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(Tel: 01443 864210 Email: evansca1@caerphilly.gov.uk)

Date: 25th October 2017

Dear Sir/Madam,

A meeting of the **Caerphilly Homes Task Group** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Thursday, 2nd November, 2017** at **5.30 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- 3 Caerphilly Homes Task Group held on 5th October 2017.

A greener place Man gwyrddach



To receive and note the following information items: -

- | | | |
|---|--|---------|
| 4 | Community Benefits Delivered as a Result of WHQS. | 5 - 12 |
| 5 | Dynamic Purchasing System for the Provision of General Builders. | 13 - 38 |
| 6 | Annual Review of the Tenancy Review Panel. | 39 - 44 |

**If a member of the Caerphilly Homes Task Group wishes for the above information report(s) to be brought forward for discussion at the meeting, please contact Charlotte Evans on 01443 864210, by 10a.m. on Wednesday 1st November 2017.*

- 7 To receive any requests for an item to be included on the next available agenda.

Circulation:

Task Group Members: Ms L. Pewtner, Mrs D. Moore, Ms M. James, Ms R. Thompson, Mrs Y. Bryant, M. Davies, Miss E. Forehead, L. Harding, A. Hussey, Ms S. Jones, L. Phipps, Mrs D. Price, L.G. Whittle and Mr C. Davies,

And Appropriate Officers



CAERPHILLY HOMES TASK GROUP (WELSH HOUSING QUALITY STANDARD)

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
(SIRHOWY ROOM) ON THURSDAY, 5TH OCTOBER 2017 AT 5.00 P.M.**

Task Group Members:

C. Davies, L. Harding, A. Hussey, Mrs S. Jones, Mrs D. Moore, Ms R. Thompson, Ms L. Pewtner, Mrs L. Phipps, L. Whittle.

Officers:

C. Couzens (Chief Housing Officer), F. Wilkins (Public Sector Housing Manager), J. Carter (Senior Housing Officer), K. Watkins (Communications & Tenant Engagement Officer) and C. Evans (Committee Services Officer)

1. TO APPOINT THE CHAIR AND VICE CHAIR FOR THE ENSUING YEAR

It was moved and seconded that Mr C. Davies be appointed as Chair of the Caerphilly Homes Task Group for the ensuing year and by a show of hands this was unanimously agreed.

RESOLVED that Mr C. Davies be appointed Chair of the Caerphilly Homes Task Group for the ensuing year.

It was moved and seconded that Councillor D. Price be appointed as Vice Chair of the Caerphilly Home Task Group for the ensuing year and by a show of hands this was unanimously agreed.

RESOLVED that Councillor D. Price be appointed as Vice Chair of the Caerphilly Homes Task Group Committee for the ensuing year.

2. APOLOGIES

Apologies for absence were received from Mrs Y. Bryant, Ms. E. Forehead, Ms M. James and Mrs D. Price

2. DECLARATIONS OF INTEREST

Tenant Representatives C. Davies, Mrs S. Jones, Mrs D. Moore, Ms L. Pewtner and Mrs R. Thompson declared a personal but not prejudicial interest in all agenda items as Council Tenants.

3. MINUTES – 6TH JULY 2017

RESOLVED that the minutes of the meeting held on 6th July 2017 be approved as a correct record and signed by the Chair.

4. WALES AUDIT OFFICE REVIEW OF THE WHQS PROGRAMME – VERBAL UPDATE.

The Caerphilly Homes Task Group were asked to note that the Wales Audit Office Review of the WHQS Programme was due to be presented to the Task Group, following its consideration by Cabinet. However, as the report is to be presented to Cabinet at a later date, the Task Group agreed to receive a brief verbal update.

The Task Group were asked to note that the Wales Audit Office (WAO) conducted a review of the WHQS programme earlier in the year, the aim of which was to determine whether the programme was being administered in the correct manner and within the 2020 completion timescale.

Following meetings with senior Officers, staff within the WHQS team, Councillors and tenants, a detailed report was developed, which highlighted a number of recommendations.

The Caerphilly Homes Task Group were asked to note that the full report, along with details of these recommendations would be presented to Cabinet on 1st November 2017 and Cabinet endorsement would be sought in order to agree and implement works to meet the WAO recommendations.

The Task Group thanked the Officer for the verbal update.

5. COMPLAINTS AND REPRESENTATIONS – CAERPHILLY HOMES

The report provided the Caerphilly Homes Task Group with information on contacts in relation to complaints and representations received by the Authority's Housing Customer Services Section, from 1st April 2016 to 31st March 2017.

The monitoring of complaints and representations is carried out to provide information on the level of satisfaction with the service provided by Caerphilly Homes. The results enable Managers to focus on areas of concern with the aim of improving services and monitor performance and ensure that similar problems are avoided in the future. The corporate complaints procedure places an emphasis on learning from complaints, as a result there have been examples of complaints which have led to changes in policies and procedures.

The Caerphilly Homes Task Group thanked the Officers for the detailed report and discussion ensued. In noting the number of complaints that were upheld and partially upheld, a Task Group Member sought further information on the figures and the process. Officers explained that the report detailed those contacts received during 2016/17 and were for contacts made directly to the Caerphilly Homes' Customer Services Section. The complaint figures related to those contacts that could not be resolved as a service request, and as a result went through the Corporate Complaints Process. Members noted that there were a total of 581 contacts from the public and/or their representative, of these contacts, 70 Stage 1 complaints were received, of which 43 were not upheld, 15 were partially upheld, 10 were upheld and 2 did not proceed. In terms of Stage 2 complaints, 31 were progressed, of which 16 were not upheld, 7 were partially upheld and 8 were upheld. Following this process, complainants are able to refer their complaints to the Public Services Ombudsman for Wales. In 2016/17 8 cases were referred to the Ombudsman, of which 5 cases were returned due to being referred prematurely and the remainder were not investigated.

A Task Group Member queried the number of complaints within the report and noted that, as part of the Surveys conducted following completion of WHQS works to properties, a number of complaints are received, which were not reflected within the report. Officers outlined that the report referred directly to those formal complaints received through the Corporate Complaints process and through the Caerphilly Homes' Customer Services Section. The Surveys conducted post works are dealt with in a different fashion, and the Task Group are provided with details of the Satisfaction Surveys as part of the Performance reporting to the Task Group.

Following consideration and discussion, the Caerphilly Homes Task Group thanked the Officers for the report and noted its contents.

6. TO RECEIVE ANY REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

Mr C. Davies, in noting that the previously requested items had not been tabled on the agenda, sought information as to when they would be brought for the Task Group to consider. Officers explained that, due to the items for consideration on this agenda, the items would be brought to the next Task Group meeting for consideration.

The meeting closed at 6.23 p.m.

Approved as a correct record subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 2nd November 2017.

CHAIR

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CAERPHILLY HOMES TASK GROUP – 2ND NOVEMBER 2017

SUBJECT: COMMUNITY BENEFITS DELIVERED AS A RESULT OF WHQS

REPORT BY: CORPORATE DIRECTOR – COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To advise members of the progress made in relation to delivering against the Council's ambition to ensure that its £200 million WHQS investment in homes transforms lives and communities.

2. SUMMARY

- 2.1 Following the ballot in February 2012 the Council made a commitment to ensure that its £200m investment in homes would also help transform lives and communities.
- 2.2 In order to deliver the ambition of ensuring that the Council's investment in homes also created new opportunities to transform lives and communities, a series of core requirements (mandatory) and non-core (non mandatory) requirements were built into the WHQS internal works contracts and also the Council's Supply Partner contract with Robert Price.
- 2.3 As a result of the commitment to deliver the Welsh Housing Quality Standard by 2020, the Council has also delivered a number of employment related opportunities directly.

3. LINKS TO STRATEGY

- 3.1 The Welsh Housing Quality Standard (WHQS) is intended to ensure that all local authority and housing association homes are improved and maintained to specified standards.
- 3.2 The Council is committed to ensuring that the WHQS investment transforms not only homes but also lives and communities.
- 3.3 The Council's Local Housing Strategy "People, Property, and Places" has the following aim:
"To provide good quality, well managed houses in communities where people want to live, and offer people housing choices which meet their needs and aspirations."
- 3.4 The delivery of community benefits is coterminous with the aims of the Wellbeing of Future Generations (Wales) Act 2015 which requires public bodies to work towards a shared vision comprising 7 goals and adopt the 5 "Ways of Working". The goals and the 5 Ways of Working will underpin the delivery of the programme and include planning and acting for the long term, integration, involvement, collaboration and prevention.
- 3.5 The delivery of community benefits links directly with the goal identified in the Future Generations Act to create a more prosperous Wales through helping to directly create new employment and training opportunities.

- 3.6 The creation of community benefits also relates directly to the ambition to create a resilient Wales. The inclusion of Community Benefits as a core requirement into the contracts has created additional employment and training opportunities for local people which creates greater financial resilience on an individual basis; helps sustain the local economy and build resilient communities. The added value delivered via the non-core commitments to work with local schools and support local communities also contributes towards the creation of a more resilient Wales.
- 3.7 The delivery of community benefits is coterminous with the goal to create healthier communities through improving access to employment and opportunities to increase skills and learning which in turn contributes towards improved mental health and overall well being.

4. THE REPORT

- 4.1 The Council has included a suite of core and non-core community benefit requirements into its internal works and supply partner contracts in order to maximise the benefits of its WHQS investment and benefit the borough as a whole. The delivery of core community benefits applies to Keepmoat, Contract Services, Vinci Facilities and Robert Price.
- 4.2 In relation to the internal works contractors appointed by the Council, unfortunately Contract Services who were responsible for the delivery of internal works in the lower Rhymney Valley, have recently ceased trading. This was the only internal works contractor that directly employed its own workforce; therefore this will have a detrimental impact on the employment opportunities made available by external contractors for the remainder of the year. The figures quoted within this report however, relate to the first six months of the year.
- 4.3 A copy of the core and non-core requirements which contractors are required to deliver are attached in appendix 1 which also outlines progress made to date.

