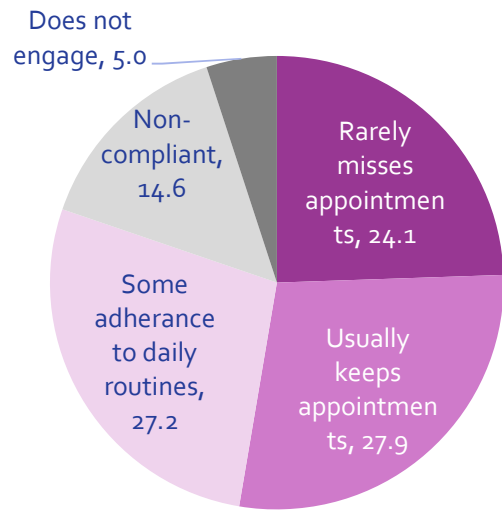


Very Low Low Mid High

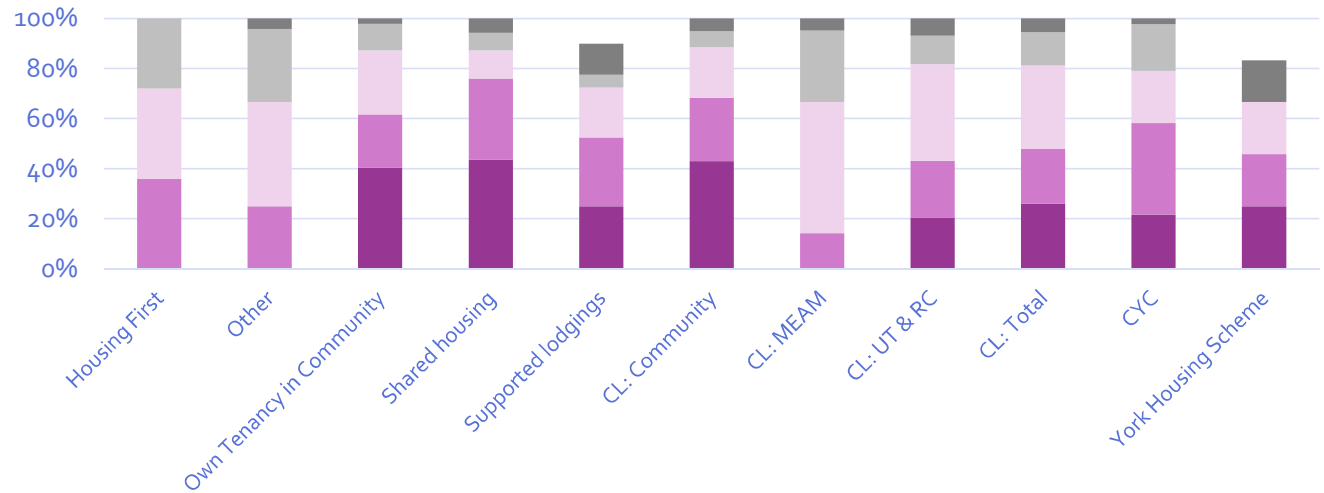
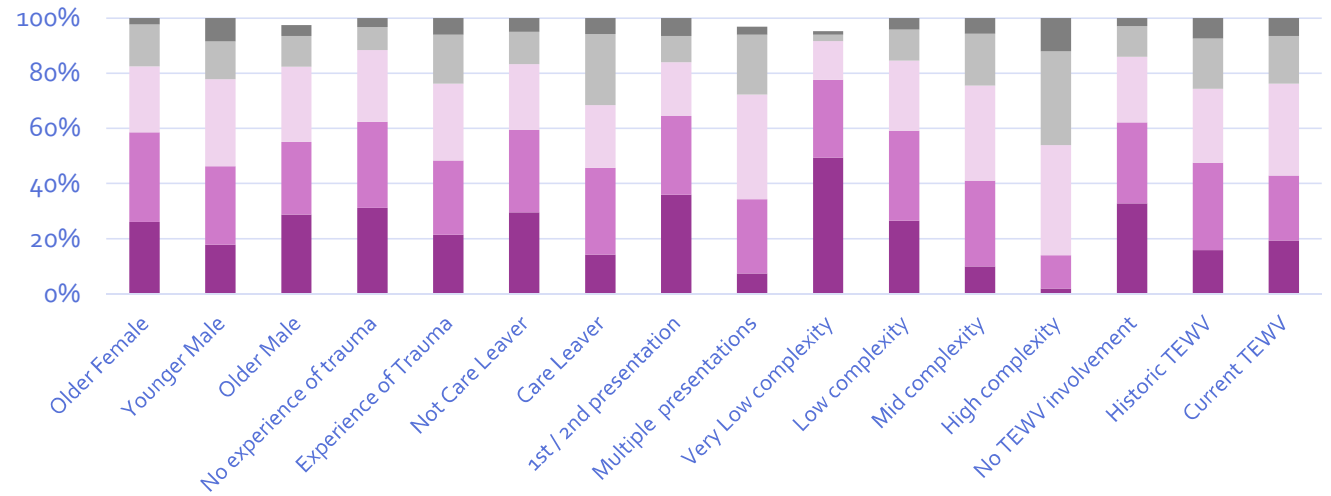


0% 20% 40% 60% 80% 100%  
High Low Mid Very low

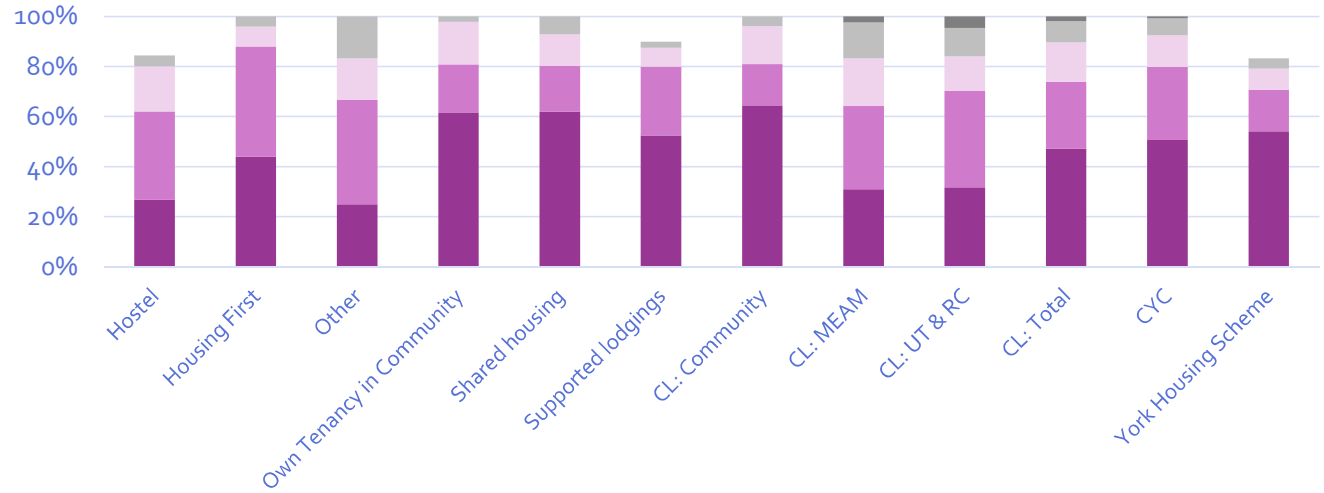
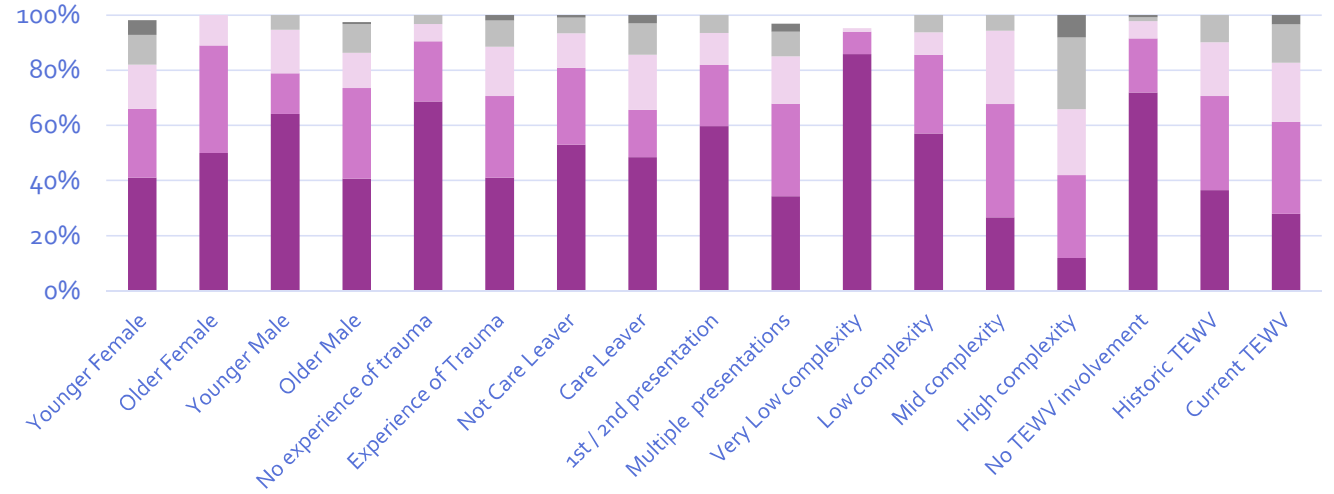
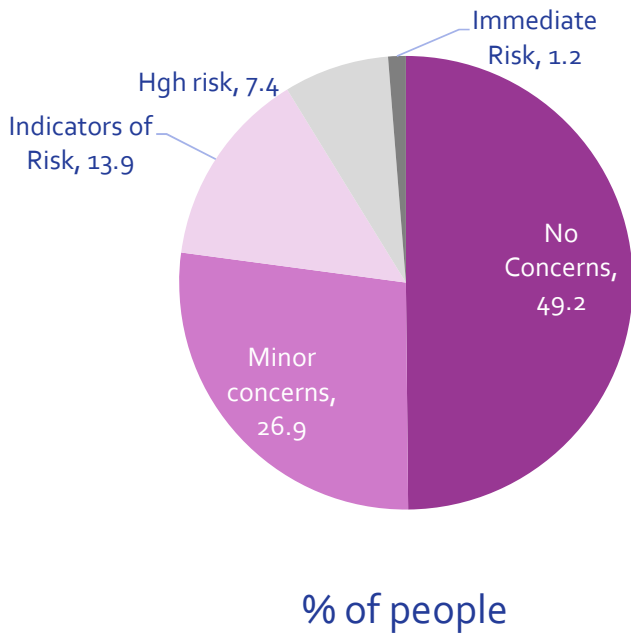
# Levels of engagement:



