

# Report of the Assistant Director to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 11 January 2022

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## **Subject:**

**Procurement of the Managed Migration Resettlement Service Contract**

## **Summary statement:**

This report is provided to advise members of a forthcoming tender opportunity, Managed Migration Resettlement Service, with a value in excess of £2 million in line with the requirements of Contracts Standing Orders (CSO 7.2.1) prior to the commencement of the procurement process.

## **EQUALITY & DIVERSITY:**

Compliance with Equality Act 2010 is embedded in the Council's procurement process and requirements. The participation in resettlement schemes will promote equality and diversity in the city. Furthermore, equality and diversity objectives can be incorporated into our contract and we will expect our provider to promote it within their business. The inclusion of equality and diversity in procurement will help us deliver a more responsive, accessible and appropriate service that meet the needs of the clients.

We will ask the successful provider to distribute information about services in a range of accessible formats so that people know what services are available to support them and how to access them. We will aim to contract and commission locally wherever possible so that we can support our local economy and offering high-quality services while delivering equitable services that are value for money.

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**Portfolio:**

**Regeneration, Planning and Transport**

**Overview & Scrutiny Area:**

**Regeneration and Environment**

## 1. SUMMARY

1.1 This report provides an update on commissioning of the Managed Migration Resettlement Service (MMRS) contract that is due to end on 31 July 2022.

1.2 The procurement process will be conducted in line with the requirements of the 2015 Public Contract Regulations.

1.3 The current contract is commissioned by the Access to Housing team and the incumbent supplier is Horton Housing Association.

1.4 For the purposes of this report it is important to distinguish between Asylum Seekers and Refugees. Accommodation and support for asylum seekers is delivered by the Mears Group for the Home Office whilst Refugee Resettlement is contracted to Bradford Council. See Section 6 for legal definitions of the terms.

## 2. BACKGROUND

2.1 Bradford has always been a city that welcomes refugees and asylum seekers and for the last five years it has participated in government schemes welcoming people from all over the world.

2.2 These schemes include: Afghanistan Relocation Scheme (ARS), Vulnerable Persons Resettlement Scheme (VPRS), Vulnerable Children's Resettlement Scheme (VCRS), and Gateway Protection Programme (GPP). The latter three schemes were eventually amalgamated and became the United Kingdom Resettlement Scheme (UKRS). The Council tendered the VPRS, VCRS and ARS as part of the Managed Migration Resettlement Service (MMRS) and until 2020 the GPP was tendered directly by Home Office to Horton Housing Association. More recently we have resettled Afghan families arriving under the Afghanistan Relocation Assistance Policy (ARAP) scheme via this contract. Bradford Council participates in these schemes on a voluntary basis and the costs of delivering the programmes are fully funded by government.

2.3 The MMRS contract was awarded on 1 August 2016 and has operated for more than five years to date. The contract was awarded to Horton Housing Association on the basis of a competitive tender.

2.4 Due to the Covid19 pandemic, the Council and the incumbent supplier were unable to fulfil the pledges for 2020-2021 as the resettlement programmes were suspended by government. When the resettlement programmes were resumed, the contract was extended by one year to enable the Council to fulfil its pledge. The contract will end on 31 July 2022.

2.5 Over the last five years, the Council has resettled a total of 704 refugees as set out in the table below:

### VPRS, VCRS & UKRS 2016-2021

Total	No of Adults	No of Children	Origin
608	288	320	Syria/ Sudan Iraq/Somalia/

			Afghanistan/ Ethiopia/ Eritrea/ Palestine
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**ARS 2016-2018**

Total	No of Adults	No of Children	Origin
74	41	33	Afghanistan

**ARAP 2021-2022**

Total	No of Adults	No of Children	Origin
24	12	12	Afghanistan

2.6 The intensive support package provided through the MMRS demonstrates how integration and cohesion can be fostered amongst the most vulnerable groups.