Core Requirements – Targeted Recruitment and Training

Full Time Permanent Opportunities

- 4.4 Good progress has been made by all contractors in relation to achieving their targets in relation to the number of permanent full time opportunities created. In total, the internal works contractors have created 71 permanent full time roles as a result of their contract to deliver WHQS works on behalf of the Council.
- 4.5 To date and as a result of the delivery of the WHQS programme, 106 full time opportunities have been created within the Council to date (across WHQS and HRO).
- 4.6 The additional work being awarded to the Council's in house team to deliver the sheltered housing programme will bring additional opportunities as will the work delivered by HRO to assist in the delivery of the WHQS programme.
- 4.7 The opportunities created by the Council have directly benefited the local economy. Approximately 80% of the workforce reside within the county borough and as a result spend their salary locally.

Employment Opportunities for Long Term Unemployed

- 4.8 Since the start of the programme all contractors have found it difficult to recruit candidates who would be deemed long term unemployed (unemployed longer than 26 weeks). This is largely due to the fact that potential candidates who are unemployed for longer than 26 weeks are not 'work ready' and have a number of barriers to overcome before entering the workplace. As a result, long term unemployed individuals are being encouraged via the Welsh Government's LIFT programme (delivered in Caerphilly by Communities First) to access work placement opportunities with the Council's contractors. The LIFT programme

sought to assist individuals who are deemed long term unemployed from workless households to access funding to overcome barriers such as transport, clothing etc. and provided individuals with mentoring and ongoing support both prior to and during their work placement. Training was also provided via LIFT in areas such as manual handling, health and safety at work and basic asbestos awareness. CSCS cards were provided to those successfully completing a 2 week placement programme.

- 4.9 Due to Welsh Government changes, the LIFT programme is being absorbed into the Welsh Government's new employment support programme which will enhance the employment support being delivered in priority areas via the Council's community regeneration team. The £50,000 allocated to LIFT in previous years will now be allocated to support the delivery of the replacement Communities First employment programme which will be targeted at key housing areas.
- 4.10 Since the start of the programme, Keepmoat have employed 3 people deemed long term unemployed, Vinci 1, Contract Services 3 and Robert Price, 4.

Apprenticeships

- 4.11 Since the start of the programme, Keepmoat have created 8 new apprenticeship opportunities (against a contract requirement of 24); Contract Services 6; Vinci 3 (against a contract requirement of 12 each) and Robert Price, 4. In order for the figures to be counted as an outcome, an apprentice must serve a minimum of 52 weeks.
- 4.12 A total of 43 apprenticeship opportunities have also been created within the Council's WHQS and HRO teams to support the delivery of the WHQS programme (cumulative total).

Work Placements (16+)

- 4.13 During 2016/17, Keepmoat have successfully run a two week course alongside the LIFT team entitled 'Induction to Construction'; 12 participants took part and received reference and the opportunity to sign up with a local employment agency.
- 4.14 Verbal commitments have been made by Vinci during the year to run a similar programme in the north of the county borough; however a suitable date has yet to be identified. It should be noted that Vinci's ability to deliver community benefits similar to those delivered by Contract Services and Keepmoat is restricted due to the fact they have chosen to have only one member of staff dedicated to undertaking work related to the delivery of community benefits, 2 days per week.
- 4.15 Furthermore, Vinci's efforts to date are still concentrated primarily on ensuring that they deliver against their contractual requirement to deliver WHQS improvements to Council homes in the north of the borough. Vinci's performance with regard to community benefits and the delivery of the WHQS internal works programme is being monitored in line with the terms and conditions of the contract by the WHQS Project Board. This has resulted in senior managers from Vinci attending Board meetings and formal letters being issued.
- 4.16 Including the 'Induction to Construction' participants, Keepmoat have delivered a total of 22 work placement opportunities (120 are required throughout the contract duration), Vinci 5, Contract Services, 7 and Robert Price 17.

Graduate Employment Opportunities

- 4.17 Both Keepmoat, Vinci and Robert Price have created a number of graduate opportunities to date. 2 have been created by Keepmoat, 2 by Vinci and 1 by Robert Price. The graduate opportunities created by Vinci are both Trainee Quantity Surveyor roles. In Keepmoat, graduate opportunities have been created in Surveying and Site Management.

Education

- 4.18 Core requirements regarding the provision of support to local schools have also been incorporated into the internal works contracts.
- 4.19 Both Keepmoat and Contract Services have developed very positive relationships with local schools.
- 4.20 As a result of signing up to the Careers Wales, Business Class programme, Keepmoat, have developed a fruitful relationship with Blackwood Comprehensive School and also Penllwyn Primary. Appendix 2 outlines some of the work undertaken with the primary and comprehensive school. The relationship developed by Keepmoat and Blackwood Comprehensive is intended to facilitate the sharing of good practice, transfer of business acumen, promotion of career opportunities and practical opportunities for engagement between business and young people.
- 4.21 Contract Services have been developing their relationship with St Martin's School, Caerphilly. Efforts to date have focused on providing support to the Family Engagement Officer (funded by Communities First) based at the School. Further commitments relating to the refurbishment of the boys toilets and the erection of a poly tunnel in which the young people can learn horticultural skills have been made but unfortunately Contract Services ceased trading after just commencing the works to the boys toilets. This work has subsequently been completed, by the Council's in-house team.
- 4.22 All internal works contractors are also encouraged to work alongside the Council's procurement team to deliver a series of 'Meet the Buyer' events; provide training and transfer of business acumen; advertise Tier 2 contract opportunities via Sell2Wales and ensure the prompt payment of sub-contractors (within 10 days).
- 4.23 Two WHQS 'Meet the Buyer' events have taken place during the last six months which attracted a number of potential local sub-contractors. The training and transfer of business acumen is ongoing and provided via toolbox talks, online training modules and demonstrations.
- 4.24 All internal works contractors claim to pay sub-contractors within a 10 day period and the Council is currently awaiting evidence to support this statement.

Non Core Community Benefits

- 4.25 All internal works contractors have committed to create a community fund which can be used to support projects that have been identified via the Community Regeneration team that will benefit the community, leave a lasting legacy and meet the aims of the Future Generations Act. The Council does not hold the funds and hence the contractors are also required to agree how the funds will be best utilised. The monies allocated by Keepmoat will be used to support ongoing engagement activities with Blackwood Comprehensive and Penllwyn Primary School. The fund held by Vinci will support the refurbishment of Gilfach Community Centre later this year which will be undertaken in conjunction with Robert Price and Rixonway.
- 4.26 In December 2016, the commitment to deliver community benefits also resulted in all internal works contractors, Robert Price and Robert Price sub-contractors together with the Council's other contractors (including Alun Griffiths, Castell Howell, F I Walters etc.) supporting the Council's annual foodbank collection. An overwhelming number of donations and monetary contributions were made which provided much needed support to each of the four foodbanks in the borough, young care leavers and older people nominated by Social Services. It is anticipated that a similar level of support will be provided Christmas 2017. Vinci provided support to wrap and pack over 120 boxes which were used to transport the items to those in need across the borough.

- 4.27 Robert Price have supported the development of a community tool bank in Graig Y Rhacca which aims to encourage local people to improve their homes and gardens, increase skills and confidence and undertake small DIY projects. The toolbank project is currently on hold whilst an asset mapping inventory is undertaken.
- 4.28 Robert Price also supported the provision of 120 water bottles to Fochriw Primary School who, through the Healthy Schools programme were looking to highlight the benefits of drinking fresh water to their pupils.
- 4.29 It is not mandatory for the Contractors to become a Living Wage employer however the Council encourages all its contractors to register with the Living Wage Commission. Both Contract Services and Robert Price are registered with the Living Wage Commission and therefore commit to paying all employees the Living Wage as a minimum.
- 4.30 Prepare for Work packs have also been provided to LIFT and Communities for Work participants as a result of a voluntary donation from Service Care Solutions, a recruitment agency who have helped supply agency staff to support the delivery of the Council's WHQS programme.
- 4.31 As part of the commitment made in the Council's Offer Document to tenants, the Council agreed to create a Local Employment Fund totalling £50,000 per annum to support the delivery of projects aimed at providing tenants and residents with support to access training or employment opportunities. Following a change to the way in which projects of that nature are delivered, it was agreed to allocate the £50,000 for 2016/17 to support the delivery of the Welsh Government's LIFT programme which aims to provide bespoke and intensive support to workless households in the most deprived areas of the county borough. During 2016/17, the LIFT programme provided intense support to 83 participants, of which 57 (69%) were Council tenants.
- 4.32 Monthly contractor monitoring meetings that focus specifically on the delivery of community benefits are scheduled and attended by the Strategic Coordination Manager and officers from WHQS, Communications, Procurement and Community Regeneration.
- 4.33 All internal works contractors and the Supply Partner are required to report their achievements to Welsh Government via the completion of the Value Wales Toolkit on an annual basis.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 The WHQS programme contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act as outlined in section 3.

6. EQUALITIES IMPLICATIONS

- 6.1 This is an information report; therefore there are no potential equality implications and no requirement to complete a full Equalities Impact Assessment.

7. FINANCIAL IMPLICATIONS

- 7.1 The Communities First LIFT programme will be absorbed into new Welsh Government employment support arrangements later this year. As a result, the annual contribution of £50,000 will be allocated to support the delivery of the new employment support programme which will be specifically targeted at priority housing areas.

8. PERSONNEL IMPLICATIONS

8.1 There are no direct personnel implications arising from the report.

9. CONSULTATIONS

9.1 Responses from consultees have been incorporated within this report.

10. RECOMMENDATIONS

10.1 That the contents of the report are noted and that the commitment to support delivery of the Welsh Government's new employment support arrangements is endorsed.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To advise members of the current position in respect of the delivery of community benefits as part of the Council's Welsh Housing Quality Standard programme.