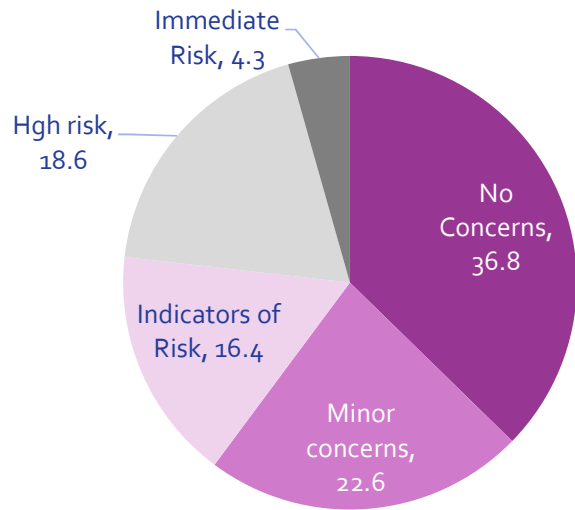
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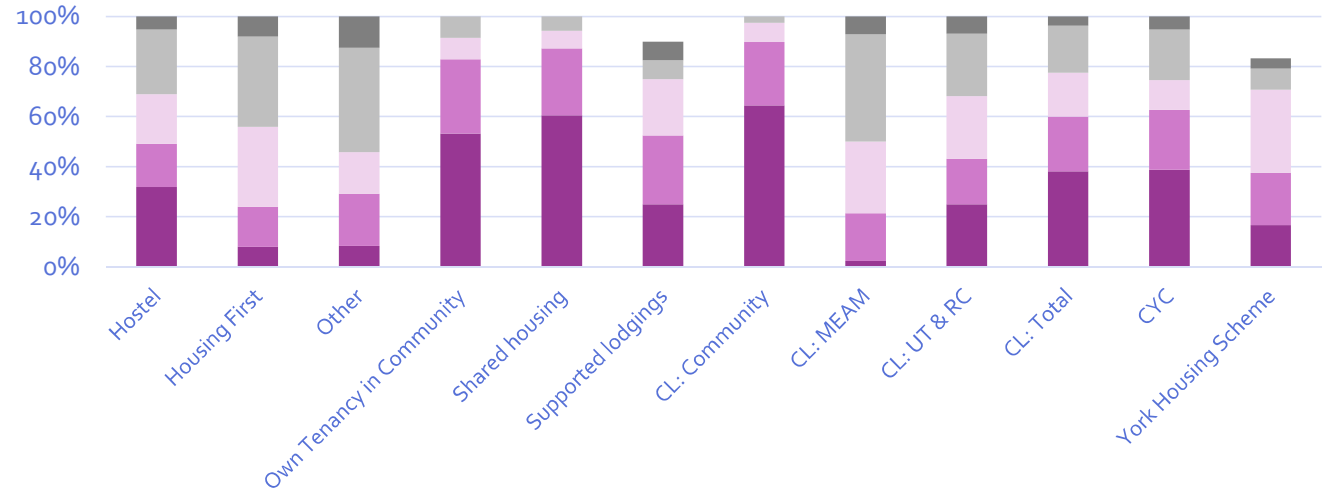
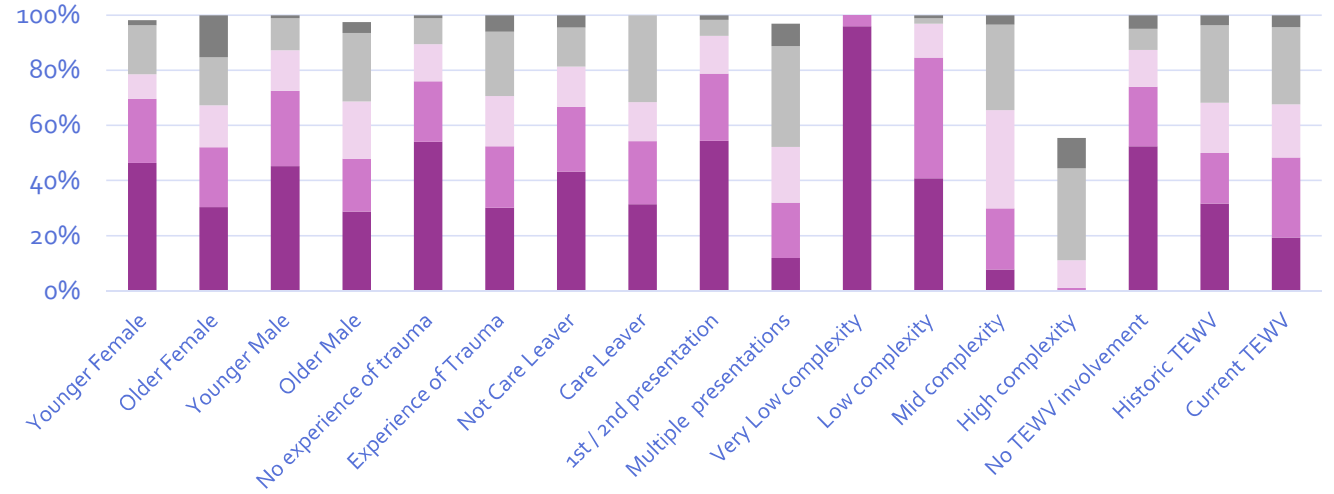
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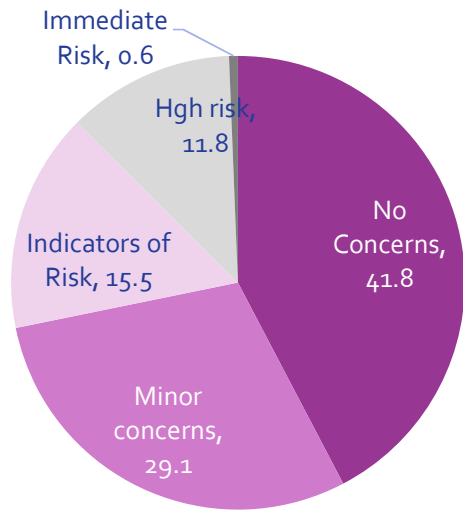
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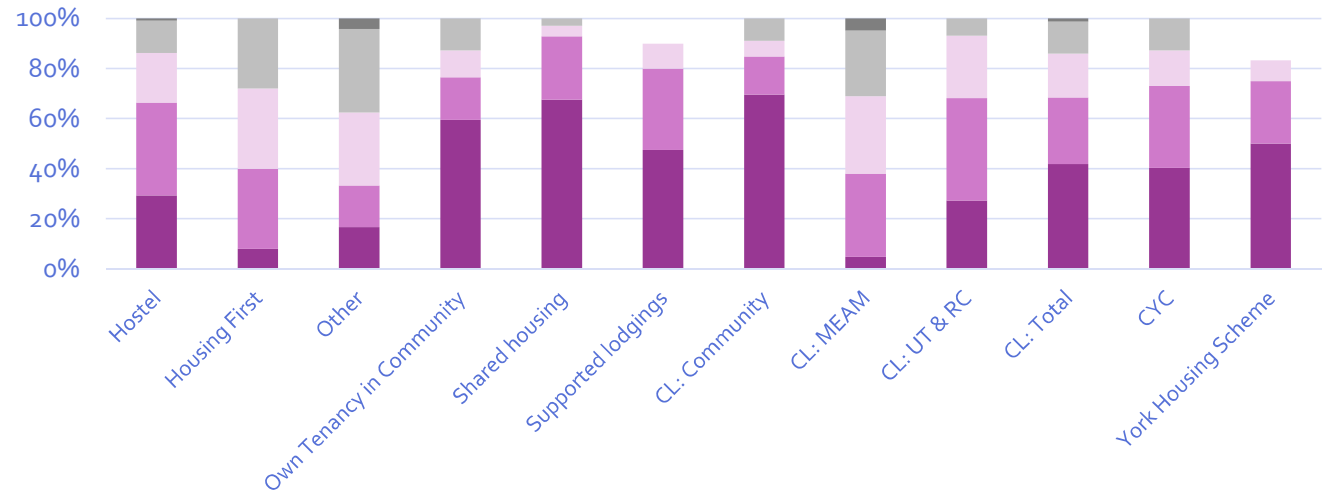
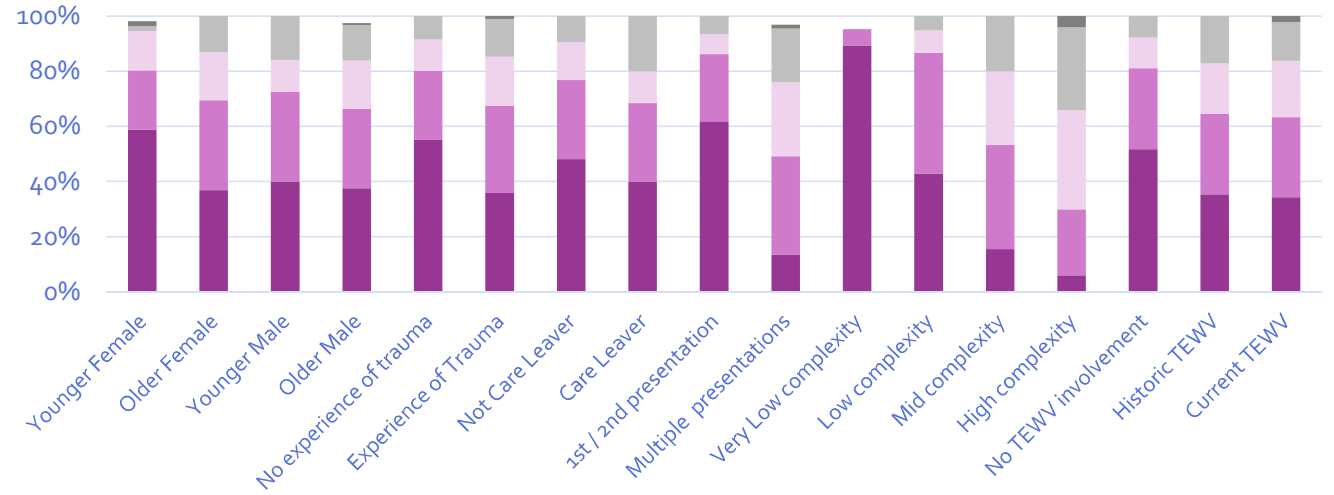
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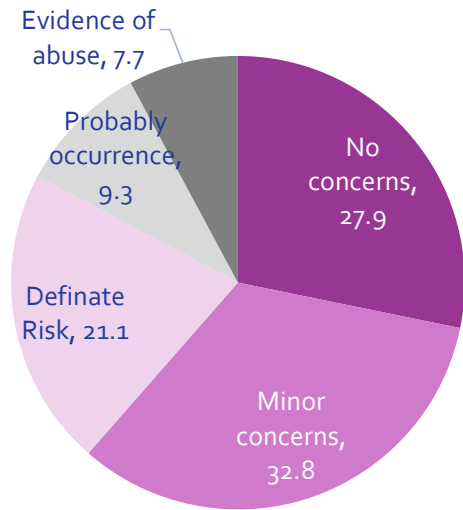
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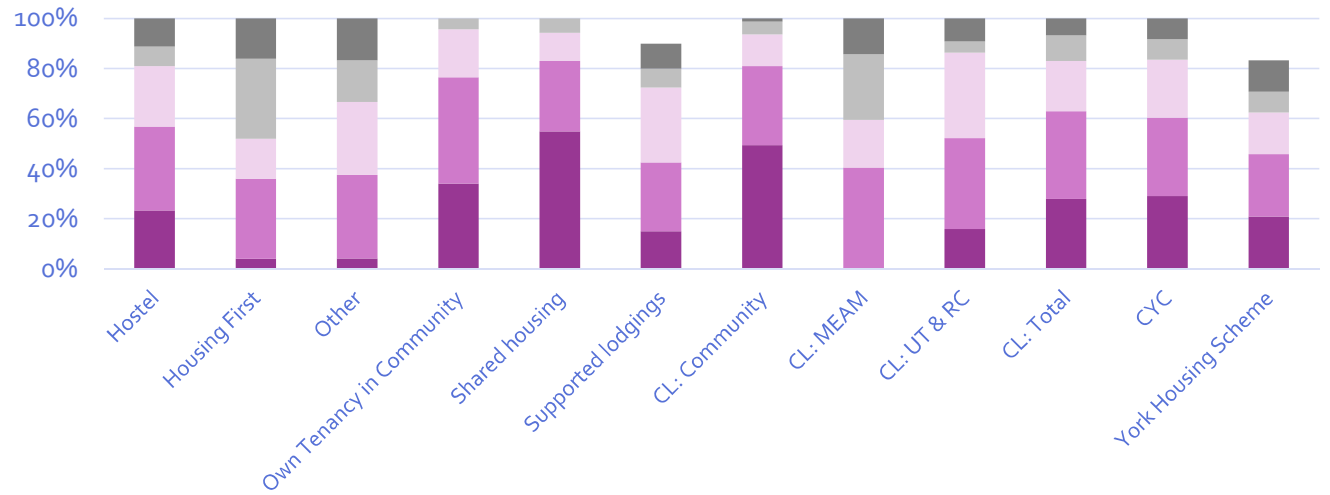
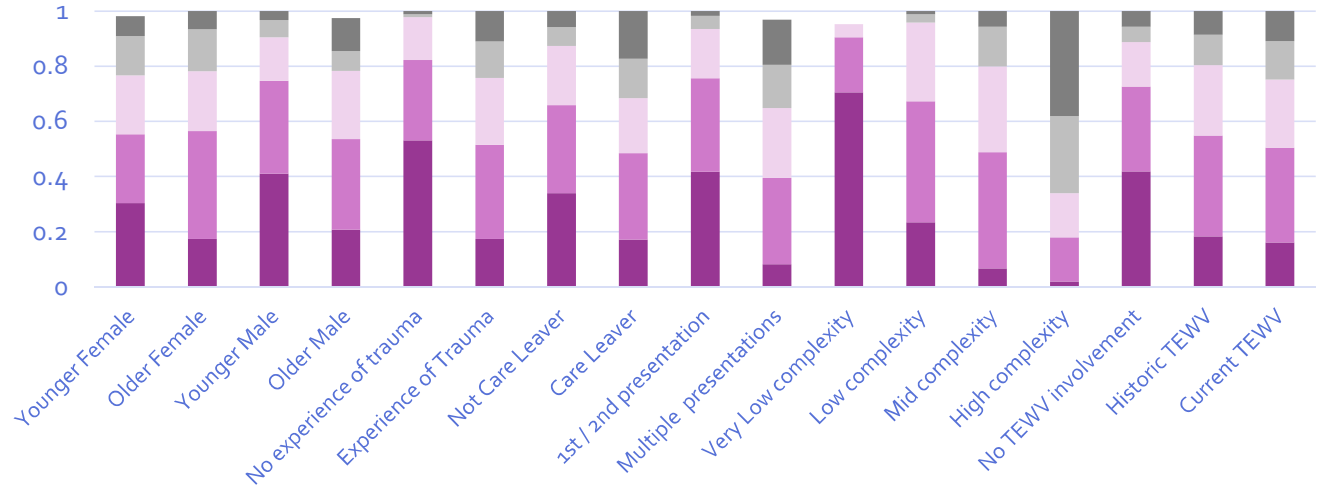
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# Risk from others:

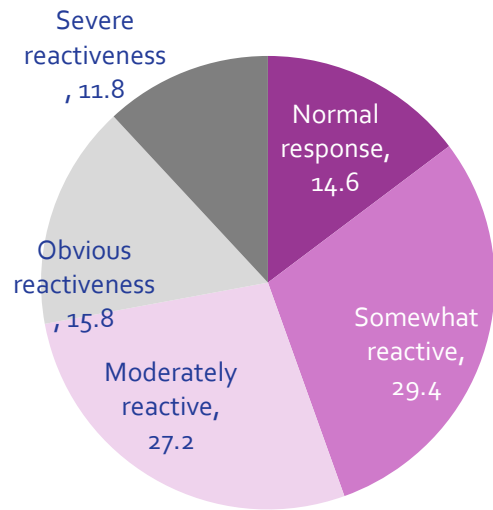


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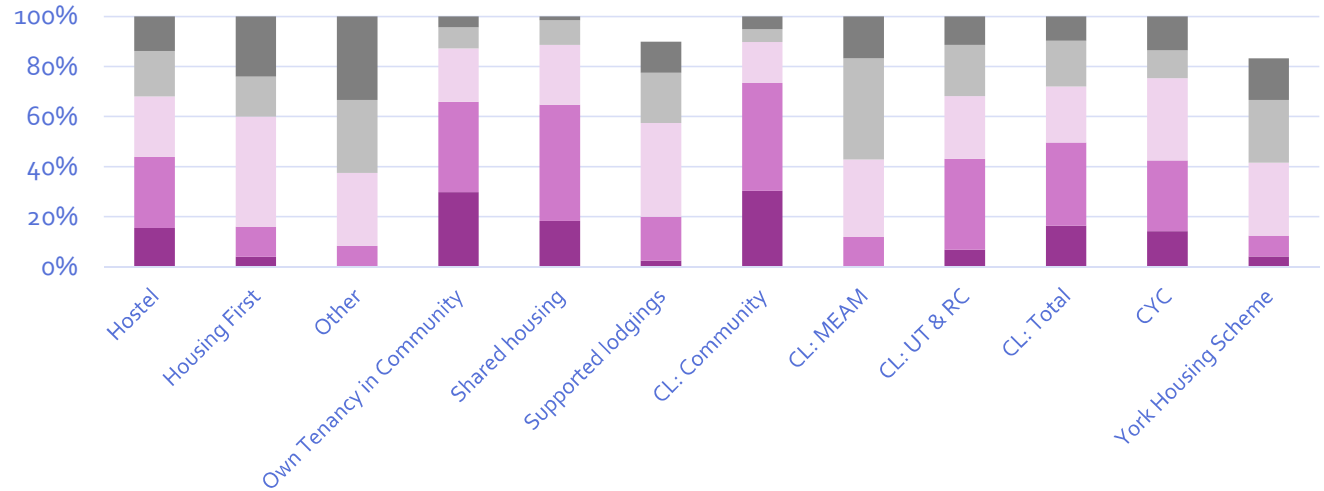
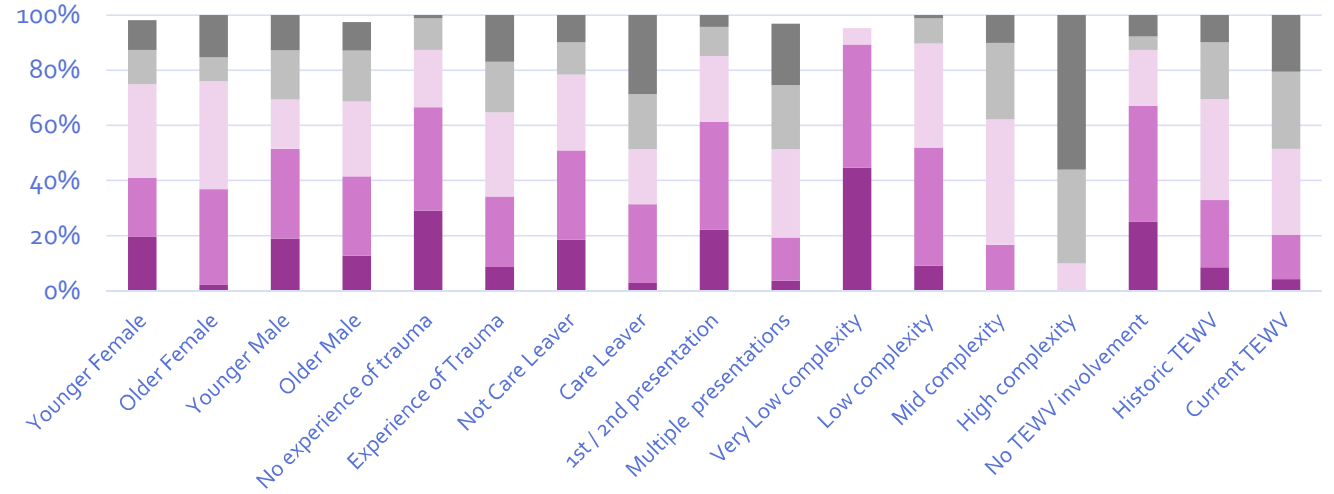