2.7 Bradford’s resettlement scheme is considered by government as a model of best practice. Continuing to commission the service will allow the Council to continue to uphold its reputation and fulfil its obligations as a City of Sanctuary while enabling a suitably qualified provider to deliver the service.

2.8 The resettlement schemes are fully funded government programmes and they require a number of services to be delivered which is set out in the funding instructions to local authorities. Our tender specification will mirror the Home Office’s delivery requirements.

**Proposed MMRS tender package**

2.9 We propose to tender the next contract for a period of five years taking into account the government’s commitment on resettlement (see 3.1).

Elements will include:

2.10 Housing – When sourcing accommodation, the supplier will be expected to take into account proximity to places of worship, cultural shops, relevant services and closeness to existing communities. The tenure should include a mix of private rented and housing association properties. Housing procured must be compliant with the regulatory housing standards. The supplier is required to provide furnished properties which includes a basic furniture package, food storage, cooking and washing facilities. The clients should be supported to understand the tenancy agreement and basics of tenancy management.

2.11 Wrap around support should be provided using a floating support model with clients being visited at their home and/or other appropriate venue at least once a week initially and the support tapers down as clients become more integrated. All clients should be given orientation and integration support and assisted to access benefits and other essential services. The wraparound support will take into account the cultural needs/sensitivities and will be tailored to each individual family’s needs. The supplier will be expected to provide casework support through a combination of office-based appointments, drop-in sessions, outreach surgeries and home visits (virtual or in person). Depending on the schemes clients will be supported for 3 years under ARAP/ACRS or 5 years under UKRS.

2.12 English Speakers of Other Languages (ESOL) classes - The supplier will provide all adults with a minimum of 8 hours ESOL per week for the first 12 months. The supplier will be expected to work with local colleges for those wanting to progress to higher level ESOL/ formal education courses.

2.13 Employment Support – The supplier will be expected to provide employment support to the refugees. This will include: One-to-one support with an employment advisor

- An individualised action plan designed to help participants find work
- Access to a range of educational and training courses
- Support to convert existing qualifications through UK NARIC
- A CV and references
- Help to apply for jobs

### **Non contracted support provided by Council and partners**

There are other elements of the programme which are not contracted out. These are:

2.14 School Places - The Education service is a key partner in ensuring all children are registered and allocated schools. The additional funding provided to schools by the Resettlement Programmes has enabled schools to meet the linguistic and cultural needs of the children without disadvantaging other children in the class. Support will be provided to the children predominantly in a class or group setting to aid the integration process. The Education Access Team will have a dedicated Refugee Education Officer (REO) whose role is to facilitate access to education for children from refugee backgrounds. By providing liaison between parents, schools and a range of other services, the REO works to ensure equitable access to education.

2.15 Healthcare - All refugees will be registered with Bevan Healthcare/GPs and Bradford District Care Foundation Trust after arriving in Bradford. They will be screened for TB and any other health needs and families will be offered the appropriate immunisation. The supplier will work closely with Bevan Healthcare/GPs to ensure the clients have access to healthcare support as needed. Where there are immediate or secondary healthcare needs these can be claimed from the Home Office/DHSC by the NHS Bradford District and Craven Clinical Commissioning Group. Health costs are funded separately and does not come via the Local Authority.

2.16 Therapeutic Support – The Council through Migration Yorkshire has commissioned Solace to provide therapeutic support to refugee families through their children and families wellbeing project and this will continue to be provided. Solace is a specialist mental health charity that has worked with refugees and asylum seekers in Leeds and Bradford for the last 14 years. The support Solace offers includes:

- Individual therapeutic support for the child
- Family therapy to support the parents and child
- Training and support to staff working with the child

2.17 Care Needs - The supplier will be expected to work closely with Adults services to identify any social care needs. Adult services will facilitate an assessment of needs under the Care Act 2014 to enable streamlined access to services. Exceptional social care

funding can be claimed from the Home Office.