12. STATUTORY POWER

12.1 Housing Acts 1985, 1996, 2004, 2014 and Local Government Act 2000.

Author: Jane Roberts-Waite, Strategic Coordination Manager
Tel: 01443 8664340/Email: roberj@caerphilly.gov.uk

Consultees: Cllr Lisa Phipps, Cabinet Member for Homes and Places
Christina Harray, Corporate Director – Communities
Shaun Couzens, Chief Housing Officer
Marcus Lloyd, WHQS and Infrastructure Strategy Manager
Tina McMahon, Community Regeneration Manager
Elizabeth Lucas, Head of Procurement and Customer Services
Kathleen Webb, Relationship Manager
Natasha Ford, Supplier Relationship Officer

Appendices:
Appendix 1 – Community Benefits Spreadsheet
Appendix 2 – Case Studies – to be circulated at the meeting

Community Benefit	Requirement	Requirement	Minimum Requirement (set by CCBC) to be delivered over the lifetime of the contract	Cumulative Total to Date - Keepmoat	Cumulative Total to Date - Vinci	Cumulative Total to Date - Contract Services	Cumulative Total - Robert Price	Cumulative Total - CCBC Caerphilly Homes
Targeted Recruitment & Training (TR&T)	Permanent FTE opportunities	Core	18 Keepmoat / 6 each Vinci & Contract Services	12	21	34 (employed directly)	4	106 (approved CMT vacancies)
	Long Term Unemployed Opportunities	Core	12 Keepmoat / 6 each Vinci & Contract Services	3	1	3	4	N/A
	Apprenticeships	Core	24 Keepmoat / 12 each Vinci & Contract Services	8	3	6	4	43 (approved CMT vacancies)
	Jobs Growth Wales Placements	Core	4 Keepmoat / 2 each vinci & Contract Services	0	0	2	9	Not Applicable
	Work Placement (16+)	Core	120 Keepmoat / 60 each Vinci & Contract Services	22	5	7	17	
	Graduate Opportunities	Core	6 each	2	2	1	1	
	Living Wage	Non Core		No	No	Yes	Yes	
Meet the Buyer Events	Core	6 events	2	2	N/A - employs direct	Initial events undertaken prior to contract start		
Training & Transfer of Business Acumen	Core		Toolbox talks etc to sub contractors ongoing	Supplier conferences and e-learning modules, tool box talks	Toolbox talks ongoing	Not Applicable		
Advertising Tier 2 Contract Opportunities via Sell2Wales	Core		Discussion with CCBC procurement ongoing	Local subcontractor but not advertised via Sell2Wales	Discussion with CCBC procurement ongoing			
Prompt Payment of Sub Contractors (10 days)	Core	10 day payment	Evidence awaited	Evidence Provided	Evidence awaited			
Development of bespoke qualifications with local colleges	Core		N/A	N/A	N/A			
Education Initiatives	Volunteering at school / college events	Core	18 each	Keepmoat are partnered with Blackwood Comprehensive School and Penwillwyn Primary	Advised to put on hold	Contract services are partnered with St James Primary and St Martin's Comprehensive School	Not Applicable	
	Visits to primary and secondary schools	Core	18 each	Numerous	Advised to put on hold	8		
Community Initiatives	Add value to existing community initiatives to be agreed with CCBC	Non Core	N/A	Partnered with Communities First and LIFT for events and placements	Partnered with Communities First and LIFT for events and placements. None delivered to date	Partnered with Communities First and LIFT for placements and events	Not Applicable	
	Create a community fund - allocation to be agreed with CCBC	Non Core	N/A	£2,788.29 2016/17 (plus £135.5 man hours = £2497.50)*	0.025% of turnover agreed backdated to the beginning of the contract. Vinci offered 0.25%	0.025% of turnover agreed. Current value: £12,859 (St Martin's School Refurbishment)		Estimated current value: £4,000

To Note: Robert Price do not have the same community benefit obligations as the internal works contractors

The figures represent the cumulative total delivered since the start of the WHQS programme in 2013

Robert Price figure for Permanent FTE Opportunities provided April 2017.

Keepmoat do not provide a 0.25% allocation towards the Community Fund

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CAERPHILLY HOMES TASK GROUP – 2ND NOVEMBER 2017

SUBJECT: DYNAMIC PURCHASING SYSTEM FOR THE PROVISION OF GENERAL BUILDERS

REPORT BY: ELIZABETH LUCAS, HEAD OF PROCUREMENT AND CUSTOMER SERVICES

1. PURPOSE OF REPORT

1.1 To provide members with an update in relation to the Council's Dynamic Purchasing System (DPS) for the Provision of General Builders.

2. SUMMARY

2.1 The Council established the DPS for the Provision of General Builders in March 2017 in accordance with the EU Procurement Directives 2014, UK Public Contract Regulations 2015 and the Council's Standing Orders for Contracts ('SOFC'). The Council also sought external legal advice and guidance from Blake Morgan LLP during the pre-planning phase of the process.

2.2 The purpose of the DPS is to facilitate the Council's general building requirements by running mini competitions with those Contractors established on the DPS. This will allow the Council to identify Contractors to undertake packages of external works to the Council's housing stock in accordance with the Welsh Housing Quality Standard ('WHQS') Programme. Contractors will be required to provide a range of external works linked to general building disciplines. The specific works that maybe procured under the DPS for these external works will be available via the mini competitions and associated documentation.

2.3 It was anticipated that the DPS will predominately be used in the Lower Rhymney Valley, however it is also important to note that the Council has reserved the right to utilise the DPS for any internal and external general building requirements covering any Housing, Public Buildings and Learning & Educational establishments located within the County Borough. The decision to establish the DPS will assist the Council in proactively managing any potential capacity issues, which have previously been identified within the WHQS programme when utilising traditional frameworks and other arrangements. The Council published within the associated procurement documentation that Contractors should note that admission onto the DPS is not a guarantee of any award of contracts and there is also no guarantee of volume or value of contracts to be let via the DPS.

2.4 The establishment of the DPS also allowed the Council the opportunity to trial the use of a 'passport to trade' process with Contractors. The purpose of the 'passport' process is to streamline and alleviate the need for Contractors frequently submitting repeat qualifying information such as but not limited to Health & Safety and Insurance documentation whilst tendering for various opportunities for works of a similar nature.

3. LINKS TO STRATEGY

- 3.1 **The Well Being of Future Generations (Wales) Act 2015** contains 7 well-being goals. When making decisions the act requires public bodies in Wales, including local authorities, to take into account the impact they could have on people living their lives in the future.
- 3.2 **Improving Lives and Communities: Homes in Wales (Welsh Government, 2010)** which sets out the national context on meeting housing need, homelessness, and housing-related support services.
- 3.3 **Caerphilly Delivers (Single Integrated Plan, 2013-2017)** “Improve standards of housing and communities, giving appropriate access to services across the county borough.”

4. THE REPORT

- 4.1 In essence a DPS is a formal and fully advertised select list of Contractors who will have the opportunity to bid for Council opportunities via mini competitions. The DPS will be continuously ‘live’ in the market place for a period of three years from 1st April 2017 to 31st March 2020 and new Contractors can apply to join the DPS throughout its validity period subject to meeting the Council’s pre-qualification criteria. Furthermore and in accordance with Procurement legislation the DPS process i.e. the pre-qualification stage and all mini competitions must be fully electronic and this is managed via the Council’s e-tendering system, Proactis Plaza.
- 4.2 The DPS opportunity was originally advertised via Sell2Wales and published within the Official Journal of the European Union (OJEU ref: 2017/S 036-064683) on 21 February 2017 utilising the restricted procedure. The opportunity was also advertised via the numerous communication channels listed below and these will continued to be used during the validity period of the DPS:
- Caerphilly Procurement Twitter Account;
 - Caerphilly Business Support Twitter Account;
 - Construction Futures Wales Database;
 - Federation of Master Builders Database;
 - Proactis Plaza; &
 - Constructionline Notice Board.
- 4.3 A memorandum of understanding (MoU) and guidance document has been produced and made available for all Contractors (please refer to appendix 1 of this report for the latest copy of the MoU). The MoU is an important document and clearly sets out how the Council proposes to manage the process throughout the validity period of the DPS.
- 4.4 Briefing events were held on 16 February 2017 via the Council’s Supplier Relationship Officers (SRO) with fifty-three (53) Contractors and representation from Welsh Government’s Construction Future Wales attending the events. Council representatives from WHQS and Procurement facilitated the events providing advice and guidance on the mechanisms of the DPS together with an overview of the Council’s immediate general building requirements. Furthermore individual one-to-one meetings were offered by the SRO to assist Contractors with gaining a wider understanding of the concept and process. This support will be available to existing and any new Contractors during the validity period of the DPS.

PRE QUALIFICATION STAGE

- 4.5 Over a number of years the Council has actively promoted the use of Constructionline for works contracts, therefore in order to simplify the pre qualification process for Contractors the Council utilised certain aspects of the Constructionline registration process and specifically the Building General or Building Refurbishment over £15K categories. Furthermore and in accordance with the principals of open, fair and transparent procurement, the Council also

considered Contractors who are not Constructionline registered for the Building General or Building Refurbishment over £15K categories and pre qualification criteria was set accordingly. It was agreed by the project team that this approach would be the adopted process for the validity period of the DPS.

- 4.6 The structure of the pre qualification stage is split into four (4) sections and includes the following:
- **Section A:** Essential Criteria Compliance, Mandatory Completion for all Contractors including Supply Partner Key Components List and Charter for Trust to be completed by all Contractors (pass/ fail);
 - **Section B:** to be completed by Constructionline Accredited Contractors only, Building General or Building Refurbishment over £15K categories (pass/fail);
 - **Section C:** to be completed by Non Constructionline Accredited Contractors only, Building General or Building Refurbishment over £15K categories (pass/ fail);
 - **Section D:** DPS Pre Qualification Declaration to be completed by all Contractors (pass/fail).
- 4.7 Contractors have a period of thirty (30) days to apply to join the DPS. Subsequently all Contractors need to pass all criteria (pass/ fail) to be established onto the DPS and have an opportunity to bid for packages of work via the mini completions.
- 4.8 Currently there are sixty-eight (68) Contractors established on the DPS and the following should be noted:
- Sixty-three (63) Contractors are defined as local Contractors in accordance with the Council's definition of local, which is "*Local spend with Contractors from within the Welsh Purchasing Consortium (WPC) area*". The WPC consisted of twelve (12) Councils covering south east Wales;
 - Out of the sixty-three (63) local Contractors twenty-one (21) are based within Caerphilly County Borough.
- 4.9 Please refer to appendix 2 of this report which details the following information:
- Full list of Contractors established on the DPS;
 - Date of joining the DPS;
 - Constructionline or Non-Constructionline registered;
 - Locally based (Council definition and/or Caerphilly County Borough based);
 - Size of Contractor (Small Medium (SME) or Large Enterprise).