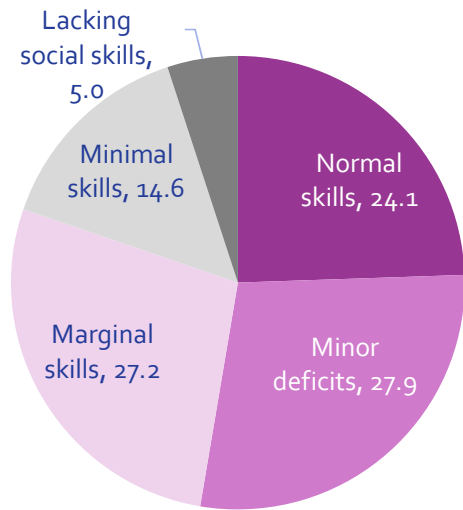
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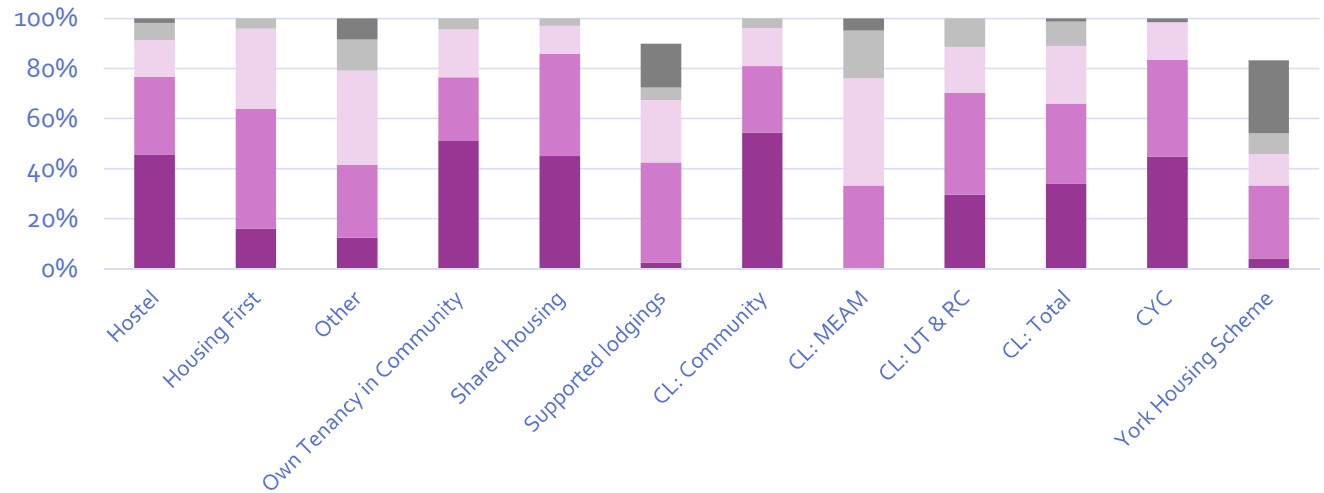
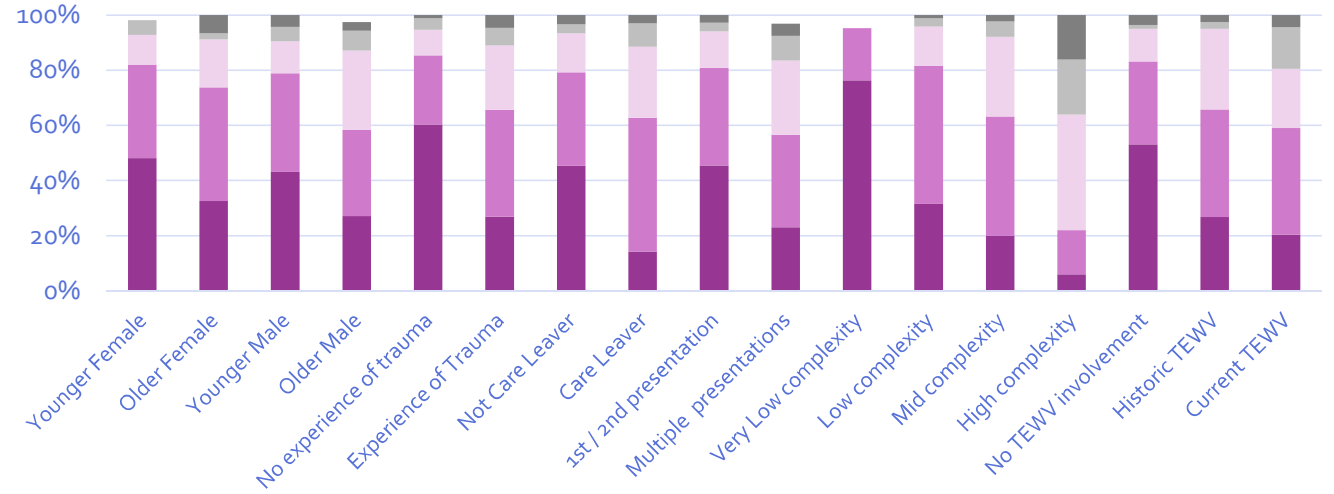
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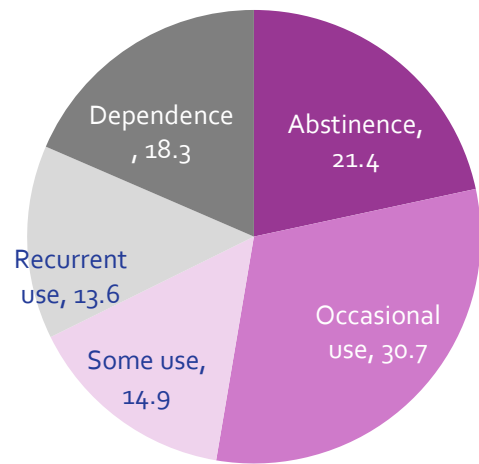
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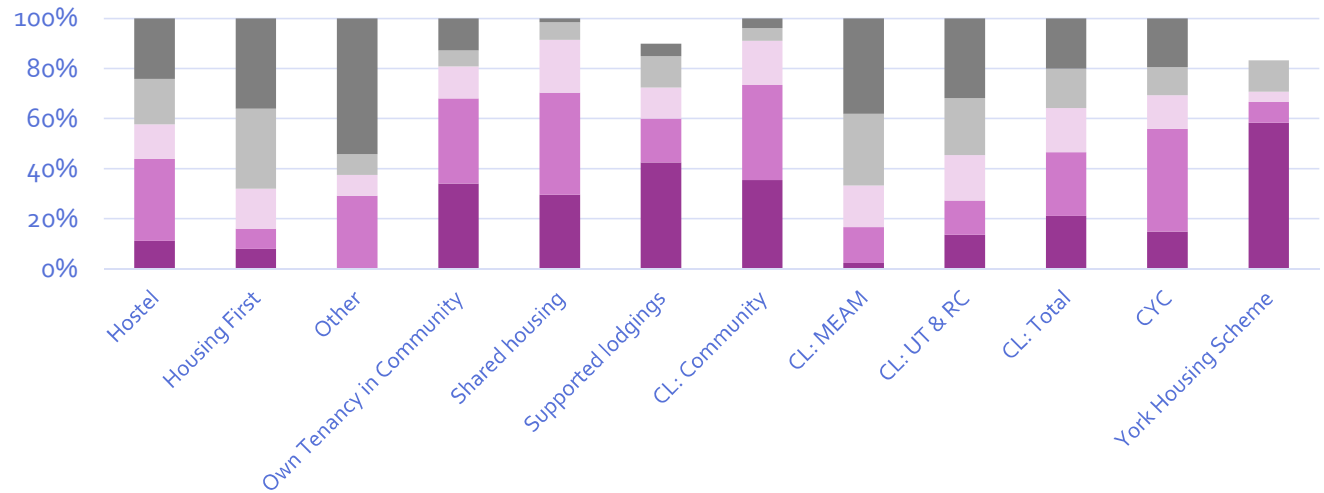
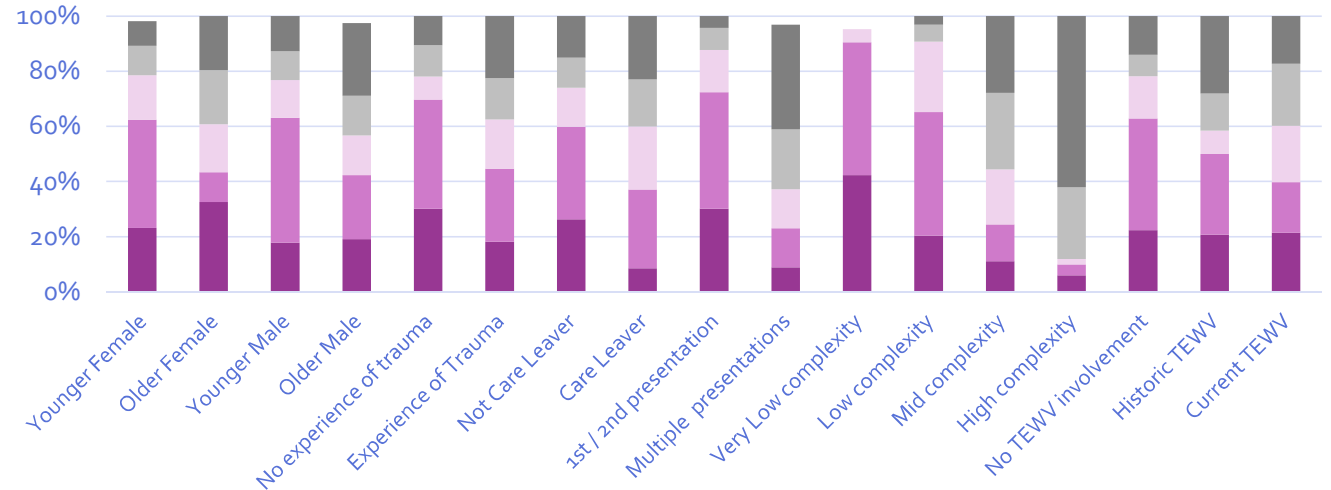
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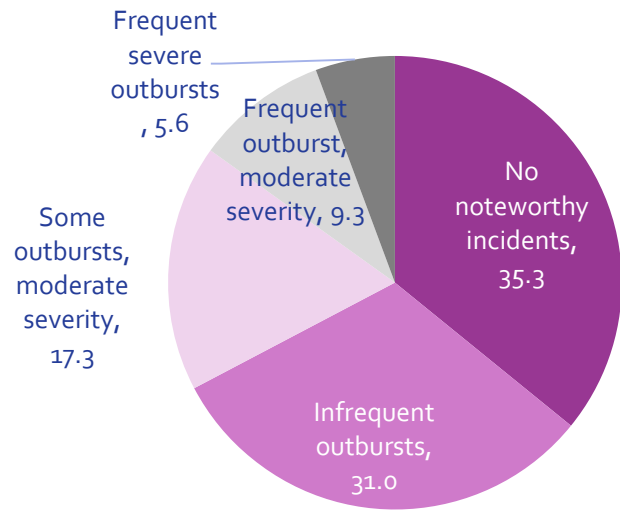
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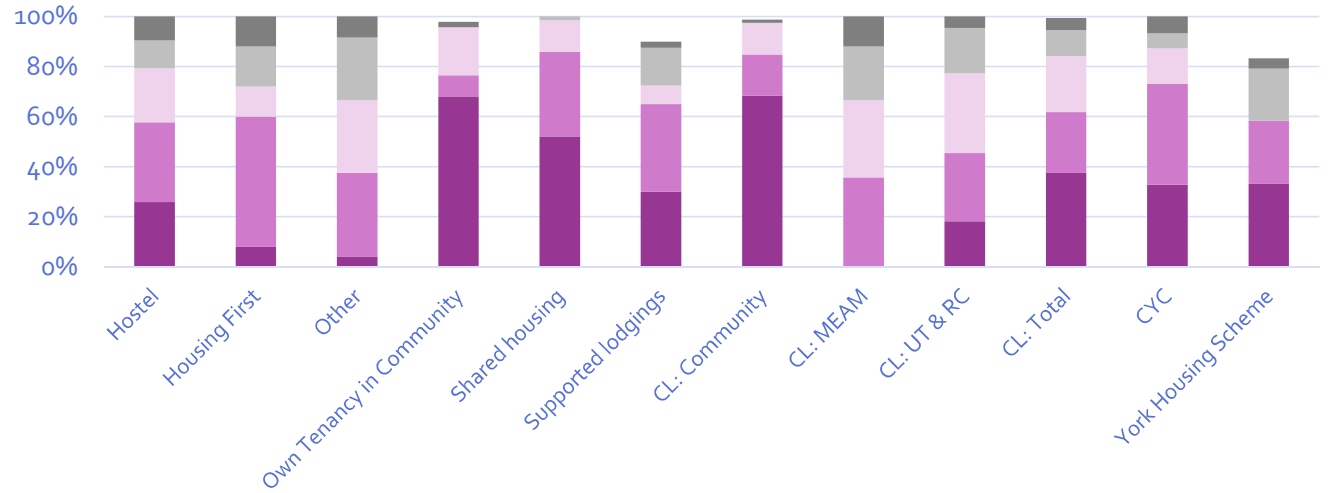
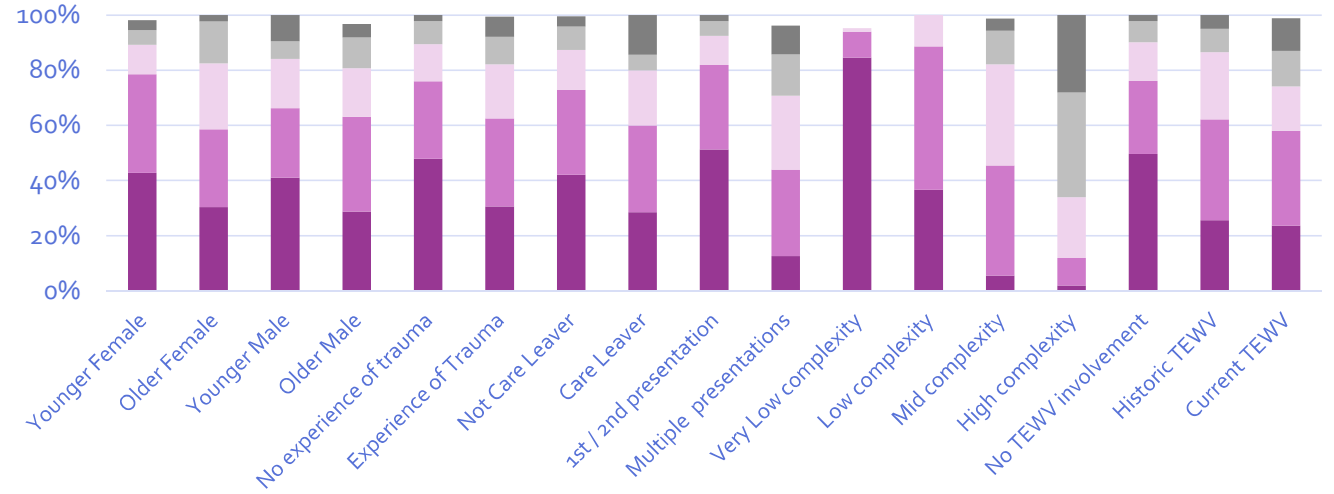
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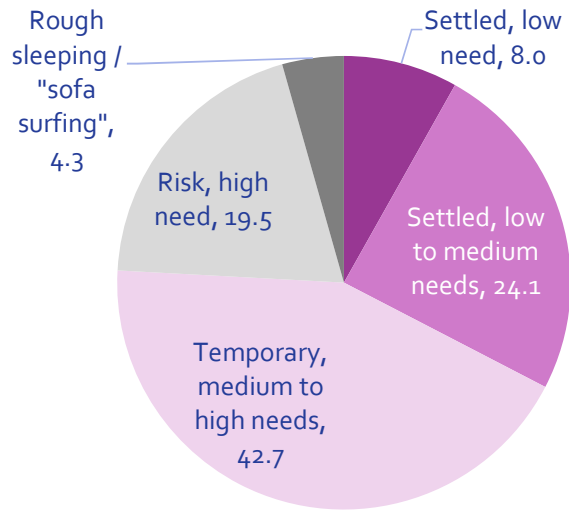
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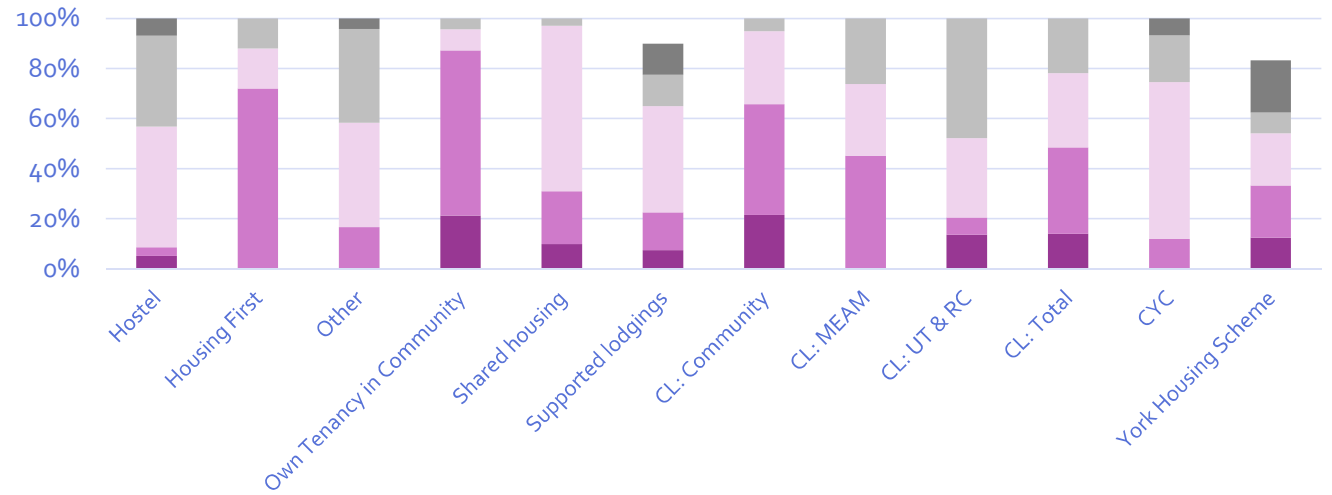
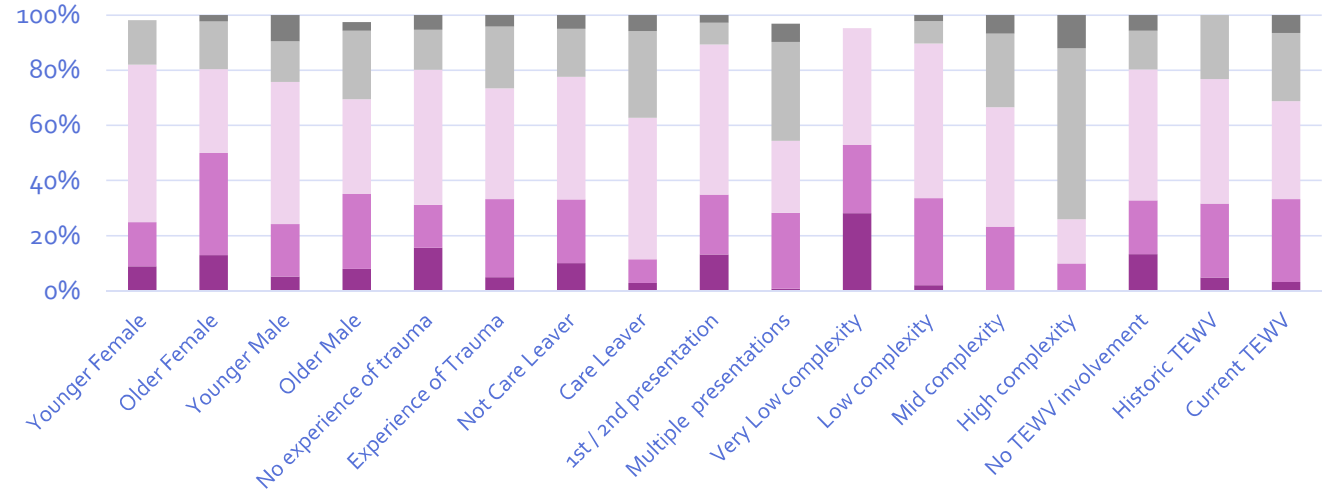
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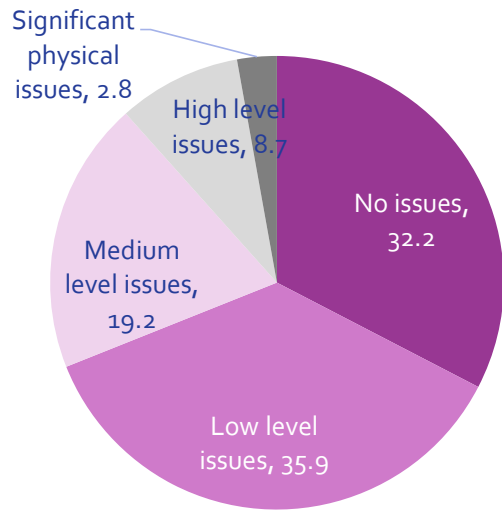
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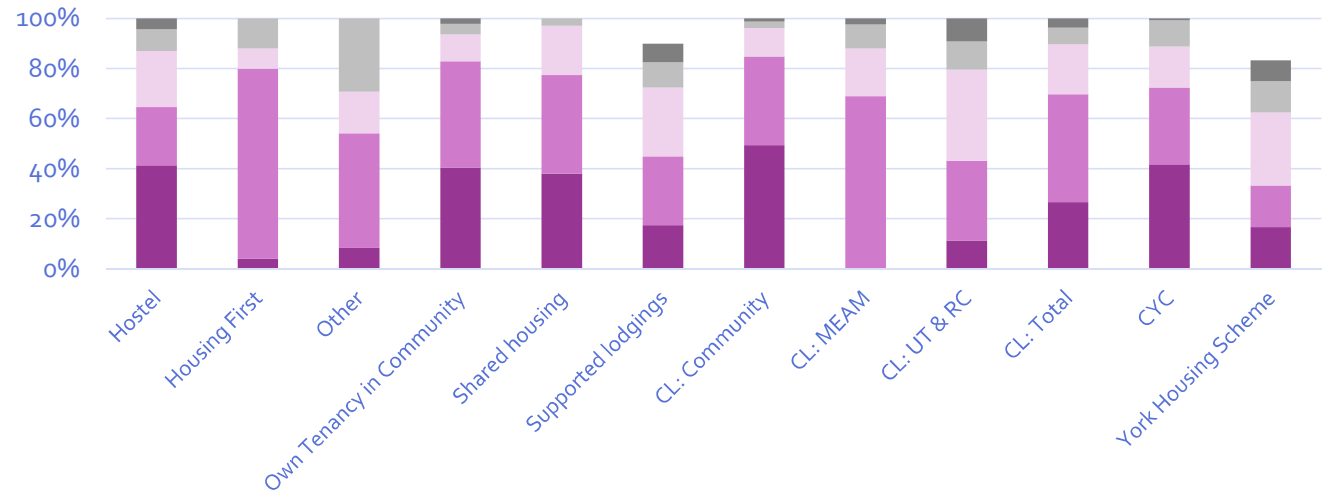
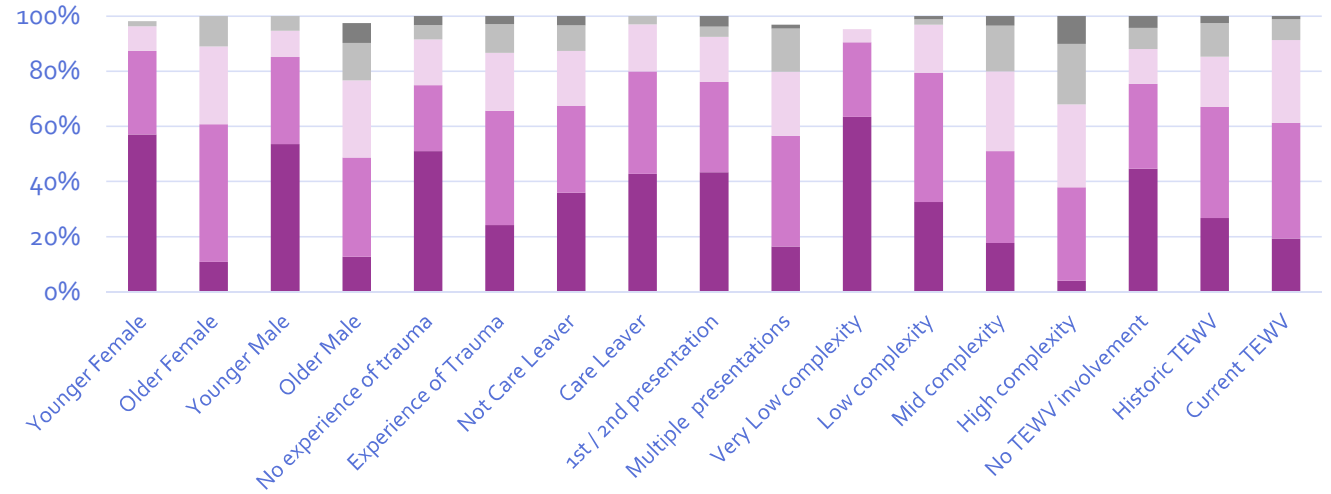
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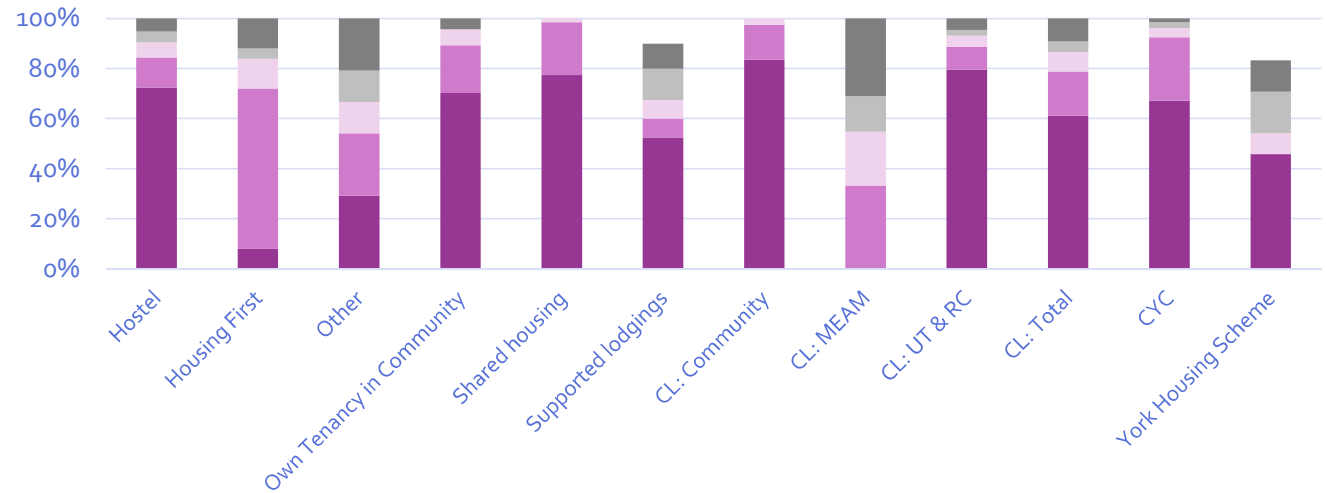
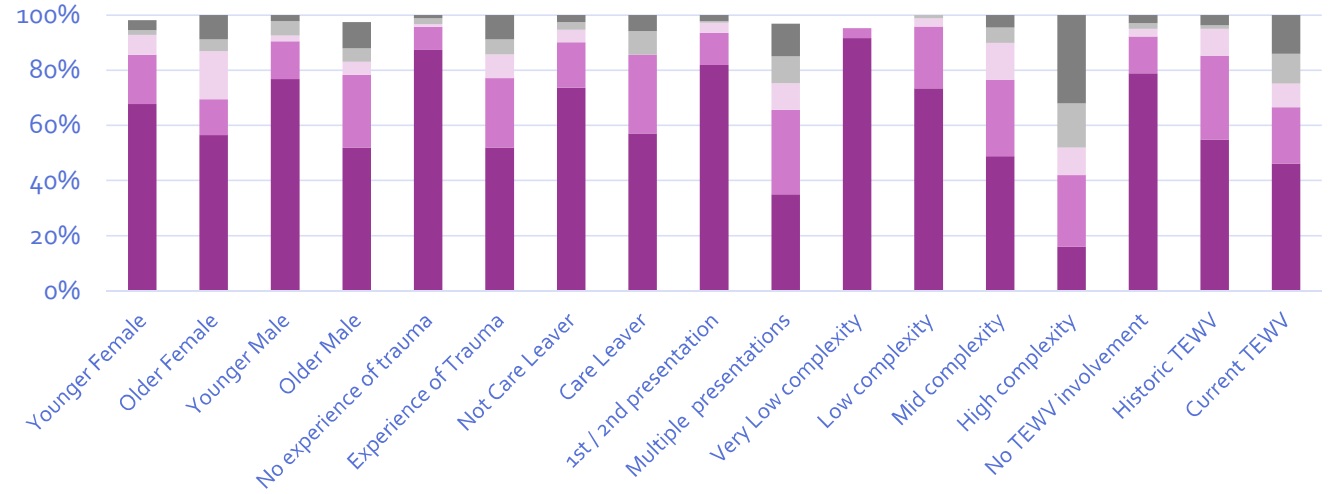
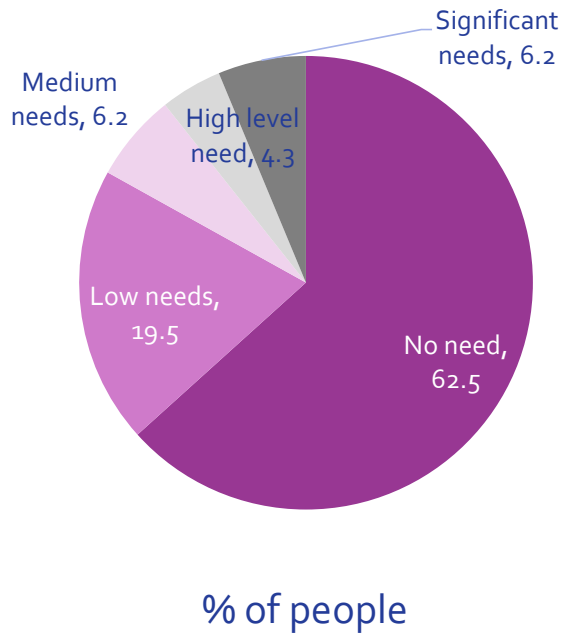
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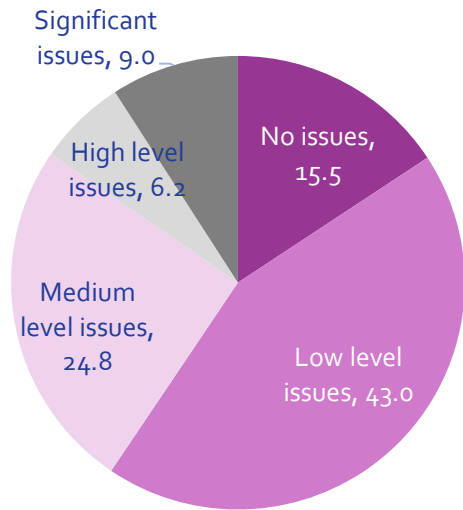
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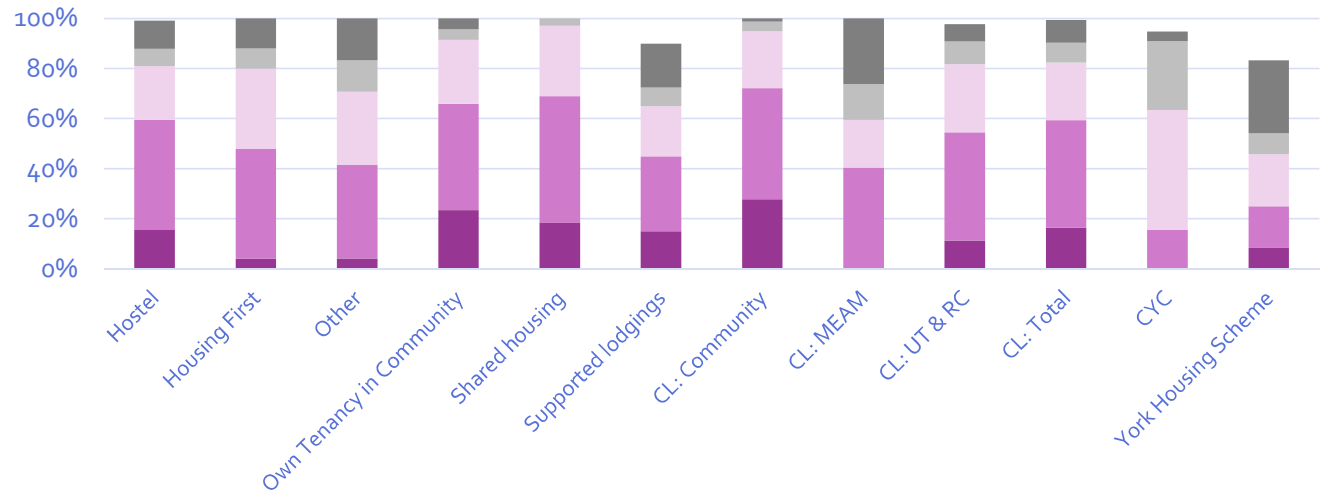
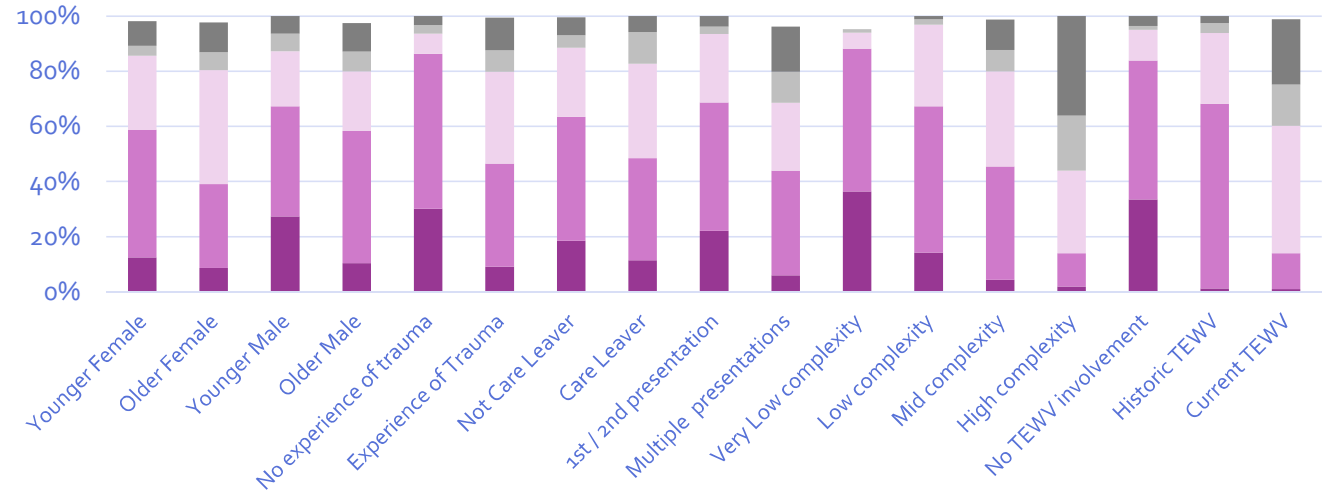
# Adult social care needs:



# Mental Health:

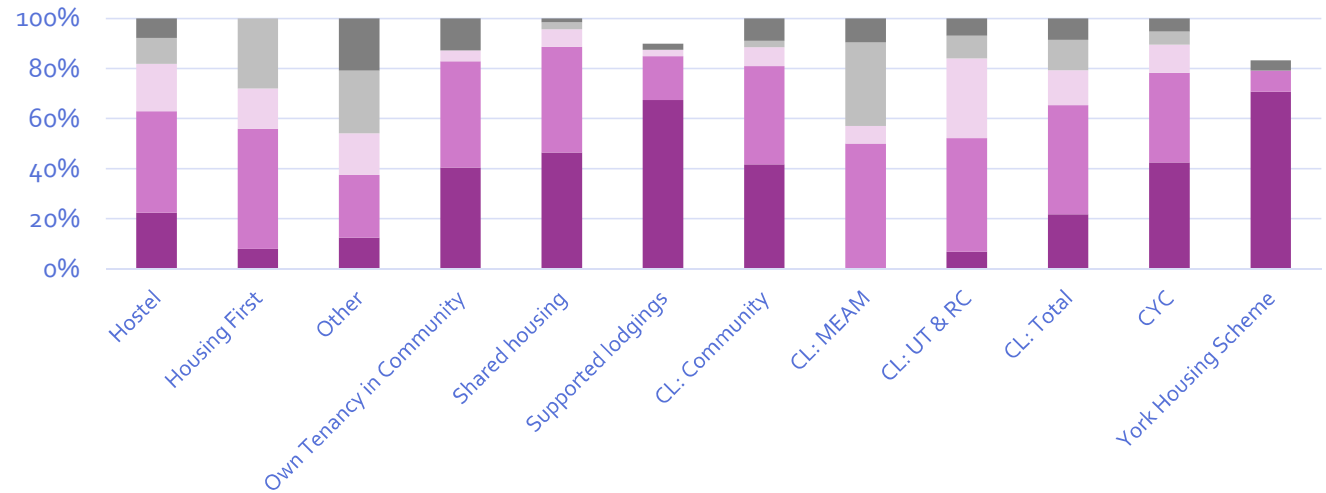
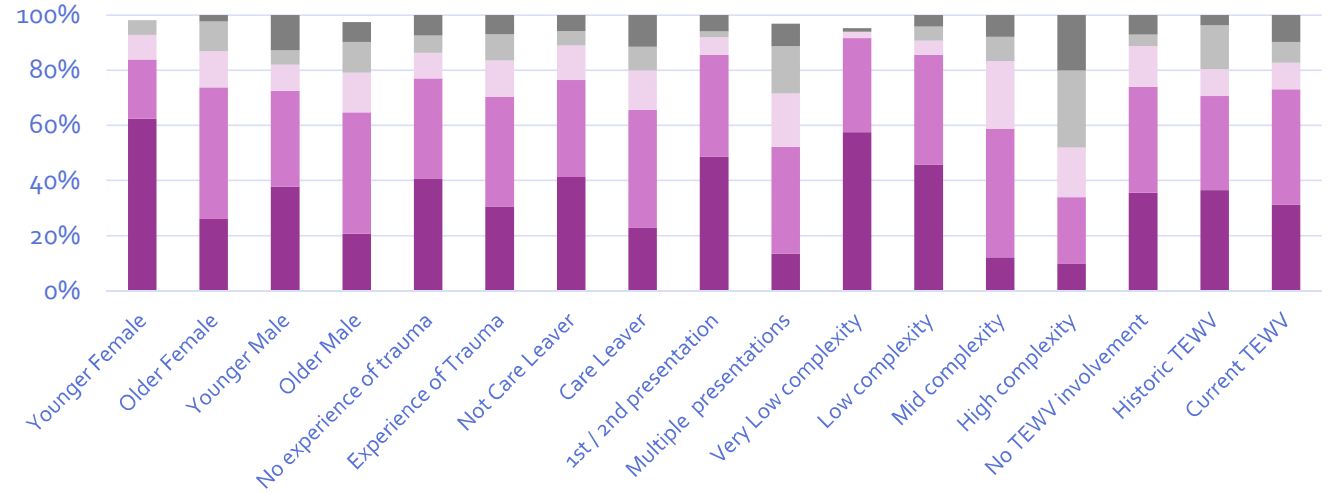
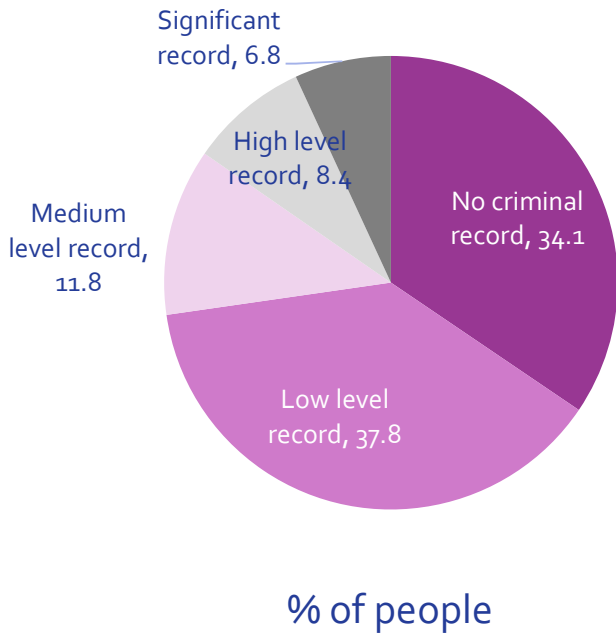