2.18 Early Help support will be provided by Children's Service to ensure that families have access to the support bearing in mind the trauma faced by the community in the camps and the persecution from their countries.

2.19 The proposed timeline for procurement of the contract is:

- December and January 2021 - Preparation of specification document in consultation with the partners
- 11 January 2022 - Report to the Overview and Scrutiny Committee
- Late January 2022 - Issue Prior Information Notice
- Late February – Release Invitation to Tender to the UK e-notification service – Find a Tender Service
- Late March 2022 - Tender period to close
- Mid-April 2022 – Evaluation on bids
- Late April 2022– Standstill period
- May 2022 - Contract awarded
- May – July 2022 - Mobilisation and implementation
- 1 August 2022 - Contract start

### **3. OTHER CONSIDERATIONS**

3.1 The Government has committed to welcoming around 5,000 Afghan people in the first year and up to 20,000 over the coming years (by 2025). The ARAP and ACRS schemes will work with the United Nations High Commissioner for Refugees (UNHCR) to identify those that should be helped. This is in addition to the UKRS scheme, which has already helped thousands of refugees to resettle in UK.

3.2 Bradford will continue to support the national effort to resettle refugees in the district.

3.3 The Council cannot guarantee a minimum number of clients for the next tender as the schemes are dependent on a number of factors such as the continuing government commitment, global events etc.

### **4. FINANCIAL & RESOURCE APPRAISAL**

4.1 The Council's Contracts Standing Orders require contracts with a value in excess of £2m be reported to the relevant Overview and Scrutiny Committee. The procurement proposals set out in this report will be carried out in accordance with the standing orders.

4.2 Given the value of the service the procurement will need to comply with the Public Contracts Regulations 2015. The public procurement threshold for supply of services will be £213,477 (inclusive of VAT) from 1 January 2022.

4.3 Based on the current MMRS numbers resettled, the estimated value of the new contract will be around £6,741,594 over 5 years and this will be fully funded from the Home Office.

4.4 The procurement will be led by the Access to Housing team with support from the procurement, finance and legal teams.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

5.1 The risks for this contract are low as the schemes are fully funded by the government.

5.2 The contract will be managed by the Access to Housing team, with regular reports taken to the Portfolio holder who will provide oversight and accountability that defines and controls the outputs, outcome and benefits of the scheme.

5.3 The following risks have been identified:

- The Council is unable to meet our obligations under the contract due to local issues such as housing availability or affordability.
- The commissioned partner could fold and therefore be unable to provide the service.
- Any future pandemic activity could affect the scheme.
- Global events may lead to greater pressures on the scheme.

5.4 To mitigate the risks, we will set out a Risk Management Plan and conduct regular reviews. Participation in resettlement schemes is voluntary and the Council can choose not to participate if the risks cannot be mitigated.

## **6. LEGAL APPRAISAL**

6.1 The procurement exercise will be carried out in accordance with Contract Standing Orders and Public Contract Regulations 2015.

6.2 The Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2021 (the 2021 Regulations) sets out the changes to the financial thresholds under UK public procurement regulations. The 2021 Regulations came into force on 1 January 2021. The financial threshold for the procurement of services is £213,477 (inclusive of VAT) from 1 January 2021.

### Definitions of asylum seekers and refugees

#### 6.3 Refugee

The UN Refugee Convention defines a refugee as:

‘owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it’

Whilst a person who meets the definition of the Convention is automatically a refugee, to benefit from the Convention’s provisions, a person must be recognised as a refugee.

Recognised refugees in the UK have rights that include: the right to stay in the UK, right to work, study, claim housing and welfare benefits and access free healthcare. They also have a right to reunite with partners and children.

Refugees arriving under the Government's resettlement schemes usually have their immigration status determined prior to arrival thus are eligible to access housing, welfare benefits and healthcare with immediate effect.