MINI COMPETITIONS

- 4.10 All mini competitions are administered via Officers within Procurement Services and conducted via the Council's tendering portal-Proactis Plaza and the outcome reported in accordance with the value thresholds as stated in the Council's SOfC. Subsequent contracts will be awarded upon the basis of nationally approved/ industry standard Contract Terms and Conditions such as but not limited to JCT or the NEC Family of Contracts. The exact terms and conditions for a specific requirement will be detailed within individual mini competitions and associated procurement documentation.
- 4.11 The award criteria for individual mini competitions shall be based on price/ cost only or price-quality ratio depending on the Council's specific requirements. The % weighting will be price/cost only 0-100% or price-quality 0-100% split between both criteria.
- 4.12 Contractors may be required to consider different pricing or costing strategies as part of the mini competitions such as but not limited to pricing bills of quantities, schedules of rates and +/- adjustment against a Nationally recognised or Council specific schedule of rates.

- 4.13 If applicable and appropriate 'Community Benefits' and 'other initiatives' such as but not limited to training and recruitment opportunities, workforce retention, paying the living wage and community initiatives can be considered on an individual package by package basis. It is important to note that specific initiatives have not been considered in the mini competitions to date due to the urgency of the works associated with the WHQS programme. However it is important to re-emphasise the number of local Contractors established on the DPS thus having the opportunity in securing future work.
- 4.14 A total of eleven (11) mini competitions have been undertaken via the DPS, please refer to appendix 3 of this report for the status of each mini competition as of 31st August 2017.

PASSPORT TO TRADE

- 4.15 The strategy adopted for the DPS meets the fundamentals of a 'passport to trade' process. A significant number of the Contractors are Constructionline registered for the relevant categories and this information will be monitored via the Constructionline system by Officers within the Council during the validity period of the DPS. The pre-qualifying information submitted by all Contractors will be stored on the Council's existing Contracts Management Module (CMM). The CMM has functionality to enable electronic email notifications to be set against each of the Contractors to notify relevant personnel when annual certificates such as Health & Safety and Insurances are due to expire. Contractors will be supported to help ensure that annual renewal information is current and valid.
- 4.16 The Council's Supplier Relationship Officer will continue to offer help and advice to new and existing Contractors throughout the period of the DPS together with seeking feedback from those Contractors already established in the DPS to ensure the Council continues to receive competitive offers when undertaking mini competitions.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 The delivery of the WHQS improvement programme is coterminous with the aims of the wellbeing of Future Generations (Wales) act 2015, in particular:-
- **Long Term:** the report includes the continued investment to achieve WHQS by 2020. This investment provides long term improvements to the property, community and to the tenants well being.
 - **Integration:** The programme looks to integrate property and environmental improvements that will benefit and transform lives and communities throughout the borough. It further brings together a variety of stakeholders to deliver long term sustainable benefits for lives and communities.
 - **Involvement:** Tenants and local residents are being consulted on the proposed property improvements, environmental works along with various initiatives that are part of the WHQS programme delivery.
 - **Collaboration:** The programme delivery is focussed on internal collaboration, partnerships with suppliers and contractors, joint working with the community and various groups. The delivery of community benefits and tenant engagement by all involved with the WHQS programme is a key focus and is clearly demonstrable within its delivery.
 - **Prevention:** The works to improve lives and communities will help tackle local unemployment. It will further improve the look and feel of the environment and help prevent anti social behaviour.

6. EQUALITIES IMPLICATIONS

- 6.1 An Equality Impact Assessment screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqlA has not been carried out.

7. FINANCIAL IMPLICATIONS

- 7.1 A total of eleven (11) mini competitions have been undertaken via the DPS with an estimated value of £8.5 million. Please refer to appendix 3 of this report for the status of each mini competition as of 31st August 2017 and the individual estimated value of the packages of works.
- 7.2 The indicative overall accumulative value of the external works packages for the Lower Rhymney Valley is estimated at £16 million; however this is subject to change.
- 7.3 All Contracts awarded via the DPS mini competitions will be approved in accordance with the value thresholds as stated in the Council's SOfC and ongoing spend monitoring will be managed via the Council's Contracts Management Module. The status of WHQS contracts will be reported to representatives of the WHQS Project Board on a regular basis.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications.

9. CONSULTATIONS

- 9.1 The report reflects the views of the consultees.

10. RECOMMENDATIONS

- 10.1 There are no specific recommendations within this report, however members are asked to note the content of the report in relation to the Council's Dynamic Purchasing System (DPS) for the Provision of General Builders.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 Information report only.

12. STATUTORY POWER

- 12.1 Local Government Act 1972, The European Union Treaty & Directive made thereunder, Public Contract Regulations 2015.

Author: Elizabeth Lucas, Head of Procurement and Customer Services.
Consultees: Councillor Barbara Jones, Deputy Leader and Cabinet Member for Finance, Performance and Governance;
Councillor Colin Gordon, Cabinet Member for Corporate Services;
Councillor Lisa Phipps, Cabinet Member for Homes and Places;
Nicole Scammell, Acting Director of Corporate Services & Section 151 Officer;
Christina Harry, Corporate Director Communities;
Shaun Couzens, Chief Housing Officer;
Marcus Lloyd, WHQS and Infrastructure Strategy Manager;
Ian Evans, Contracts Manager, Procurement Services;
Derek Morris, Principal Procurement Officer, Procurement Services;
Natasha Ford, Supplier Relationship Officer, Procurement Services;
Jemma Ford, WHQS Supplier Relationship Officer, Procurement Services;
Rebecca Francombe, Buyers Assistant, Procurement Services.

Background Papers:
CCBC/PS1490/17/DM;
EU Procurement Directives 2014;
UK Public Contracts Regulations 2015; &
Caerphilly CBC, Standing Orders for Contracts.

Appendices:

Appendix 1: Memorandum of Understanding (MoU) and Guidance Document;

Appendix 2: Full list of Contractors on the DPS;

Appendix 3: Status of Mini Competitions up to 31 August 2017.



Procurement Services on behalf of Caerphilly County Borough Council

**MEMORANDUM OF UNDERSTANDING &
GUIDANCE DOCUMENT FOR
A DYNAMIC PURCHASING SYSTEM (DPS)
FOR
THE PROVISION OF GENERAL BUILDERS**

DPS Ref: CCBC/PS1490/17/DM

Period of Three (3) Years from 1 April 2017 to 31 March 2020

Version 3 – 7 March 2017

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BACKGROUND AND INSTRUCTIONS TO CONTRACTORS

1. General

- 1.1 Caerphilly County Borough Council ('the Council') is seeking to establish a Dynamic Purchasing System ('DPS') for the Provision of General Builders. This memorandum of understanding & guidance document is provided to assist Contractors who wish to join the DPS.
- 1.2 A DPS is similar to a Framework, however new Contractors are permitted to join the DPS at any time during the validity period of the DPS subject to meeting the Council's pre-qualification criteria, which are available via the Council's e-tendering portal-Proactis Plaza, please refer to section 9 of this document for further information. Contractors should note that admission onto the DPS is not a guarantee of any award of contracts. There is also no guarantee of volume or value of contracts to be let via the DPS.
- 1.3 The DPS for the Provision of General Builders will facilitate the Council's immediate requirements by running mini competitions with those Contractors established on the DPS. This will allow the Council to identify Contractors to undertake separate packages of external works to the Council's housing stock in accordance with the Welsh Housing Quality Standard ('WHQS') Programme. The proposed separate packages of works will be undertaken in the Lower Rhymney Valley of the County Borough and Contractors will be required to provide a range of external works general building disciplines. The specific works that maybe procured under the DPS for these external works cannot be clearly defined at this stage, however full details will be available via the mini competitions and associated Invitation to Tender documentation. The indicative overall accumulative value of the external works packages for the Lower Rhymney Valley is estimated at 16 000 000.00 GBP. However it should be noted there is no guarantee of volume of packages of work or value of contracts to be let via the DPS.
- 1.4 In addition the Council via the Direct Labour Organisations ('DLO') also requires general builders on a primary and secondary basis to support the DLO across a range of general building disciplines. The specific requirements that maybe procured under the DPS for these works cannot be clearly defined at this stage, however full details will be available via a mini competition and associated Invitation to Tender documentation. The indicative overall accumulative value for this requirement is estimated at 1 000 000.00 GBP. However it should be noted there is no guarantee of volume of work or value of contracts to be let via the DPS.
- 1.5 All Contractors who are established on the DPS will be invited to participate in future mini competitions providing that they continually meet the DPS pre qualification criteria for the validity period of the DPS.
- 1.6 For the purpose of this memorandum of understanding & guidance document Contractors means all Organisations, Applicants and Bidders who are applying to join this DPS and if successful those Contractors who will participate in future mini competitions in accordance with the terms and conditions of this DPS.
- 1.7 The Council reserves the right to utilise the DPS for any internal and external General Building requirements covering any Housing, Public Buildings and Learning & Educational Establishments located within the County Borough of Caerphilly. Contractors will be required to provide a range of General Building disciplines. The

specific works that maybe procured via the DPS cannot be clearly defined at this stage, however full details will be available via the mini competitions and associated Invitation to Tender documentation.

- 1.8 The procurement is to be processed in accordance with the Public Contract Regulations 2015 (the Regulations) in line with the Restricted Procedure Regulation 28 and Dynamic Purchasing Systems Regulation 34.
- 1.9 The Council reserves the right to cancel the DPS process at any point. The Council is not liable for any costs resulting from any cancellation of this DPS process or for any other costs incurred by those Contractors applying to join this DPS.
- 1.10 You should ensure that your company is registered on www.sell2wales.gov.uk as non registered companies will impact the award processes should they be successful.
- 1.11 All communication for this process will be conducted via the Council's e-tendering portal-Proactis Plaza. It is the Contractors responsibility to ensure your contact details within the Council's e-tendering portal-Proactis Plaza are accurate. If you have any questions or require any clarifications these must be submitted via the 'Messaging' function within the portal as soon as possible and in any case received no later than seven (7) days before the due date of Applications. Any questions received after this date may not be answered.
- 1.12 Other than the person or persons identified in Section 17 of this document, no Council employee or member of the Council has the authority to give any information or make any representation (express or implied) in relation to this process or any other matter relating to this DPS.
- 1.14 Please note that the Council's responses to any queries or clarification requests may, at the Council's discretion, be circulated to all Contractors.
- 1.15 The Council reserves the right to issue supplementary documentation at any time during the process to clarify any issue or amend any aspect of this document. All such further documentation that may be issued shall be deemed to form part of the DPS and shall supplement or supersede any part of the DPS to the extent indicated. This additional documentation shall be submitted to Contractors via the Council's e-tendering portal-Proactis Plaza. It is Contractors responsibility to check the system for this information.
- 1.16 Contractors must obtain for themselves at their own expense all information necessary for the preparation of their Applications to join the DPS.
- 1.17 Under the DPS the Council will require compliance with its policies and procedures and Contractors are advised and encouraged to satisfy themselves that they understand all of the requirements of the DPS before submitting their Application.
- 1.18 Applications to join the DPS must be received in accordance with the relevant instructions no later than the time and date indicated.
- 1.19 Admission onto the DPS is not a guarantee of any award of contracts. There is also no guarantee of volume or value of contracts to be let via the DPS.
- 1.20 The Council reserves the right to terminate this procedure and cancel the DPS at any given time. Additionally, if you are successful in being selected to enter into the DPS,

the Council reserves the right to terminate the selection, if at any time it is discovered that the Contractor made any material misrepresentation and/or have not notified to the Council about any material changes in relation to the information provided in the Application process.