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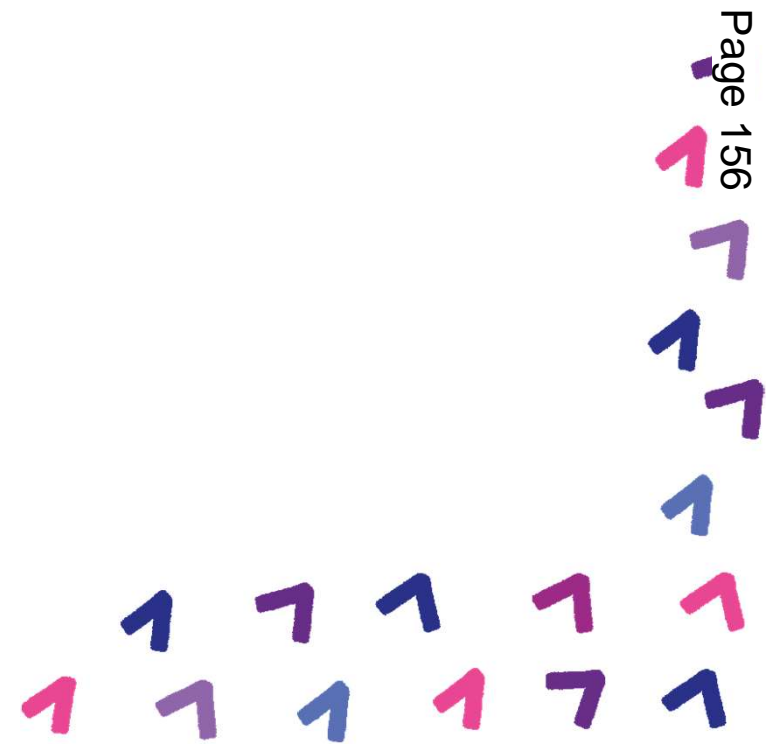




# Contact with criminal justice:



# Key Learnings



**How the current system is falling short for individuals with complex needs in terms of both individual outcomes and system-wide efficiencies**

An overview of the key issues:

1. Most people experiencing mental ill-health have a suitable home to live in or return to but for those who do not the current approach is falling short in terms of individual outcomes and system-wide efficiencies in the following ways:

**2. The 'revolving door' is institutionalisation for the post 'care in the**

**Community' age.** People moving between hospital, prison and unstable or hostel-based accommodation are likely to lose the skills associated with living in a stable and independent home, to become increasingly reliant on support, and to have greater reliance on high-cost interventions such as hospitalisation and prison.

**3. The links between homelessness and mental health are complex and nonlinear.**

However, without a stable home people are more likely to miss appointments, lose skills, self-medicate with alcohol or illicit substances, have poorer physical health outcomes, have poorer mental health outcomes, and use acute, rather than prevention based, health services.

**4. Inappropriate placements in accommodation with lower levels of support or**

**in homeless accommodation.** There is a high rate of exclusion or eviction associated with this, as well as local case studies demonstrating specific harm to individuals through self-harm or harm to others.

**5. Homeless hostels, and lower-level Mental Health supported accommodation,**

**do not have staff with specialist mental health training.** People with complex needs are more likely to have unstructured lifestyles which mean that they engage badly with appointment-based services. However, the reactive support they can access in hostels is unable to meet their need due to the lack of specialism in the

accommodation and staffing.

**6. Some people with mental ill-health may find it difficult living in the shared**

**environment of a hostel**, which may cause them to be particularly vulnerable, or in some cases (especially if they have complex/multiple needs) may have a particular impact on others. A homeless hostel can be a very stimulating environment due to the variety of individuals and needs it must accommodate, and if the balance is disrupted by attempting to accommodate someone who is not able to engage in the resettlement program this can impact on the recovery and progress of a number of individuals.

**7. Some people with mental ill-health may be very vulnerable to abuse**

**(financial, verbal etc) from others, and there may be some geographic areas where this is a higher risk due to demographics etc.** There is currently not a co-ordinated approach to managing and reducing this across partner agencies, (e.g. through telecare solutions, concierge type blocks etc).

**8. There are currently a small number of people in CYC general needs**

**housing with disproportionate needs, causing significant neighbour issues and anti-social behaviour.** Paranoid thoughts, disordered thoughts, and delusions have a particular impact on neighbour relations and ASB. Current services are appointment based, focussed on one aspect of the person (health/housing/crime). This leads to heavy staff input across partners, with current gaps in the joint working process between the ASB hub and mental health/social work teams. This leads to poor outcomes for the individuals as well as affected neighbours, to dissatisfaction and increased stigma in communities, and, in the worst cases, to eviction.

**9. The formal support provided to people who have moved into a general needs tenancy but who are struggling is likely to come from a range of providers** (mental health community team, floating support, housing provider, community addiction services). It is likely to be largely or exclusively appointment based, focused on one area or some areas of the individual's life, and be provided via different teams. Communication between teams is not consistent.

**10. Individuals who do not engage (or do not attend appointments) are likely to be signed off services.** There are no shared non-engagement protocols across partners to ensure that those who have stopped engaging due to worsening health are able to re-engage with support easily/in other ways, or to prevent admissions and other negative outcomes.

**11. Inappropriate placements in homeless accommodation lead to 'blocking' the resettlement route, as individuals are unable to progress through the resettlement program.** This also prevents or slows vital access to the resettlement route for newly homeless people - it is well documented that every night of rough sleeping significantly increases the challenges in helping someone to get out of homelessness.

**12. Delayed discharge from hospital while accommodation with the appropriate level of support is sought, with associated negative outcomes and high cost.**

**13. Higher use of out of area placements for specialist accommodation.** With associated high costs, and difficulty in maintaining support.

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**Executive**

**27 August 2020**

Report of the Corporate Director of Health, Housing & Adult Social Care

## **Mental health housing and support**

### **Summary**

1. This report is the culmination of over two and a half years of detailed needs analysis, partnership engagement and strategic design. It outlines a vision for the development of an improved mental health housing and support pathway in York and includes specific proposals that will address a long-standing gap in provision within the city - for the development of specialist mental health housing and support for people with multiple and complex needs.
2. These proposals have been developed in response to priorities identified in a number of key strategies including York's Joint Health and Wellbeing Strategy 2017-2022, the All Age Mental Health Strategy for York 2018-2023, and the York Homelessness Strategy 2018-2023. All three strategies identify the development of improved mental health housing and support options as a priority for the city.
3. The proposals are also in line with the city's stated commitment to a 'whole person, whole life, whole system' approach which will see us applying the lessons from Trieste (in Italy) in York by taking a more community based approach to mental health and wellbeing. Safe, secure and appropriate housing, with the right support, is an integral part of this approach, ensuring that people can access the support and stability that they need in the community, rather than in institutions.
4. Background papers tracing the journey to this report are available from the author - see list at the end of the report.

5. These proposals focus on the development of 53 specialist mental health housing and support places through:
  - Two new specialist mental health supported housing schemes - to be developed on two sites currently owned by the Council at Woolnough House, off Hull Road, and Crombie House on Danebury Drive in Acomb. Each scheme will have 24/7 on-site staffing and will contain 10 places, as well as providing support to another 6 satellite flats within a 1-2 mile radius of the scheme. There will be **32 specialist mental health supported housing places** in total.
  - The development of **21 Housing First places**. Housing First is an internationally recognised and evidence-based model of housing and support for those with chronic housing, health and social care needs. With Housing First the idea is that people are provided with permanent housing with no requirement to prove that they are 'housing ready' and then personalised, intensive 'wrap around' support is provided to help them develop and retain their independence, and maintain a tenancy.
6. There are challenges within the current system which can only be addressed by a 'whole system' response involving health, housing, social care, the voluntary and community sector, landlords, the people who receive services and support, carers, and communities.
7. The report is co-signed by commissioning colleagues from City of York Council, Tees, Esk and Wear Valleys NHS Foundation Trust, and the NHS Vale of York Clinical Commissioning Group. Our collective vision is to develop a range of housing and support options that will ensure people with mental ill health can access the right type of housing, with the right level of support, at the right time to meet their needs, regardless of diagnosis.
8. Voluntary and community sector partners were involved in all stages of the development of the proposals – at the original stakeholder workshop; in the working groups; in the mock referral/allocation exercise; and in the stakeholder feedback sessions.



## Recommendations

9. The Executive is asked to:

- a) Approve City of York Council and NHS Vale of York CCG entering into an agreement and jointly commissioning new specialist mental health housing and support provision in the shape of:
  - Two specialist mental health supported housing schemes that will support 32 places between them (10 places + 6 satellite flats supported from each site)
  - 21 Housing First places – people in their own properties supported by 3 Housing First workers (7 cases each)

and to delegate to the Director of Health, Housing & Adult Social Care and the Portfolio Holders for Health & Adult Social Care and Housing and Safer Neighbourhoods (in consultation with the Director of Governance or her delegated officers and the S151 Officer) the authority to take such steps as are necessary to enter into the resulting agreement.

- b) Note that a formal soft-market testing exercise will be undertaken to identify the level of interest from both Registered Social Landlords (to develop the sites) and external partners (to deliver the support) to define the most appropriate structure for the resulting procurement process(es) to select the partners we will work with.
- c) Approve the procurement of a Registered Social Landlord (RSL) to develop the sites and an external partner to provide the specialist mental health support services and to delegate to the Director of Health, Housing & Adult Social Care and the Portfolio Holders for Health & Adult Social Care and Housing and Safer Neighbourhoods (in consultation with the Director of Governance or her delegated officers and the S151 Officer) the authority to take such steps as are necessary to procure, award and enter into the resulting contracts.

- d) Approve the council owned sites at Woolnough House and Crombie House being sold to the successful Registered Social Landlord (RSL) bidder as part of the procurement process, to be developed out as specialist mental health supported housing schemes.
- e) Approve the relocation of the supported housing provision at the Council-managed 22 The Avenue in Clifton to the new provision and the marketing for sale and subsequent disposal of that site following the development of the two specialist mental health supported housing schemes.
- f) Approve that, once 22 The Avenue is vacated, it be sold and that authority to proceed and complete the sale be delegated to the Director of Economy and Place in consultation with the Portfolio Holder for Finance and Performance (in consultation with the Director of Governance or her delegated officers and the S151 Officer).

Reason: To enable the city to develop specialist mental health housing and support that will address a significant gap in existing provision for people with multiple and complex needs, and to realise capital receipts for three sites currently owned by City of York Council – at Woolnough House, Crombie House and 22 The Avenue.

## **Background**

### Challenges in the current mental health housing and support pathway

- 10. A report to the Health and Wellbeing Board (24 January 2018) set out in some detail the challenges currently facing the mental health housing and support pathway. At present in York we are not always able to provide the right housing, with the right support, at the right time, as we do not have the full range of housing and support options that we need. The biggest gap in our current provision is for people with multiple and complex needs.
- 11. At present we struggle to find suitable placements for people who are chronically homeless or vulnerably housed (e.g. at risk of eviction or placement breakdown, sofa surfing) and have mental,

psychological or emotional health needs, but who may also have some of the following:

- Drug and/or alcohol dependency
  - Contact with the criminal justice system
  - Physical health needs
  - Experience of domestic violence and abuse
  - No (recent) experience of settled independent accommodation
  - No (recent) experience of having structure in day to day life
  - Lack of positive relationships and a support structure.
12. As a result, people sometimes stay longer in hospital than they need to, or are housed in accommodation that doesn't properly meet their needs, or are placed in accommodation outside of York (at significant expense), away from family and friends and their support networks.
13. The proposed specialist mental health housing and support provision will work with people with the type of needs described in paragraph 11 above. The emphasis will be on looking for ways to manage risk and accept customers rather than to exclude them.

The work that has been undertaken to inform our final proposals

14. Between September 2017 and June 2018 significant work was undertaken to research and develop these proposals. This work is summarised in a table at Paragraph 17 below, and included two multi-agency working groups – one to research and develop a supported housing model, and one to research and develop a Housing First model.
15. In July 2018 the core project team held two stakeholder sessions at the Quaker Meeting House – to update a wider audience on the work that the core project team and working groups had delivered since January of that year, and for stakeholders to comment on draft proposals that have since been refined and are included in this report.
16. The two sessions were attended by a total of 47 people and their detailed feedback informed a comprehensive 30 page report. In summary the feedback:

- a) Endorsed the proposed mental health housing and support pathway
- b) Endorsed the accompanying underpinning principles
- c) Suggested a number of areas requiring further work and detail which will be incorporated into the implementation plan
- d) Asked that the detail behind these proposals be developed in partnership with people who use services, carers, staff, and all partner agencies, through a co-production approach.