#### 6.4 Asylum Seeker

An asylum seeker is a person whose claim for refugee status is being considered by the Home Office. They are persons who may have fled their home and have often arrived in another country (with or without a right of entry) and made themselves known to the authorities and made an asylum claim. Whilst their claim is being considered they have a right to remain in the country they have lodge a claim in and cannot be returned to their country whilst the claim is being considered.

Asylum seekers are unable to work (unless they have permission) or study and they are unable to access mainstream benefits but, if they are unable to support themselves, they are provided with minimum financial support and accommodation. Asylum support is a temporary measure whilst the asylum claim is under consideration.

Unlike Refugee Resettlement Programmes the Local Authority does not have responsibility to accommodate and support asylum seekers. The Home Office contracts this function out. It is currently delivered by Mears Group in Yorkshire & Humber as well as some other parts of the Country.

Source: Free Movement

Source: UNHCR

## **7. OTHER IMPLICATIONS**

### **7.1 SUSTAINABILITY IMPLICATIONS**

The procurement tender documents and specification have been updated to ensure that they include details of the Council's commitment to reducing its carbon footprint through promoting sustainable best practice and through working with providers who are actively taking steps to minimise the impact of their activities on the environment.

### **7.2 GREENHOUSE GAS EMISSIONS IMPACTS**

By undertaking a tendering exercise, the commissioners will seek to minimise future environmental impact through selection and contract management of suppliers who propose sustainable and environmentally friendly service provision and that manage their work activities to minimise any environment impact through energy/resource

### **7.3 COMMUNITY SAFETY IMPLICATIONS**

Without support, generally speaking, refugees can be impacted as follows:

- Refugees can sometimes have less trust and confidence in community safety services due to, often, negative experiences from their homeland.
- Lack of experience and/or understanding of British systems can make life more difficult and this includes understanding of issues around personal and community safety.

The MMRS support enables good relationships and trust to be built with Police and support workers. Early preparations by the supplier help mitigate and even avoid the above situations arising in the first place.

#### **7.4 HUMAN RIGHTS ACT**

Under the Human Rights Act 1998, in addition to the general protections awarded to everybody, Article 3 of the Act is key in protecting asylum seekers and refugees from being returned to countries where they are at risk of torture, harm or death. It also protects asylum seekers and refugees from torture, inhumane and degrading treatment whilst in the UK.

Source: UNHCR

This tender will not detrimentally impact on our obligations with the Human Rights Act.

#### **7.5 TRADE UNION**

There may be TUPE implications if the current supplier decides not to bid or is unsuccessful and appropriate legal support will be sought to mitigate the risks for the Council.

#### **7.6 WARD IMPLICATIONS**

When sourcing properties the supplier considers a range of factors including, suitability for the family, amenities available in the area, transport links, proximity to schools and places of worship. The religious and ethnic background of refugees settling in the District means that some Wards are more suitable than others in which to settle the families.

#### **7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS**

None

#### **7.8 IMPLICATIONS FOR CORPORATE PARENTING**

The MMRS includes families, whereby children arrive with adults. The risk implications for corporate parenting are low.

#### **7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

Tender documents and the specification have all been brought up to date with the latest requirements of the General Data Protection Regulations (GDPR), Data Protection Act 2018 and the Council's technical security requirements for Data, Information Systems & Confidentiality.

The tender documents will not include any personal information.

#### **8. NOT FOR PUBLICATION DOCUMENTS**

None

## **9. OPTIONS**

No options are being presented in this report.

## **10. RECOMMENDATIONS**

That the report be noted and that Members comment on the proposals for the commissioning of the resettlement service.

## **11. APPENDICES**

None

## **12. BACKGROUND DOCUMENTS**

<https://www.freemovement.org.uk/refugee-convention/>

<https://www.unhcr.org/1951-refugee-convention.html>

<https://www.freedomfromtorture.org/news/what-is-the-human-rights-act-everything-you-need-to-know>