1.21 **Warning**

Please note that the following warning applies in connection with this DPS and any subsequent contracts awarded by any Council in connection with this DPS. It is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant or member of a public body.

2. CONDITIONS OF THE DPS

- 2.1 In order to assess all Contractors' suitability to join the DPS, it is important that you fully answer all pre qualification questions via the Council's e-tendering portal-Proactis Plaza <https://supplierlive.proactisp2p.com/Account/Login>.
- 2.2 You are advised to read all guidance notes within this document and the Council's e-tendering portal-Proactis Plaza, as failure to complete the relevant sections of the pre qualification requirements in full or to provide the information requested may invalidate your Application.
- 2.3 Unless specifically requested you will not be required to submit supporting documentation as evidence, such as company or marketing literature. Any such material submitted will be ignored. However, you may be asked to confirm that should such evidence be required during the validity period of the DPS, it will be made available to the Council promptly on request. Please note that the Council will keep any documents submitted by your organisation. Any original documents submitted will not be returned. For your own records, you are advised to keep a copy of all documents submitted.
- 2.4 It is the Contractor's responsibility to ensure that all information required is supplied and accurate. Any changes that could affect any of the answers contained within this questionnaire must be notified to the Council as soon as reasonably practicable.
- 2.5 Any information submitted in response to this questionnaire must relate to the applying Contractor only. Applications must be completed in the English language or a full English translation provided at no cost to the Council.
- 2.7 Only one Application is permitted from each Contractor. In the event that more than one is submitted by a Contractor the one with the latest time of submission will be evaluated and the other(s) disregarded.
- 2.8 All submissions must be made by a person who is authorised to commit the Application to the DPS.
- 2.9 Your full registered business / name and main office address must also be provided.
- 2.10 In the event that Contractors believe that they are unable to submit an Application via the Council's e-tendering Proactis Plaza portal or require assistance or further information to be able to use the e-tendering process they must contact the Council no later than seven (7) calendar days before the closing date for the DPS Application Form deadline to enable any technical queries to be investigated and resolved.

- 2.11 The qualifying criteria for the DPS must be maintained through the Council's e-tendering portal-Proactis Plaza during the validity of the DPS. Failure to do this will result in a Contractor being removed from the DPS.
- 2.12 Applications from Contractors to join the DPS must be received in accordance with the relevant instructions no later than the time and date indicated.
- 2.13 Admission onto the DPS is not a guarantee of any award of contract for works. There is also no guarantee of volume or value of contracts let via the DPS.

3. VALIDITY PERIOD OF THE DPS

- 3.1 The procurement is to be processed in accordance with the Public Contract Regulations 2015 (the Regulations) in line with the Restricted Procedure Regulation 28 and Dynamic Purchasing Systems Regulation 34. The Council intends the DPS to run from 1 April 2017 to 31 March 2020. The Council reserves the right to extend or shorten the DPS validity period at its own discretion.

4. CONSORTIA AND SUB CONTRACTING

- 4.1 If you intend to form a partnership or consortium or other grouping of more than one legal entity in order to deliver contracts via the DPS, one party must act as "prime contractor" or "lead contractor". Consortia must form a single legal entity prior to being admitted to the DPS or, if it is intended that the partners or consortium members will all apply in their own right with the Council, each of them must accept joint and several liability. This does not apply to sub-contractors at mini competition stage where the prime contractor accepts all liability for performing the contract.
- 4.2 Any sub contracting arrangements will be limited to a maximum of two levels. The second level can only be a maximum of twenty percent (20%) of the first level. All sub contract arrangements must ensure the flow down of terms and conditions (including payment terms) as detailed in the mini competitions invitation to tender documentation.
- 4.3 Where a consortium or sub-contracting approach is proposed, all information requested should be given in respect of the proposed consortium leader or prime contractor. Relevant information should also be provided (where indicated) in respect of consortium members or sub-contractors who will play a significant role in the delivery of the Council's requirements.
- 4.4 For the purposes of this DPS, a significant role is where the economic and financial standing and the technical or professional ability of the consortium member or sub-contractor is referred to or relied on by the Contractor in compiling its response to the DPS. Responses must enable the Council to assess which entity will be delivering which aspects of the contract.
- 4.5 The Council recognises that arrangements in relation to consortia and sub-contracting may (within limits) be subject to future change. Contractors should therefore respond in the light of the arrangements that are currently envisaged. Contractors are reminded that any future change in relation to consortia and sub-contracting must be notified to the Council immediately so it can assess whether the changes mean that any part of the DPS response needs to be re-assessed and /or what impact there may be on regulatory compliance.
- 4.6 Without prejudice to the above, the Council needs to ensure that any entity which the Council may contract with meets the financial standing requirements in the DPS. Consequently:

- Where a Contractor intends to rely on the financial standing of other entities (whether other consortium members, parent companies, group companies or otherwise), full information must be provided about those other entities.

4.7 Contractors should note that they may be asked to clarify or provide additional information. Should the information submitted by any Contractor proves to be false or in any other way substantially incorrect, the Council reserves the right to remove such Contractor from this procurement process. In the event mini competitions and associated invitation to tenders have been issued, the Council may require the contractor to return the tender documents which will be deemed void. If an error or misrepresentation is not discovered until after the contract is awarded, the Council reserves the right to terminate the contract and recover all costs incurred as a result of the termination from the contractor.

5. DPS PRE QUALIFICATION CRITERIA & FUTURE MINI COMPETITIONS

PRE QUALIFICATION

- 5.1 The Council actively promotes the use of Constructionline for works contracts, therefore in order to simplify the pre qualification process for Contractors the Council will utilise certain aspects of the Constructionline registration process and specifically the Builders General or Building Refurbishment over £15K categories. The Council will also consider Contractors who are not Constructionline registered for the Builders General or Building Refurbishment over £15K categories and pre qualification criteria have been set for non Constructionline registered Contractors. It should be noted that, where a Contractor is registered for the Builders General or Building Refurbishment over £15K categories the Constructionline information will be used for pre qualification and during the validity period of the DPS.
- 5.2 This is an assessment of whether there is any reason why a Contractor should be excluded from the DPS. It is assessed against the Contractors response to the questions in the pre qualification stage of the process.
- 5.3 The evaluation of the pre-qualification stage will be based on 'Pass/Fail'. The following methodology will be used for assessing Contractors responses to the pre qualification information requested by the Council.

Pass	Information provided as required and sufficient to indicate that there would be no risk or an acceptable level of risk for the Council in awarding future contracts to the Contractor.
Fail	Information not provided or has failed to meet the Councils pre qualification requirements.

- 5.4 Contractors must 'Pass' all 'Pass/Fail' questions in order to be accepted onto the DPS. A fail will result in the Contractor being disqualified and not accepted onto the DPS. If any Contractor is disqualified they are able to re-apply to join the DPS during the validity period in accordance with the DPS rules and procedures.
- 5.5 The structure of the pre qualification stage is split into four (4) sections. These include the following:

Section A: Essential Criteria Compliance, Mandatory Completion for all Contractors including Supply Partner Key Components List and Charter for Trust;

Section B: Constructionline Accredited Contractors, Building General or Building Refurbishment over £15K categories;

Section C: Non Constructionline Accredited Contractors, Building General or Building Refurbishment over £15K categories;

Section D: DPS Pre Qualification Declaration.

- 5.6 All Contractors must complete **Sections A and D** which are mandatory requirements.
- 5.7 Contractors should then complete either **Section B** if they are a Constructionline Accredited Contractors for the Building General or Building Refurbishment over £15K categories or **Section C** if a Contractor is not Constructionline Registered Contractor for either of the Building General or Building Refurbishment over £15K categories.
- 5.8 Any pre qualification criteria stated as 'Information Only' will be used to gain a broader understanding of the Contractors business and assist in supporting the evaluation of their DPS Application but will not be scored. The Council reserves the right to seek clarification in writing from the Contractors, to assist it in its consideration of their pre qualification Applications.
- 5.9 Evaluation of Applications will be undertaken by officers of the Council and will follow a systematic and comprehensive process using the pre qualification criteria and Pass/Fail methodology stated above.

DPS MINI COMPETITIONS

- 5.10 All Contractors that meet the Council's pre qualification requirements will be established on the DPS and will be invited to participate in future mini competitions providing that they continually meet the DPS pre qualification criteria for the validity period of the DPS.
- 5.11 The award criteria for the mini competitions shall be based on either price or cost only or price-quality ratio. The % weighting will be price or cost 0-100% and price-quality 0-100% split between both criteria. Contractors may be required to consider different pricing or costing strategies as part of the mini competitions such as but not limited to pricing bills of quantities, schedules of rates and +or- adjustment against a Nationally recognised or Council specific schedule of rates. Future mini competitions and associated Invitation to Tender documentation will include the exact award criteria, associated weightings and pricing or costing strategy for the specific requirement.
- 5.12 In awarding specific contracts under the DPS, the Council may take into account (for the purpose of managing risk) the amount of work (if any) already awarded to any particular Contractor. If the Council chooses to do so, this will be set out in the tender documents for the specific contract. The criteria that will be applied in this case will be as follows:-

Contractors who have been awarded work under the DPS, which is not completed and the value of which is (cumulatively) equal to or greater than:-

- twice the contractor's notation value if the contractor is registered with Constructionline under the Building General or Building Refurbishment over £15K categories; or

- one third of the Contractor's previous turnover (based on the contractor's accounts for the most recent financial year available) for non Constructionline registered Contractors,

will not be eligible to be awarded any further specific contracts, and if they submit tenders these will be rejected. It should be noted that, where a Contractor is registered for the Building General or Building Refurbishment over £15K categories the Constructionline information will be used for this purpose.