## Consultation

17. The table below summarises the stakeholder consultation and engagement:

| Date           | Consultation/Engagement  |
|----------------|--|
| 29 Sep 2017    | Initial stakeholder workshop at Priory Street Centre attended by 70+ delegates. Executive summary of full workshop report available at Annex 2 to Health & Wellbeing Board report (24 Jan 2018)            |
| 28 Nov 2017    | VCS Forum for Mental Health  |
| Jan-Apr 2018   | Supported Housing working group  |
|                | Housing First working group  |
| 29 Mar 2018    | Tees, Esk & Wears Valley NHS Foundation Trust (TEWV) Service User Network  |
| 11 Apr 2018    | York Mental Health Carers Group  |
| Apr/May 2018   | Mock allocation panels (x3) – specialist mental health housing and support   |
| 5 Jul 2018     | TEWV Local Transformation Board  |
| 12/19 Jul 2018 | Two stakeholder sessions held at Quaker Meeting House to share, and invite feedback on, draft proposals  |
| 7 Nov 2018     | York Place Based Improvement Partnership. The YPBIP is made up of the Chief Executives from across the whole health and social care system (i.e. CCG, CYC, Hospital Trust, Police, TEWV, York CVS). System |

| Date              | Consultation/Engagement  |
|-------------------|--|
|                   | leaders at the YPBIP confirmed their support for the project and their commitment to delivering it.  |
| Jan-Nov 2019      | Ongoing discussions between the three key partners (CYC, TEWV, VoY CCG) around how the revenue element of the proposals (the support) would be funded.   |
| Sep 2019-Mar 2020 | A sub-group of CYC (Adult Social Care, Housing, Property) and NHS Property colleagues undertook a comprehensive analysis of potential sites for the two supported housing schemes against the key location criteria identified by stakeholders in the working group phase of the project. A short-list of options was discussed at the CYC Housing Delivery Board on 7 Jan and, on 12 Mar, the same group approved the use of the Woolnough House and Crombie House sites for the proposed supported housing schemes, and agreed to release the site at 22 The Avenue for a capital receipt. |

## Options / Analysis

18. This section outlines the specific proposals for the development of 53 specialist mental health housing and support places for people with multiple and complex needs (32 specialist supported housing places and 21 Housing First places). See Annex 1 for a breakdown of the current and proposed places across the whole mental health housing and support pathway. Overall, once proposals across the whole pathway are fully implemented, the number of mental health housing placements in the city will have increased from 47 places to 98 places.

### Specialist supported housing

19. It is proposed that two supported housing schemes (with 24/7 on-site staffing) be developed within the city, each containing 10 places, and each providing support to another 6 satellite flats within a 1-2 mile radius of the project. This represents a total of 32 specialist mental health supported housing places.
20. The project team undertook a comprehensive analysis of potential sites for the two supported housing schemes with NHS Property and CYC Housing/Property colleagues and, after discussion at the

Council's Housing Delivery Board, it was agreed that the two sites should be at Woolnough House and Crombie House.

21. Woolnough House is the site of an ex-council residential care home which has been demolished, off Hull Road. Crombie House, on Danebury Drive in Acomb, currently provides emergency temporary accommodation for homeless families which is being re-located to the new provision at James House. The recommendation is to sell the two sites to a Registered Social Landlord (RSL) to develop the sites and build the two specialist mental health supported housing schemes.
22. These locations ensure there will be specialist mental health supported housing provision in both the East and West of the city and, crucially, both sites are integrated within communities, close to local amenities and good transport links. These were the key site location criteria previously identified by stakeholders.
23. The proposal is that the assessment, short-break, and short-term supported housing places currently provided by City of York Council at 22 The Avenue in Clifton would be re-provided within the new supported housing provision at the two new sites.
24. The Project Board recommends that we seek an external partner to provide the proposed specialist mental health support, in preference to it being provided by City of York Council or the NHS. It believes the current Council-run service would struggle to adopt the level of flexibility required in order to be able to accommodate and support the needs of clients as described in paragraph 11 above.
25. Our research confirmed that there are organisations with far greater experience of delivering this type of housing and support to people with multiple and complex needs than the Council or NHS. When members of the project team visited one such provider in Leeds they were very impressed with what they saw and heard. Bringing in a new external partner will also help establish this as a new and different way of working.

26. We have carried out informal soft market-testing which has indicated that there are both housing providers and support providers in the marketplace who would welcome the opportunity to deliver this specialist mental health housing and support provision in York.
27. Our plan would be to carry out a formal soft market-testing exercise before deciding on a procurement or partnership route.

### Housing First

28. Housing First is an internationally recognised and evidence-based model of housing and support for those with chronic housing, health and social care needs.
29. With Housing First people are provided with permanent housing with no requirement to prove that they are 'housing ready' and then personalised, intensive 'wrap around' support is provided to help them develop and retain their independence, and maintain a tenancy.
30. Our proposal is that the external partner would employ three Housing First support workers each of whom would eventually build up to a caseload of seven cases – resulting in a total of 21 Housing First places. The caseloads will be kept small to reflect the intensity and flexibility of the support needed by the individuals who will receive this service, and who typically will have lived a very chaotic lifestyle and not routinely have engaged with statutory services.
31. These Housing First support workers would call on, and help co-ordinate, specialist input and support from a range of other services.

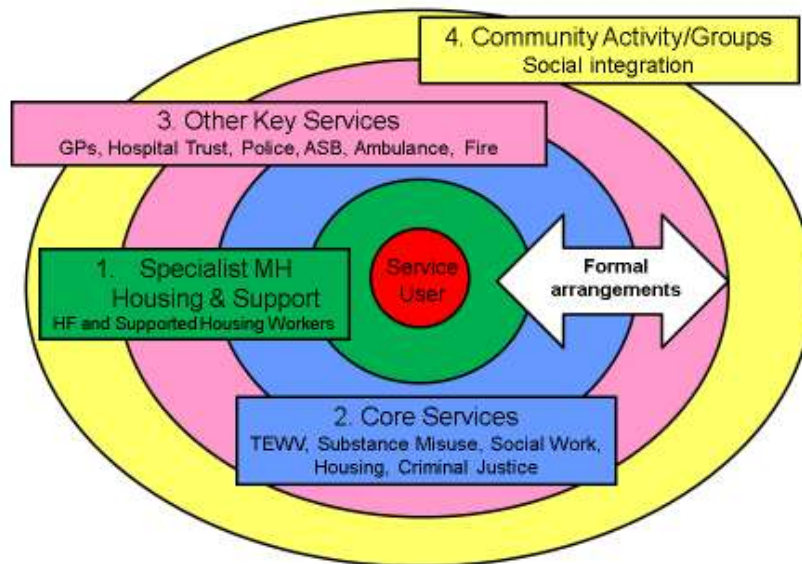
### Specialist input and support from other services

32. The working groups which developed the proposed models for supported housing and Housing First were very clear that being able to access specialist input and support from other services would be vital and integral to the success of any specialist mental health housing and support for people with multiple and complex

needs. Feedback from the two stakeholder sessions in July 2018 strongly supported this position.

33. There was widespread agreement that formal agreements need to be put in place between all core and key services and the specialist mental health housing and support provision, and the rest of the mental health housing and support pathway. This will help ensure that dedicated/protected resource is in place and that all partner agencies' input and support is timely and appropriate.
34. All partners need to have a shared understanding of each other's roles and responsibilities in supporting this provision and the individuals receiving housing and support within it.
35. The diagram below shows the core and key services that will need to be involved in providing additional and specialist support to both the individuals within, and the staff providing, the specialist mental health housing and support provision.

**Specialist Mental Health Housing & Support**



36. To recognise the importance of adopting a 'whole system' approach and the desire to achieve a cultural shift that will help ensure more effective joint working and collaboration between agencies, a series of principles have been agreed within the project and will underpin the development and implementation of the improved mental health housing and support pathway. These principles are referenced in the background papers.



37. It is important to recognise that good progress has already been made in terms of better joint working with Mental Health (Health and Adult Social Care) and Housing colleagues meeting monthly, since late 2018, to discuss their most challenging cases around mental health housing and support. These meetings have helped foster improved working relationships and a much better understanding of each other's processes and pressures.

High level implementation plan and timeline

38. An approximate timeline for implementation is set out below:

| Timeline                 | Headline Tasks   |
|--------------------------|--|
| Sep 2020–<br>Apr 2021    | <p><u>Finding and selecting partners</u></p> <ul style="list-style-type: none"> <li>• Soft-market testing</li> <li>• Procurement exercise</li> <li>• Select housing and support partners</li> </ul> <p><u>Gradual expansion of existing Housing First offer</u></p> <ul style="list-style-type: none"> <li>• Very gradual implementation of extra Housing First places supported by additional funding to existing Making Every Adult Matter (MEAM) programme</li> </ul> |
| May 2021–<br>Spring 2022 | <p><u>2 x supported housing schemes</u></p> <ul style="list-style-type: none"> <li>• Finalise designs</li> <li>• Planning applications</li> <li>• Construction begins on both sites</li> </ul>   |
| Spring 2022–<br>Apr 2023 | <ul style="list-style-type: none"> <li>• Site development ongoing</li> </ul>   |
| May 2023                 | <ul style="list-style-type: none"> <li>• New support provider starts its contract</li> <li>• Supported housing schemes open at Woolnough House and Crombie House</li> <li>• Service at 22 The Avenue closes</li> </ul>   |

The rest of the mental health housing and support pathway

39. As outlined in the opening section of this report, the overall vision for this project is the development of an improved mental health housing and support pathway that can meet the needs of people with low level mental health support needs right through to the needs of people with multiple and complex needs.
40. This report has focused on how we can close the biggest gap that exists within the city which is the provision of specialist mental health housing and support for people with multiple and complex needs. We recognise, however, that work is also needed to strengthen and improve other elements of the mental health housing and support pathway. The Project Board will also seek to progress this work in partnership with colleagues from across a whole range of partner agencies via, for example, the work of the York Mental Health Partnership, the Multiple Complex Needs Network, the Northern Quarter Project: Mental Health and Wellbeing, and existing contracts/arrangements.
41. This work will include consideration of:
  - Short-term supported housing (visiting support)
  - Floating support
  - Intensive Housing Management support
  - Direct Payments/Personal Health Budgets
  - Developing a 'Shared Lives' model for mental health where people can receive short-term breaks and/or short-term support in a family setting
  - Exploring the possibility of self-contained tenancies for U/60s in independent living schemes
  - Improved building design within social housing schemes
  - Support for people once they have moved on into general needs housing
  - Mental health support to homeless hostels
  - Private sector provision

## **Council Plan**

42. Of the eight core outcomes outlined in the **Council Plan 2019-2023**, three are particularly relevant in relation to the development of an improved mental health housing and support pathway. Relevant extracts from the Council Plan are shown below:

**a) Good health and wellbeing**

*We know that 80% of a person's health is determined by wider factors rather than by health or care services (e.g. housing). However, there are communities within our city whose health and wellbeing outcomes fall short of those enjoyed by the majority and we work hard to reduce those inequalities.*

**b) Safe communities and culture for all**

*It is vital that we continue to work with others to nurture inclusive communities, particularly for those that can feel isolated and vulnerable, in order to better connect them to others and the activities York has to offer. This will also have a positive effect in reducing crime and provide a safety net to protect those at risk of harm.*

**c) Creating homes and world-class infrastructure**

*Prioritise support for rough sleepers and work in partnership with the police and other agencies to develop new initiatives such as the 'Housing Navigators' and improved services for people with complex needs, such as substance abuse and mental health issues, including extended use of the Housing First approach.*

## CYC Recovery and Renewal Strategy – Covid-19 Response

43. It is widely acknowledged that the Covid-19 pandemic, and the economic challenges it has triggered, is likely to have a long-term negative impact on the mental health and wellbeing of many across the city. People with multiple and complex needs who were struggling before Covid-19 will be facing even greater challenges now and in the coming years. The early but gradual introduction of extra Housing First places will help ensure there is greater support available for some of the most vulnerable people in the near future,

albeit in very small numbers, and the full development of the specialist provision by May 2023 will mean the city will have significantly greater capacity to support people with multiple and complex needs, the numbers of which can be expected to grow in the coming years.

### Health and Wellbeing Board

44. At its meeting on 4<sup>th</sup> March 2020 the Health and Wellbeing Board re-focused its priorities at the half-way point in the life of its 2017-2022 strategy. Relevant extracts from the report are shown below and help illustrate the clear link between the proposals contained within this report and the city's vision for providing improved mental health housing and support options that are embedded in communities that will welcome and support them, including provision for people with multiple and complex needs.

#### ***Mental Health***

*“The board will promote awareness and understanding of the protective factors that support good mental wellbeing and ensure that compassionate, strength-based approaches in communities are developed.”*

***The Mental Health Partnership** is well established now and is in a good place to take on this re-focused health priority. They have identified four key priorities:*

- *A community approach to mental health and wellbeing*
- *Mental health housing and support*
- *Multiple and complex needs*
- *Self-harm*

### **Implications**

#### **Financial**

45. The table below shows the ongoing financial position once the specialist mental health housing and support provision is fully implemented. There will be a gradual introduction of Housing First placements starting in 2020/21 but the full costings shown below

will not apply until Spring 2023 when the two new supported housing schemes are due to open.

| <b>Fully implemented model costs and funding</b> | <b>£000</b>  |
|--|--------------|
| <b>Estimated total cost of service</b>           | <b>1,321</b> |
|  |              |
| <b>Total funding</b>                             | <b>1,321</b> |
| Council base budget (22 The Avenue's budget)     | 423          |
| Reduction in residential and community spend     | 186          |
| Increased Intensive Housing Mgmt income          | 212          |
| NHS Vale of York CCG commitment                  | 500          |

46. The CCG contract with TEWV is due to expire in 2024. Neither the CCG nor TEWV can pre-empt the legal procurement process for the contract to be awarded for the subsequent period but it is the settled intention of the CCG that this model of care will - having demonstrated its efficiency and effectiveness by that date - be intrinsic to our care pathways. It therefore will continue to be a feature of the services and outcomes specified in the new contract to be let from 2024.

47. Overall the projected costs of the programme and delivering the services will be met from:

- £423K - is the current revenue funding available from the existing service at 22 The Avenue and is the budget released by re-providing the existing 22 The Avenue service.
- £186K – this will be from savings realised within Adult Social Care Mental Health budgets due to CYC social workers reducing the numbers of individuals placed in long term care settings (residential) and the numbers accessing intensive community support options.
- £212K – increased income that will go to the support provider to offset the overall costs. This income will come through accessing increased housing benefit entitlements through the use of Intensive Housing Management (IHM). Intensive Housing Management is a term used to describe the services provided by a supported housing

landlord, differentiating it from a general needs landlord. The services are provided to ensure the ongoing viability of the tenancy with respect to the needs of the tenant.