- 5.13 All mini competitions undertaken via the DPS will be conducted via the Council's tendering portal-Proactis Plaza. The response time for submission of bids may vary to meet the particular circumstances and shall be declared within each mini competition. Under normal circumstances the Council will allow a minimum of ten (10) days to run mini competitions. Where timescales are less than ten (10) days the Council shall request that Contractors confirm they are in mutual agreement to reduce timescales by a deadline given by the Council. If Contractors do not respond by the deadline given by the Council, the Council will take the decision that Contractors are content to proceed with the proposed reduced timescales.

6. TERMS AND CONDITIONS

- 6.1 All mini competitions undertaken via this DPS will be awarded upon the basis of nationally approved/ industry standard Contract Terms and Conditions such as but not limited to JCT and NEC Family of Contracts. Future mini competitions will include the exact Terms and Conditions of Contract.
- 6.2 Contractors are required to confirm as part of the pre qualification stage that they acknowledge and accept that the Council will contract via mini competitions using nationally approved/ industry standard Contract Terms and Conditions such as but not limited to JCT and NEC Family of Contracts.
- 6.3 The Council reserves the right to include additional conditions within specific contracts depending on the Council's requirements. Where this is the case, details of those further conditions will be included within the mini competition and associated Invitation to Tender documentation.

7. PROCUREMENT INDICATIVE TIMETABLE

Description	Date
Publication of OJEU Contract Notice	1 February 2017
Contract documents available via Proactis Plaza	3 February 2017
Contractor DPS Briefing Event	16 February 2017
Deadline for clarifications	12:00:00 hours on 27 February 2017
Deadline for receipt of Completed Pre Qualification Questionnaires via Proactis Plaza	12:00:00 hours on 6 March 2017
Evaluation Completed Pre Qualification Questionnaires	7 March to 17 March 2017
Establishment of the DPS	1 April 2017
Contractors may apply to join the DPS	From 1 April 2017

- 7.1 The above timetable for the procurement is indicative only and is intended as a guide. Whilst the Council does not intend to depart from the timetable, it reserves the right to do so at any time.

8. FREEDOM OF INFORMATION ACT 2000

- 8.1 Contractors should note that the Council is bound by the provisions of the Freedom of Information Act 2000 ("FOIA") and the Environmental Information Regulations 2004.
- 8.2 If any Contractor believes that any information it provides to the Council is confidential in accordance with section 41 of the FOIA or commercially sensitive in accordance with section 43 of the FOIA, or should otherwise be protected from disclosure, the information must be marked as such and the Contractor must notify the Council as to the reasons why it believes such information is confidential or commercially sensitive or should otherwise be protected.
- 8.3 The Council will use reasonable endeavours (but cannot guarantee) to keep Contractors' information designated in accordance with the paragraph above, confidential. The Council will be responsible for determining in its absolute discretion whether the information provided by the Contractor is confidential or commercially sensitive and is exempt from disclosure in accordance with the provisions of the FOIA.
- 8.4 The Council may, acting in accordance with the Department of Constitutional Affairs' Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA be obliged under the FOIA or the Environmental Information Regulations 2004, to disclose information concerning the Contractor in certain circumstances without consulting the Contractor or following consultation and having taken the Contractor's views into account.

9. REGISTRATION PROACTIS PLAZA

- 9.1 Contractors shall follow the step by step guide in registering their organisation on the Council's e-tendering portal-Proactis Plaza portal:

Item No	Process Description
1	Log in to the Proactis Plaza E-Sourcing Portal at https://www.proactisplaza.com
2	Click the "Register Now" button at the bottom of the window
3	Enter your correct Organisation Name, Details and Primary Contact Details. The system will auto generate the Organisation ID and User Name for you.
4	Please make a note of the Organisation ID and User Name, then click "Register".
5	You will then receive an email from the system asking you to "Click here to activate your account". This takes you to Enter Organisation Details.
6	Please enter the information requested, click "Next" and follow the instructions ensuring that you enter all applicable details.
7	In the Enter Product Classification screen please ensure that you select the Product Classification Codes (CPV Codes) that appear in the tender notice.
8	Accept the Terms and Conditions and then click "Next". This takes you in to the Welcome window.
9	In the "Welcome" window please enter your Organisation name, Organisation ID and User Name (User ID). You now need to create your unique password. Please ensure that you make a note of this along with the other information already recorded.

10	Now click "Done" and you will enter the Supplier Home page.
11	From the Home Page, go to the "Opportunities" area, then search for New Opportunities. Click on the "ID" of the relevant opportunity and then click to register your interest on the relevant button. Click the "Requests from Buyers" command in the Opportunities area. This will take you to the list of current opportunities available to you.
12	Click the Project ID that relates to this notice, this will take you into the Tender Request.
13	Note the closing date for completion of the relevant project. Please review the "Items" tab and the Documents tab as there will be information relating to the project held here.
14	You can now either "Create a Response" to, or "Decline" this opportunity

10. DPS PRE QUALIFICATION APPENDICES

- 10.1 The DPS qualification process requires Contractors to comply with all of the appendices and documents attached to the Council's e-tendering portal-Proactis Plaza. The appendices included are as follows:

Appendix No 1a – Charter for Trust - Protocols
Appendix No 1b – Charter for Trust – Working Arrangements
Appendix No 2 – Key Components
Memorandum of Understanding and Guidance Document.
Equality Statement
Sustainable Procurement Policy

- 10.2 The Council reserves the right to include additional requirements throughout the validity period of the DPS.

11. PROCEDURE AFTER COMPLETION OF THE INITIAL DPS – NEW APPLICATIONS (NEW CONTRACTORS)

- 11.1 The DPS pre qualification process shall be opened to Contractors who either failed during the initial DPS pre qualification process or are new Contractors applying to join during the validity period of the DPS. A predetermined closing date and time will be applied to all subsequent requests to join the DPS and will be managed via the Council's e-tendering portal-Proactis Plaza and in accordance with this memorandum of understanding and guidance document.
- 11.2 The Council will complete the evaluation of any new Applications within ten (10) working days. All new Applications will be evaluated in accordance with the pre qualification criteria stated in Council's e-tendering portal-Proactis Plaza and this memorandum of understanding and guidance document.

12. CONFIDENTIALITY

- 12.1 By receiving this DPS information as part of the DPS pre qualification process, Contractors agree to keep confidential the information contained in it or made available in connection with any further enquiries or provided during the course of this procurement process.

- 12.2 Contractors shall not disclose any DPS pre qualification information to any third parties, other than to their employees, sub-contractors and professional advisors to the extent necessary for the purposes of this procurement. Contractors shall ensure that any third parties that receive any relevant Information in accordance with this paragraph maintain the same obligations of confidentiality.
- 12.3 The DPS Information shall not, either in whole or in part, be copied, reproduced, distributed or otherwise made available to any party other than in accordance with the paragraph above without the prior consent of the Council, nor may it be used for any other purpose than that for which it is intended.

13. DPS CONTRACTOR BRIEFING EVENTS

- 13.1 It is the Council's intention to hold 'DPS Contractor Briefing Events' during the course of the procurement process and validity period of the DPS. Relevant information will be provided and advertised when details have been confirmed.

14. SUPPLY PARTNER

- 14.1 The Council have appointed a nominated "Material Supplier" (Supply Partner) which is Robert Price Builders Merchants Ltd to provide key components associated with all internal and external works for housing improvement maintenance (including bathrooms, kitchens and electrical equipment) to the Council's technical workforce and external Contractors. All key components for contracts awarded via the DPS will be provided by Robert Price Builders Merchants Ltd. Contractors who are successful in securing business via the DPS will be required to provide any other non key component materials in order to complete the contract.
- 14.2 **Appendix 2** of the DPS Application Form is the current key component list utilised the Council.

15. WORKING PROCEDURES

- 15.1 Contractors awarded onto the DPS will be required to adhere to the Council's working procedure protocol at all times. Details will be available within the DPS documentation as highlighted in the Charter for Trust document.

16. COMMUNITY BENEFITS

- 16.1 Procurement is viewed as a key driver for delivering the Council's sustainable development commitment. Sustainable development means ensuring that the Council's actions contribute in the round to social, economic and environmental well-being now and in the future; improving the environment, building stronger communities, reducing social exclusion and poverty and encouraging the development of the economy.
- 16.2 The Council's commitment to deliver 'community benefit' outcomes is designed to ensure that wider social and economic issues are taken into account when utilising procurement processes for contracts and the spending of public money. The Council have identified some community benefit outcomes, which it will seek to achieve in respect of contracts awarded under the DPS, through working in partnership with the successful organisations to deliver positive outcomes, and consider these outcomes to be proportionate and relevant to the subject matter of the contract. These will include (but not be limited to):

- Training and employment opportunities;
- Maximising supply chain opportunities for SMEs; &
- Working with schools and colleges - work experience/ work placements and Community Initiatives.

16.3 The Contractors accepted on the DPS shall be expected to provide and deliver Community Benefits both on a Core and Non Core basis, which will be determined by the Council. If applicable the Council's Community Benefits requirements will be included within the mini competition and the associated Invitation to Tender documentation for each individual package of work. Therefore, you will be required to provide details of how you will meet the Council's commitment to deliver Community Benefits at that stage. It is important to note that any Community Benefit commitments that you offer may be included as contractual obligations if you are awarded any contract(s).

17. CAERPHILLY CBC CONTACT DETAILS

- (a) Council: Caerphilly County Borough Council
 Penallta House
 Tredomen Park
 Ystrad Mynach
 Hengoed
 CF82 7PG
- (b) Procurement: Ian Evans & Derek Morris
 Caerphilly County Borough Council
 Procurement Services
 Penallta House
 Tredomen Park
 Ystrad Mynach
 Hengoed
 CF82 7PG
 Tel: 01443 863161
- (c) Technical Manager: Colin Roden
 Caerphilly County Borough Council
 WHQS Implementation Project Manager
 Cherry Tree House
 Carlton Drive
 Crumlin
 Newport
 NP11 4EA

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APPENDIX 2 - FULL LIST OF CONTRACTORS

No	Contractor Name	Date of Joining DPS	Constructionline Registered	Local	Caerphilly Based	Small Medium (SME) or Large Enterprise
1	A E Insulation Ltd	01/04/17	Yes	Yes	No	SME
2	Albert & Flaherty Ltd	01/04/17	Yes	Yes	No	SME
3	A P Waters Building Contractors Ltd	01/04/17	Yes	Yes	No	SME
4	Ashcroft Building Contractors Ltd	01/04/17	Yes	Yes	Yes	SME
5	Brecongate Projects Ltd	01/04/17	Yes	Yes	No	SME
6	C G Brickwork Building Contractors Ltd	01/04/17	Yes	Yes	Yes	SME
7	CLO Plumbing Tiling and Plastering Services	01/04/17	Yes	Yes	Yes	SME
8	Contract Services (South Wales) Ltd	01/04/17	Yes	Yes	Yes	SME
9	Coombs Construction Services Ltd	01/04/17	Yes	Yes	Yes	SME
10	County Home Improvements	01/04/17	Yes	Yes	Yes	SME
11	Cox & Morris Builders	01/04/17	Yes	Yes	Yes	SME
12	C P Construction (Gwent) Ltd	01/04/17	Yes	Yes	Yes	SME
13	D J Rees Decorating Services Ltd	01/04/17	Yes	Yes	No	SME
14	D J Decorators Ltd	01/04/17	Yes	Yes	No	SME
15	Dark & Hillman Construction	01/04/17	Yes	Yes	Yes	SME
16	Darranlas Ltd	01/04/17	Yes	Yes	No	SME
17	Davies Brothers (Wales) Ltd	01/04/17	Yes	Yes	No	SME
18	Dean Jones Construction	01/04/17	Yes	Yes	Yes	SME
19	DJD Builders Ltd	01/04/17	Yes	Yes	No	SME
20	EJ & Co	01/04/17	Non Constructionline	Yes	No	SME
21	Encon Construction Ltd	01/04/17	Yes	Yes	No	SME
22	Gary Carpenter Building Contractor	01/04/17	Yes	Yes	Yes	SME
23	GKR Maintenance & Building Co Ltd	01/04/17	Yes	Yes	Yes	SME
24	Glanmor Developments Ltd	01/04/17	Yes	Yes	No	SME
25	GTH Construction Ltd	01/04/17	Yes	No	No	SME
26	Hawksford Construction Ltd	01/04/17	Yes	Yes	Yes	SME
27	Hedlyn Building Contractors	01/04/17	Yes	Yes	No	SME
28	I J Caddick & Co Ltd	01/04/17	Yes	Yes	No	SME
29	Ian Williams Ltd	01/04/17	Yes	Yes	No	Large
30	Innovative Constructions Ltd	01/04/17	Yes	Yes	No	SME
31	Jefflyn Construction Ltd	01/04/17	Yes	Yes	No	SME
32	Jennings Drywall Systems Ltd	01/04/17	Yes	Yes	No	SME
33	Jistcourt	01/04/17	Yes	Yes	No	SME
34	JLF Haymer & Sons	01/04/17	Yes	Yes	No	SME
35	Jon Bishop Construction	01/04/17	Yes	Yes	Yes	SME
36	Joyner P A Cymru Ltd	01/04/17	Yes	Yes	Yes	SME
37	Keepmoat Regeneration Ltd	01/04/17	Yes	Yes	No	Large
38	LCB Construction	01/04/17	Yes	Yes	No	SME
39	Lovell Partnerships Ltd	01/04/17	Yes	Yes	No	Large
40	M Delacey & Sons (Holdings) Ltd	01/04/17	Yes	Yes	No	SME

41	Marion Civil Engineering Ltd	01/04/17	Yes	Yes	No	SME
42	Mel Evans Builders	01/04/17	Yes	Yes	Yes	SME
43	Merrylees Construction Ltd	01/04/17	Yes	Yes	No	SME
44	Millennium Building Contractors	01/04/17	Yes	Yes	No	SME
45	Morgan Construction Wales	01/04/17	Yes	No	No	SME
46	MSH Building Ltd	01/04/17	Yes	Yes	No	SME
47	Newconn Contract Services Ltd	01/04/17	Yes	Yes	No	SME
48	Peter Cox Ltd	01/04/17	Yes	Yes	No	Large
49	Property Building Maintenance (Wales) Ltd	01/04/17	Yes	Yes	No	SME
50	QDL Contractors Ltd	01/04/17	Yes	Yes	No	SME
51	R & J C Bates	01/04/17	Yes	Yes	Yes	SME
52	R & M Williams Ltd	01/04/17	Yes	Yes	No	Large
53	S D James Construction Ltd	01/04/17	Yes	Yes	Yes	SME
54	Scott Gilbert Plastering & Building Contractors Ltd	01/04/17	Yes	Yes	Yes	SME
55	SERS Energy Solutions	01/04/17	Yes	Yes	Yes	SME
56	Severn Insulation Co Ltd	01/04/17	Yes	Yes	No	SME
57	SMK Building & Maintenance	01/04/17	Yes	Yes	No	SME
58	Speller Metcalfe Ltd	01/04/17	Yes	No	No	Large
59	T Couzens & Co (Builders) Ltd	01/04/17	Yes	Yes	Yes	SME
60	Thomas CMS (Holdings) Ltd	01/04/17	Yes	Yes	No	SME
61	United Living (North) Ltd	01/04/17	Yes	Yes	No	Large
62	White Rock Property Care Ltd	01/04/17	Non Constructionline	Yes	No	SME
63	Willis Construction Ltd	01/04/17	Yes	Yes	No	SME
64	WT Building Group	01/04/17	Yes	Yes	No	SME
65	P & P Builders & Roofing Contractors Ltd	05/05/17	Yes	Yes	No	SME
66	Engie FM Ltd	05/05/17	Non Constructionline	No	No	Large
67	Jefferies Contractors Ltd	19/06/17	Yes	Yes	No	SME
68	EWIS UK Ltd	13/07/17	Yes	No	No	SME

APPENDIX 3 - STATUS OF MINI COMPETITIONS 31 AUGUST 2017

Reference Number	Work Package	Date Awarded	Successful Contractor	Unsuccessful Contractors (Order of Ranking)	Estimated Value
GBMC1000005	Trecenydd (EXT16C-LC13)	29/06/17	QDL Contractors Ltd (Local - Merthyr)	Jistcourt GKR Maintenance & Building Company Ltd LCB Construction I J Caddick and Co Ltd SERS Energy Solutions Ltd MSH Building Ltd R & M Williams Ltd Thomas CMS (Holdings) Ltd Innovative Constructions Ltd P & P Roofing & Builders Darranlas Ltd Ian Williams Ltd CP Construction (Gwent) Ltd Willis Construction Ltd	£ 995,000.00
GBMC1000006	Fairview (EXT17C-EC23)	30/06/17	GKR Maintenance & Building Company Ltd (Local - Caerphilly)	MSH Building Ltd I J Caddick and Co Ltd Albert and Flaherty Ltd QDL Contractors Ltd Thomas CMS (Holdings) Ltd M Delacey and Sons (Holdings) Ltd D.J.Decorators Ltd LCB Construction Darranlas Ltd Ian Williams Ltd CP Construction (Gwent) Ltd T Couzens & Co Builders Ltd C.G.Brickwork Building Contractors Hedlyn Building Contractors Jistcourt Innovative Constructions Ltd P & P Roofing & Builders Willis Construction Ltd	£ 87,000.00

GBMC1000007	Gilfach & Bargoed (EXT16C U14-15)	30/06/17	MSH Building Ltd (Local - Cwmbran)	GKR Maintenance & Building Company Ltd	£	695,630.00
				M Delacey and Sons (Holdings) Ltd		
				Thomas CMS (Holdings) Ltd		
				QDL Contractors Ltd		
				I J Caddick and Co Ltd		
				Jistcourt		
				SERS Energy Solutions Ltd		
				LCB Construction		
				Keepmoat Regeneration Limited		
				Ian Williams Ltd		
				Darranlas Ltd		
				CP Construction (Gwent) Ltd		
				P & P Roofing & Builders		
GBMC1000008	Bedwas (EXT16C-LC04)	30/06/17	Albert Flaherty Ltd (Local - Merthyr)	QDL Contractors Ltd	£	402,500.00
				D.J.Decorators Ltd		
				MSH Building Ltd		
				GKR Maintenance & Building Company Ltd		
				Jistcourt		
				Darranlas Ltd		
				M Delacey and Sons (Holdings) Ltd		
				Ashcroft Building Contractors Ltd		
				I J Caddick and Co Ltd		
				LCB Construction		
				Thomas CMS (Holdings) Ltd		
				CP Construction (Gwent) Ltd		
				R & M Williams Ltd		
P & P Roofing & Builders						
Innovative Constructions Ltd						
Ian Williams Ltd						
Willis Construction Ltd						
GBMC1000010	Brynglas / Brynhyfrydd (EXT16C-U09)	10/08/17	Ashcroft Building Contractors Ltd (Local - Caerphilly)	LCB Construction	£	343,588.00
				Thomas CMS (Holdings) Ltd		
				QDL Contractors Ltd		
				GKR Maintenance & Building Company Ltd		
				Jistcourt		
				Innovative Constructions Ltd		
				I J Caddick and Co Ltd		
				P & P Roofing & Builders		
				D.J.Decorators Ltd		
Hedlyn Building Contractors						

GBMC1000009	Machen (EXT16C-LC02)	UNDER EVALUATION	£	506,530.00
GBMC1000011	Maesycwmmmer (EXT17C-U24)	UNDER EVALUATION	£	1,012,072.21
GBMC1000012	Llanbradach (EXT17C-LC21)	UNDER EVALUATION	£	449,938.00
GBMC1000013	Gilfach 2 (EXT17C-U22)	UNDER EVALUATION	£	2,856,055.00
GBMC1000014	Blackwood A (EXT17C-E03A)	UNDER EVALUATION	£	317,663.00
GBMC1000015	Lower Penllwyn (EXT17C-EC28)	UNDER EVALUATION	£	928,180.00

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CAERPHILLY HOMES TASK GROUP – 2ND NOVEMBER 2017

SUBJECT: ANNUAL REVIEW OF THE TENANCY REVIEW PANEL

REPORT BY: CORPORATE DIRECTOR COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To provide an update to The Caerphilly Homes Task Group on the outcomes of cases presented to the Tenancy Review Panel.

2. SUMMARY

- 2.1 The Tenancy Review Panel was set up in June 2014. This report provides information on the cases presented to the panel from June 2016 to May 2017. During this period 79 cases were considered by the panel.
- 2.2 A recommendation was made to the Chief Housing Officer in 76 of the 79 cases that an eviction warrant should be applied for.
- 2.3 The recommendations were agreed by the Chief Housing Officer and eviction warrants were applied for in all 76 cases.
- 2.4 This report provides further information on these cases including reasons for the application for the eviction warrant and outcomes of the execution of these warrants.

3. LINKS TO STRATEGY

- 3.1 **Improving Lives and Communities: Homes in Wales (Welsh Government, 2010)** which sets out the national context on meeting housing need, homelessness, and housing-related support services.
- 3.2 **Caerphilly Delivers (Single Integrated Plan, 2013): P2:** *“Improve standards of housing and communities, giving appropriate access to services across the county borough.”*
- 3.3 **People, Property, Places: A Housing Strategy for Caerphilly County Borough** provides the context for the provision of housing and related services in the county borough.
- 3.4 **The following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:**
- A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities

4. THE REPORT

- 4.1 It was agreed at a Council Meeting on 19th November 2013 that a Tenancy Review Panel would be introduced to scrutinise proposed eviction decisions prior to progressing cases to court and make recommendations to the Chief Housing Officer.
- 4.2 It is acknowledged that being evicted from their home will potentially have an extremely negative impact on the well-being of the individuals concerned. This is why every effort is made to support the tenants and to ensure that eviction is the last resort. The establishment of the Tenancy Review Panel enables all the circumstances and issues of each case to be fully explored as part of this decision making process. Where tenants are neglecting or damaging a property or undertaking anti social behaviour or preventing access for essential health and safety inspections, the eviction of these tenants protects the housing stock, improves the well-being of neighbours and the wider community who may have been affected, and allows the property to be allocated to households on the housing register. This contributes to the goal of creating a Wales of cohesive communities.
- 4.3 During the period 1st June 2016 to 31st May 2017 79 cases were considered by the panel, compared with 68 during the same period the previous year. Of the 79 cases 6 tenants were also presented to the panel in the previous year and included in the figure of 68. If an eviction is suspended by the County Court and the tenant continues to default on the court order the case must be presented to the panel again prior to the request of another warrant.
- 4.4 The table below details the reasons for the 79 applications.

Reason of application for warrant	Number of applications 2014/15	Number of applications 2015/16	Number of applications 2016/17
Rent Arrears	41	54	68
No access to carry out gas servicing	5	5	6
Anti social behaviour issues	2	4	2
Illegal occupant	2	3	0
Unsatisfactory garden condition	1	1	2
No access to carry out asbestos survey	0	1	0
Non occupation	0	0	1
Total Number	51	68	79

- 4.5 A substantial amount of support is offered to tenants by our Tenancy Support Officers, Tenancy Enforcement Officers and Estate Management Officers prior to the cases being presented to the panel.
- 4.6 In addition, in many cases additional independent support is also offered by outside agencies such as the Citizens Advice Bureau, Gofal and Shelter. Cases are only referred to the panel when all avenues of support and assistance have been exhausted and the breach of tenancy is still ongoing. Details of each case, as well as all contacts and attempted contacts with the tenant are considered by the panel and included within the report to the Chief Housing Officer for consideration.
- 4.7 The panel recommended in 76 of the 79 cases highlighted above that an application be made to the County Courts for a warrant of eviction of the properties. These recommendations were agreed by the Chief Housing Officer.

- 4.8 The remaining 3 cases were adjourned pending further enquiries and to allow further support and explore alternative solutions.
- 4.9 An application to the County Court was made in each of the 76 cases and eviction dates have been received for all 76 cases.
- 4.10 Of the 76 cases where an eviction date has been received only 36 evictions actually progressed and the properties taken back. This is compared with 33 evictions (14/15) and 32 evictions (15/16). When an eviction date is received tenants have the right to apply to the County Court to have the eviction warrant suspended and officers continue to try to work with the tenants to avoid progressing to eviction.
- 4.11 The 40 cases which did not progress to eviction were due to the following reasons:-
- In cases of rent arrears tenants have paid the debt in full or a lump sum to reduce the balance which would result in the eviction being suspended by the court.
 - In the cases of poor garden conditions the tenant improved conditions which resulted in the evictions being suspended by the court.
 - In the case of anti social behaviour the tenant contested on health grounds which resulted in the eviction being suspended by the court.
- 4.12 The table below provides further details on the outcomes of the 76 cases:

Reason for application of warrant	Outcome – evicted	Outcome – suspended by the court Eviction not carried out	Outcome – withdrawn by the Council	Total
Rent Arrears	31	26	10	67
No access to carry out gas servicing	3	0	1	4
Non - Occupation	1	0	0	1
Anti Social Behaviour issues	1	1	0	2
Unsatisfactory Garden Conditions	0	0	2	2
Total Number	36	27	13	76

- 4.13 The make-up of the 36 tenant households evicted from their properties is shown in the table below.

Reason for application of warrant	House hold – family Eviction carried out	House hold – single Eviction carried out	House hold – couple Eviction carried out	Total
Rent Arrears	13	15	3	31
No access to carry out gas servicing	0	3	0	3
Non - Occupation	0	1	0	1
Anti Social Behaviour issues	0	1	0	1
Total Number	13 **	20	3	36

*** In 12 of the 13 cases there were dependent children in the household. In 9 of these 12 cases the tenant(s) left the property prior to the eviction being carried out.*

- 4.14 When the evictions were carried out in 75% (27) of cases the tenants were not there having either abandoned the property or left prior to the eviction. In many cases property conditions were very poor and showed evidence of other breaches of tenancy i.e. non occupation and anti social behaviour. When a tenancy ends any wilful damage to the property is assessed and recharged to the responsible tenant and where the location of the tenant is not known this information is held on file in case the tenant submits an application for housing in the future or is otherwise located.
- 4.15 The panel actively investigates the reasons why some tenants are unable to sustain their tenancies, with particular focus given to those that have held the tenancy for less than 12 months prior to eviction.
- 4.16 It is important to note that none of the cases presented to the Tenancy Review Panel involved tenants who were in rent arrears purely because they were affected by the spare room subsidy ("bedroom tax") or the benefits cap. No eviction warrants have been requested for tenants where rent arrears have only arisen as a direct result of these welfare changes.
- 4.17 Tenants of Caerphilly Homes who are affected by welfare reform changes receive ongoing support from Tenancy Support Officers. These officers have a specific role created in October 2012. They discuss with tenants the impacts of the benefits changes and choices available to them, also providing them with the relevant support.
- 4.18 Tenants have been assisted by the Tenancy Support Officers to apply for discretionary housing payments (DHP) to help them to meet additional costs relating to welfare reform changes, the DHP allocation was spent in full for 16/17. These payments are principally to provide short term financial support towards long term sustainable solutions. The amount of DHP allocated has increased considerably this financial year to assist with the reduction in Benefit Cap to £20k per household and changes in tax credits for families with more than two children. The welfare reforms will continue to impact in the next financial year with the full Universal Credit programme commencing in the Borough from May 2018. The amount available for DHP in Caerphilly County Borough has increased from £462k in 2016/17 to £611k in 2017/18. As at September 2017 a review of DHP spend has projected that the full £611k will be spent.
- 4.19 It is hoped that we can continue to support tenants and report that no eviction cases have been presented to the panel for tenants whose arrears are a direct result of welfare reform changes, however this will be increasingly challenging in forthcoming years with additional pressures being placed on the Discretionary Housing Payment fund and further changes being rolled out to the welfare system.
- 4.20 As a landlord, the Council has a statutory obligation to ensure that gas/coal/oil fired heating appliances provided in each of its properties is serviced annually and a failure by the tenant to allow access for this service is a breach of tenancy conditions. In an effort to significantly reduce the delays in completing services when access is not provided by the tenant Caerphilly Homes has recently revised its procedure for dealing with such breaches of tenancy. The revised procedure enables Caerphilly Homes to force entry to properties where access has repeatedly not been provided, to enable the servicing to take place, rather than responding to the breach by seeking possession of the property. As a consequence, it is anticipated that, in future years, there will be fewer evictions due to breaches for no access for gas servicing.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. The report is also consistent with the five ways of working as defined within the sustainable development principle, as defined in the Act :

Long Term – provides cohesive communities and affordable housing for tenants; providing a fair and transparent service for tenancy sustainment.

Prevention – supports tenants and assists in the prevention of eviction and homelessness.

Integration – improved standards of housing and stable community environments.

Collaboration – joined up working arrangements within the organisation and with outside agencies to provide tenancy support.

Involvement – Engages tenants and support agencies in relation to sustainment of tenancies and involves residents in reporting and monitoring processes.

6. EQUALITIES IMPLICATIONS

6.1 This report is for information purposes only. There are, therefore, no equalities implications arising from the report.

7. FINANCIAL IMPLICATIONS

7.1 The total rent arrears in the 36 cases where eviction warrants were executed amounted to £92,876.45. These are now classed as former tenant arrears and recovery work will continue to collect these outstanding amounts.

8. PERSONNEL IMPLICATIONS

8.1 There are no personal implications associated with this report.

9. CONSULTATIONS

9.1 There are no consultation responses that have not been reflected in this report.

10. RECOMMENDATIONS

10.1 That this report is noted for information.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To ensure members of the Caerphilly Task Group are aware of the work and outcomes of the tenancy review panel.

12. STATUTORY POWER

12.1 There are no Statutory Powers associated with this report.

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Cllr Lisa Phipps, Cabinet Member for Homes and Places
Fiona Wilkins, Public Sector Housing Manager
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Debbie Bishop, Area Housing Manager
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Suzanne Cousins, Principal Housing Officer (Housing Portfolio)
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