- £500K – this is the contribution from the Vale of York CCG via TEWV that will be achieved by health partners through a reduction in the number of out-of-area placements made. The funding will be ring-fenced for the programme and delivery of the new model and pathway and secured formally with health partners.
48. The revenue modelling has been based on an assumption of staff being transferred to one of the schemes under current terms and conditions and uses the current market rate for mental health supported housing to forecast the cost of the second scheme.
  49. The capital implications have also been considered. The recommendation is to sell the council land to a Registered Social Landlord (RSL) to develop the sites and build two specialist mental health supported housing schemes. Soft market testing has shown there would be keen interest in developing such sites whilst generating the expected capital receipts for Woolnough House and Crombie House.
  50. When selling the sites to a RSL (as part of a procurement process), the council's contract with the RSL will stipulate that the sites can only be used for the purpose of providing specialist mental health supported housing (for as long as CYC requires it). The support element of the specialist mental health housing and support provision will be re-tendered at timely intervals (e.g. every 5+2 years) to help ensure continued quality provision.
  51. The recommendation would also mean that a capital receipt could be realised from the sale of 22 The Avenue. Provision has been made in the revenue model for upkeep of 22 The Avenue until the new schemes are operational and holding costs (e.g. security) of the building until its sale.

## **Human Resources (HR)**

52. Any council staff that may be impacted by this proposal and their Trade Union representatives have been informed about the content of this report and will continue to be kept informed and consulted as appropriate as the proposals are developed.
53. Any change to provision of services will be managed in accordance with the Council's Supporting Transformation (Managing Change) policies and appropriate employment legislation.

## **One Planet Council / Equalities**

54. Ensuring that people experiencing mental ill-health are able to access appropriate housing and support is a significant equalities issue. The project team recognise that further work is required to ensure that people experiencing mental ill-health have the right support and pathways in place to enable them to access, and meet, this basic human need. A full analysis of the project's impact upon the One Planet Principles and Equalities & Human Rights has been undertaken using the Better Decision Making Tool - see Annex 2.
55. Completing the Better Decision Making Tool has served to highlight/reinforce a few key areas where we will need to do focussed work within the project implementation phase, including the need to:
  - a) Ensure that the voice of people with lived experience is influential within the specification of the specialist housing and support that is required, and within the process for selecting the housing and support providers who will deliver the provision.
  - b) Invest time and energy, alongside the housing and support providers and other partner agencies, in supporting the development of positive links between the two supported housing schemes and the communities within which they will be located. Our aim will be to encourage mutual understanding and support that will help foster positive community relations.

- c) Work closely with Housing and Procurement colleagues during project implementation to ensure that the two new supported housing schemes are designed and built in a way that is as positive as possible in terms of environmental and sustainability considerations.
- d) Link up with other key related projects/developments - e.g. the Multiple Complex Needs Network, and the Northern Quarter Project: Mental Health and Wellbeing - to ensure that we maximise all opportunities to connect individuals, organisations and communities as part of a strengths-based approach that builds on 'what's strong rather than what's wrong.'
- e) Link in with the Pathway team to ensure that, if it is appropriate and possible, young people aged 16-18 who have mental health and other needs which cannot always be met in existing young people's supported accommodation, can be considered for this specialist housing and support provision, with appropriate packages of support.

## **Legal**

- 56. Section 117 of the Mental Health Act describes the duty to provide aftercare services in some circumstances following hospital admission. Section 75(5) of the Care Act 2014 defines "after care services" as services which (i) meet a need arising from or related to the person's mental disorder; and (ii) reduce the risk of a deterioration of the person's mental condition (and, accordingly, reducing the risk of the person requiring admission to a hospital again for treatment for the disorder). Establishing a supported housing pathway would help to meet the Section 117 duty, prevent re-admission and support long term recovery. The Children Act 1989 and associated legislation places 'pathway' duties on local authorities to support young care leavers into independence, which includes support with accommodation needs.
- 57. The Housing Act 1996 provides instances where the local authority has a duty to provide accommodation to homeless persons, including some instances where an individual is considered to be



in “priority need”. Priority need includes several categories of individual, including persons who are vulnerable as a result of mental illness. Without appropriate accommodation for people with complex needs there is a risk that this duty may not be met.

58. There are a number of ways in which the Council and the CCG could work together to procure the required services, from a formal partnership through to an agreement in accordance with section 75 of the National Health Services Act 2006. Each route has different risks and advantages and work will need to be undertaken with the support of Legal Services to ascertain the most appropriate route.
59. The proposals to obtain a Registered Social Landlord (to develop the sites) and an external partner (to deliver the support) are both governed by the Contract Procedure Rules and the Public Contracts Regulations 2015 and will require compliant procurement processes to be carried out. The proposal to carry out formal market testing in order to ascertain the view of the market in relation to the proposals will assist in further defining the structure of the resulting procurement processes.
60. As one of the three sites is part of the Housing Revenue Account (HRA) portfolio, consent from the Secretary of State for Housing, Communities and Local Government for their disposal may need to be obtained under Section 32 of the Housing Act 1985. Pursuant to the General Housing Consents Order 2013, the Secretary of State has given consent to disposals by local authorities of housing/HRA land in the circumstances specified in the Order, which includes disposal of land for its market value. However, if the disposal price/capital receipt being obtained is less than best consideration reasonably obtainable for the site in question, this would fall outside the Order and specific express written consent from the Secretary of State would need to be applied for and obtained before any contract for sale or sale/transfer deed is entered into.

### **Crime and Disorder**

61. The provision of appropriate housing and support, able to meet the needs of people with multiple and complex needs, would help provide the stability required for them to develop their recovery and independent living skills. This is likely to reduce the impact on the

crime and disorder of a small number of individuals whose anti-social behaviour can sometimes have a significant impact on neighbours and communities.

### **Information Technology (IT)**

62. There are no identified implications at this stage.

### **Property**

63. Mental health housing and support is currently provided in a range of settings including 22 The Avenue, which is a Council managed service.

64. The two buildings at 22 The Avenue are old and no longer fit for purpose. The house at 22 The Avenue was closed in late 2019 and the housing provided there is now provided at a recently refurbished 5 bed property in Clifton (a 15 minute walk away), with outreach support being provided to residents by staff from 22 the Avenue.

65. Our vision is that, when the new specialist mental health supported housing schemes open, the 5 bed property in Clifton will still remain in the mental health housing and support pathway, most likely as short-term supported housing with visiting support provided by a VCS or Housing Association partner.

66. Whilst the house at 22 The Avenue has been closed, the Annex building at 22 The Avenue remains operational. CYC Property Services has undertaken a full condition survey of the building and developed a three year programme of works to keep the building fit for operational use until such time as the two new supported housing schemes are ready. This building maintenance work is being funded from the £131k budget agreed by Full Council in July 2019 to help pump-prime this project.

67. The eventual closure of the service at 22 The Avenue will mean that the site can be released for a capital receipt.

68. Two existing council sites have been identified as the proposed locations for the two specialist mental health supported housing

schemes. Woolnough House is the site of an ex-council residential care home which has been demolished, off Hull Road. Crombie House, on Danebury Drive in Acomb, currently provides temporary accommodation for homeless families which is being re-located to new provision at James House.

69. The Executive approved the scope of the Council's Housing Delivery Programme on 12 July 2018. Seven sites were named and one of these was Woolnough House. Approving this proposal, to develop a specialist mental health supported housing scheme at Woolnough House, will mean removing it from the scope of the Housing Delivery Programme. This proposal has been discussed at the Housing Delivery Board and is supported by that Board. It is not felt that its removal will negatively impact on the ability of the Housing Delivery Programme to meet its objectives.

70. As noted above in the Financial Implications section, the recommendation is to sell the above two council sites to a Registered Social Landlord (RSL) to develop the sites and build two specialist mental health supported housing schemes. Soft market testing has shown there would be keen interest in developing such sites whilst generating the expected capital receipts for Woolnough House and Crombie House.

71. The council's contract with the RSL will stipulate that the sites can only be used for the purpose of providing specialist mental health supported housing.

**Other – TEWV's strategic approach**

72. TEWV NHS Trust is moving from a traditional reliance on bed based services to enhance recovery focussed community provision that reflects the 'whole person, whole life, whole system' principles. This paradigm shift has led to:

- Dedicated capacity to proactively manage complex mental health placements which may be managed out of the York locality
- Enhancement of community teams to enable more proactive care in the area

- Piloting of new ways of working to maximise the delivery of evidence based rehabilitation care models
- Working closely with service users and carers to better understand their experiences and to inform the delivery of recovery focussed care.

## **Risk Management**

73. There are a range of risks attached to doing nothing to address the challenges highlighted in this report. We are currently struggling to provide people with mental ill health, and especially those with multiple and complex needs, the right type of housing, with the right level of support, at the right time. This is due to a number of factors including:
- The lack of a range of options to meet the range of needs
  - System pressures
  - Increasing demand
  - Fragmented services
  - Ageing buildings
74. A high-level risk register has been developed and this will be developed in greater detail to ensure that the key risks to the project are identified and managed so as to eliminate or minimise their potential impact.
75. There is a financial risk that would arise if the way customers are currently supported were not changed to reflect these services being in place. The revenue model is dependent on savings being realised in existing budgets to fund this programme.
76. There is also a financial risk that our partners' financial position might change and the funding earmarked to support this project is diverted elsewhere.
77. To mitigate the risk of the chosen Registered Social Landlord (RSL) deciding at a later date that it no longer wishes to provide the two supported housing schemes, the council's contract with the RSL will stipulate that the sites can only be used for the purpose of

providing specialist mental health supported housing. The procurement process will factor in the ability to re-tender the support element of the contracts at timely intervals (e.g. every 5+2 years) to help ensure continued quality provision.

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**Report Approved: ✓ Date: 11/08/20**

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**Wards Affected:**

All ✓

For further information please contact the authors of the report.

**Background Papers:**

- York's Joint Health and Wellbeing Strategy 2017-2022
- All Age Mental Health Strategy for York 2018-2023
- York Homelessness Strategy 2018-2023
- Workshop Report: Mental Health Housing and Support Workshop held at Priory Street Centre on 29 Sept 2017
- Mental health housing and support report to Health and Wellbeing Board – 24 January 2018
- Guidance for services on 'Delivering high fidelity Housing First' – Homeless Link, 2019
- Principles underpinning the development and implementation of an improved mental health housing and support pathway in York
- Stakeholder Sessions Report: Report on feedback from two stakeholder sessions held on 12<sup>th</sup> and 19<sup>th</sup> July 2018 at the Quaker Meeting House
- 'More Than Shelter' – Centre for Mental Health report, June 2016

## **Annexes**

- Annex 1 – Overview of current places vs. proposed places in the mental health housing and support pathway
- Annex 2 – Better Decision Making Tool

## **List of Abbreviations Used in this Report**

|          |   |
|----------|---|
| CYC      | City of York Council                            |
| HRA      | Housing Revenue Account                         |
| IHM      | Intensive Housing Management                    |
| MEAM     | Making Every Adult Matter                       |
| NHS      | National Health Service                         |
| RSL      | Registered Social Landlord                      |
| TEWV     | Tees, Esk and Wear Valleys NHS Foundation Trust |
| VCS      | Voluntary and Community Sector                  |
| VoY CCG  | Vale of York Clinical Commissioning Group       |
| York CVS | York Centre for Voluntary Service               |
| YPBIP    | York Place Based Improvement Partnership        |





Project Start Date 15/11/2023 1  
Project Lead Caroline Billington

| Week 1      |   |   | Week 2      |   |   | Week 3      |   |   | Week 4     |   |   | Week 5      |   |   | Week 6      |   |   | Week 7      |   |   | Week 8     |   |   |   |   |   |   |
|-------------|---|---|-------------|---|---|-------------|---|---|------------|---|---|-------------|---|---|-------------|---|---|-------------|---|---|------------|---|---|---|---|---|---|
| 13 Nov 2023 |   |   | 20 Nov 2023 |   |   | 27 Nov 2023 |   |   | 4 Dec 2023 |   |   | 11 Dec 2023 |   |   | 18 Dec 2023 |   |   | 25 Dec 2023 |   |   | 1 Jan 2024 |   |   |   |   |   |   |
| M           | T | W | T           | F | S | S           | M | T | W          | T | F | S           | S | M | T           | W | T | F           | S | S | M          | T | W | T | F | S | S |

| WBS      | TASK  | LEAD            | START      | END        | % DONE | WORK DAYS |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|----------|---|-----------------|------------|------------|--------|-----------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
|          |   |                 |            |            |        |           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>4</b> | <b>Legal</b>  |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4.1      | Contract terms & conditions developed                               |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4.2      | TUPE information obtained from current suppliers                    |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4.3      | TUPE information complete and ready to be sent with ITT             |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4.4      | Contract terms & conditions & TUPE ready to issue with ITT          |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>5</b> | <b>Contract Award</b>   |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.1      | Contract Award report approvals obtained                            |                 | 07/05/2024 | 15/05/2024 | 0%     | 7         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.2      | Governance procedures - Call In Members/Key Decision - Forward Plan |                 | 07/05/2024 | 15/05/2024 | 0%     | 7         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.3      | Standstill Period (Contract Award stage)                            |                 | 18/05/2024 | 28/05/2024 | 0%     | 7         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.4      | Inform successful and unsuccessful tenderer(s)                      |                 | 29/05/2024 | 03/06/2024 | 0%     | 4         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.5      | Contract Award Notice published on Find a Tender                    |                 | 29/05/2024 | 29/05/2024 | 0%     | 1         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5.6      | Contracts signed by successful tenderer(s) and sealed by Legal      |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>6</b> | <b>Contract Mobilisation</b>  | <b>3 months</b> |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6.1      | Contract Mobilisation meetings                                      |                 | 01/06/2024 | 30/06/2024 | 0%     | 20        |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6.2      | TUPE Transfer (between providers)                                   |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6.3      | Contract Management meetings schedule/attendance confirmed          |                 |            |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6.4      | Contract Start date   |                 | 31/07/2024 |            | 0%     | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6.5      | Ongoing Contract Management   |                 |            |            | -      | -         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |