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## Schedule 38

### Funding Protocol

#### Definitions

"GLA (HCA)"	means the Greater London Authority of City Hall The Queen's Walk More London London SE1 2AA or its successors
"DCLG"	means the Department for Communities and Local Government of Eland House Bressenden Place London SW1E 5DU or its successors
"DWP"	means the Department for Works and Pensions of Caxton House Tothill Street, London SW1H 9DA or its successors
BIS	means Department for Business Innovation and Skills, of 1 Victoria Street, London SW1H 0ET or its successors
"EU"	means the European Commission or its successors
"Funding Protocol Training"	means the procedures the Service Provider undertakes to properly manage and implement the process of funding applications and adherence to funding conditions for funding received by the Authority in respect of the Services

#### 1 Overview

1.1 The Service Provider will have responsibility for securing funding throughout the Contract Period in order to facilitate the delivery of the Services, and Special Projects. Such funding sources may include:-

1.1.1 GLA (HCA),

1.1.2 DCLG,

1.1.3 DWP

1.1.4 BIS

- 1.1.5 Private investors/ city institutions / banks
- 1.1.6 EU
- 1.2 The above list may change over the course of the Contract Period and is not exhaustive.
- 1.3 The main funding streams potentially available to the Authority are:
  - 1.3.1 GLA (HCA) grant funding for affordable homes and other initiatives such as the Mayor's Outer London Fund;
  - 1.3.2 Green Investment Bank (via BIS);
  - 1.3.3 Tax Increment Financing (major projects);
  - 1.3.4 Localisation of Business Rates (TIRZs);
  - 1.3.5 Funding for training, businesses and apprenticeships (Local and Central Government Finance);
  - 1.3.6 Institutional / Bank funding and finance; and
  - 1.3.7 EU steams (directly or via partners).
- 1.4 The above list may change over the course of the Contract Period and is not exhaustive.

## 2 Objectives

- 2.1 The objective of this protocol is to secure the optimum share of available funding for the Authority taking into account:
  - 2.1.1 affordability, the capacity to manage delivery within the Service Provider and of partners to deliver projects; and
  - 2.1.2 management of and mitigating of development and other risks; and
  - 2.1.3 potential for securing match funding; and
  - 2.1.4 the vision set out in the Authority's Policy framework.

## 3 Training

- 3.1 The Service Provider shall devise a funding training programme for its Staff prior to the commencement of the Services which shall be approved by the Authority, and used as part of an induction programme for Service Provider Staff within four (4) weeks of the Agreement Date.
- 3.2 The Funding Protocol Training shall include familiarisation with the methodological approach to assessment, monitoring and evaluation processes which are relevant across government funding streams to introduce a recognisable discipline into these protocols and shall also cover those project and corporate finance principles relevant to delivering development and regeneration projects.

- 3.3 The training will reflect Treasury 5 Case business case process and Green/Magenta Book approaches adapted to the funding streams relevant to the Authority.
- 3.4 The Service Provider shall disclose to the Authority prior to the commencement of the Services the Funding Protocol Training and the Authority shall respond by notifying the Service Provider as to whether or not it agrees with the content of the training
- 3.5 The Authority shall not unreasonably withhold or delay its approval of the Funding Protocol Training. If the Authority does not approve the Funding Protocol Training it shall inform the Service Provider of its reasons and suggestions for improvement which the Service Provider shall take into account the preparation of a further draft of the Funding Protocol Training which shall be re-submitted to the Authority within five (5) days of the rejection of the first draft of the Funding Protocol Training
- 3.6 If the Authority does not respond within ten (10) Business Days of receipt of the first draft of the Funding Protocol Training, having been served a reminder notice, the Service Provider shall deem that the Authority has accepted the Funding Protocol Training and shall implement the Funding Protocol Training with all Staff during the Transition Period but before the commencement of the Services.
- 3.7 The Service Provider undertakes that its Staff shall comply with the Funding Protocol by:
- 3.7.1 carrying out the Funding Protocol Training as prescribed by the Service Provider prior to the Staff members' commencement of the Services or in the case of new members of Staff during their employment induction process; and
  - 3.7.2 directing any Staff member to undergo the Funding Protocol Training at any time or as reasonably requested by the Authority; and
  - 3.7.3 annually updating Staff of the Funding Protocol throughout the term of the Agreement; and
  - 3.7.4 update Staff to any material changes of the Funding Protocol at any time throughout the term of the Agreement; and
  - 3.7.5 maintaining that each member of Staff's knowledge of the Funding Protocol Training is refreshed on an annual basis.
- 3.8 The Service Provider shall monitor that its Staff receives the Funding Protocol Training in full by keeping an electronic register and shall provide written confirmation of its Staff's compliance with the Funding Protocol Training on the reasonable request of the Authority.

#### **4 Service Provider Commitments**

- 4.1 The Service Provider shall proactively maintain relationships with the main funding bodies and shall produce a regular bulletin and update session on emerging funding streams and their criteria for distribution to all the Service Provider's Staff. This shall be the overall responsibility of the Dedicated Associate Director (as set out in paragraphs 5.1 and 5.2).
- 4.2 For each area of funding the Service Provider will designate a funding subject matter expert who will provide a touchstone for the Service Provider's Staff providing guidance, inputs to applications, interpretation of legislation and opportunities, assistance and peer

review capacity at all points in the process based on their skills, experience and area of expertise.

4.3 Where possible, the Service Provider shall second staff to investment and funding institutions, for example, the Government's Green Investment Bank to enhance the understanding of the funding process and to use this learning to deliver targeted training for the Service Provider's Staff.

4.4 The Service Provider shall create and maintain a "funding monitor" document to give visibility to the Authority of the potential opportunities for funding and to report on the progress of approved funding applications. This shall take the form of a quarterly written report to the Authority's Contract Manager.

## 5 **Quality Control Measures and Authority Approval**

5.1 The Service Provider shall ensure that a dedicated associate director (**Dedicated Associate Director**) is responsible for:

5.1.1 Identifying opportunities through coordination with team and Insight function;

5.1.2 Strategic fit;

5.1.3 Reporting to the Authority's commissioning executive;

5.1.4 Liaison with external funding bodies;

5.1.5 Resourcing and training;

5.1.6 Nominating subject matter experts;

5.1.7 Quality control;

5.1.8 Checking the application; and

5.1.9 Reporting on the response.

5.2 For each funding application the Dedicated Associate Director will ensure the production of a strategic case for pursuing the opportunity (**Strategic Case**). The production of the Strategic Case will be supported by Authority officers as appropriate.

5.3 The Strategic Case shall be reviewed by the Partnership Manager against key criteria:

5.3.1 Policy - Alignment and support of Authority Policy objectives;

5.3.2 Resources - Identification of the resources required to secure the funding, e.g. match funding, bid resources;

5.3.3 Commercial requirements – analysis of funding requirements with existing commercial arrangements with the Services;

5.3.4 Financial – financial benefits of funding including cost: benefits of non-monetisable outcomes; and

- 5.3.5 Legal review – identify the obligation incumbent on the Authority and identify management measures to ensure compliance and secure funding in a structured regime.
- 5.3.6 Value for Money - determination of the value of money for the Authority as identified in through the above criteria
- 5.4 The outcome of the review will be a recommendation to either proceed or forgo the opportunity setting out the reasoning against the key criteria for the consideration of the Authority. The recommendation will be provided to the Authority by the Service Provider within three (3) Business Days of the Strategic Case review.
- 5.5 The Authority Contract Manager shall confirm or otherwise Authority support for production of the funding application within five (5) days of receipt of the Strategic Case recommendation.
- 5.6 If the Authority approves the recommendation to proceed to application the Service Provider shall administer the application in accordance with the protocols below.

## 6 **Review of the Funding Application**

- 6.1 The Partnership Manager shall appoint an appropriate programme manager (**Programme Manager**) to take overall responsibility for the funding application;
- 6.2 The Programme Manager shall follow the process outlined in Schedule 1 of this protocol, which shall include:-
  - 6.2.1 Presentation of the draft funding application to the Contract Manager (or other nominated Authority officer) for discussion and information;
  - 6.2.2 Proactive engagement with the funder to refine the funding application in order to increase the likelihood of success;
  - 6.2.3 Sign off and approval for any changes arising from engagement with the funder with the nominated authority officer;
  - 6.2.4 Notification to the Authority of the successful submission of the application, and also the means of submission in order that there is a auditable record of submission;
  - 6.2.5 Identification of and implementation of amendments to management procedures required to ensure compliance with the funding requirements; and
  - 6.2.6 Reviewing unsuccessful bids and producing recommendations to the Contract Manager (or other nominated Authority officer) to address any deficiencies in the bid process or content to increase the likelihood of future success. This may include actions by either or both the Authority and Service Provider.

## 7 **Service Provider Staff Obligations**

- 7.1 The Service Provider undertakes that each member of Staff engaged in the provision of the Services shall be:

7.1.1 Trained to recognise the funding issues to ensure that funding issues are properly managed or avoided in accordance with this Funding Protocol.

7.2 In the event that an issue arises in relation to a funding application but is not managed by the member of Staff in accordance with this Funding Protocol or there is a potential breach of the Funding Protocol, the Service Provider shall promptly conduct an investigation to determine whether:

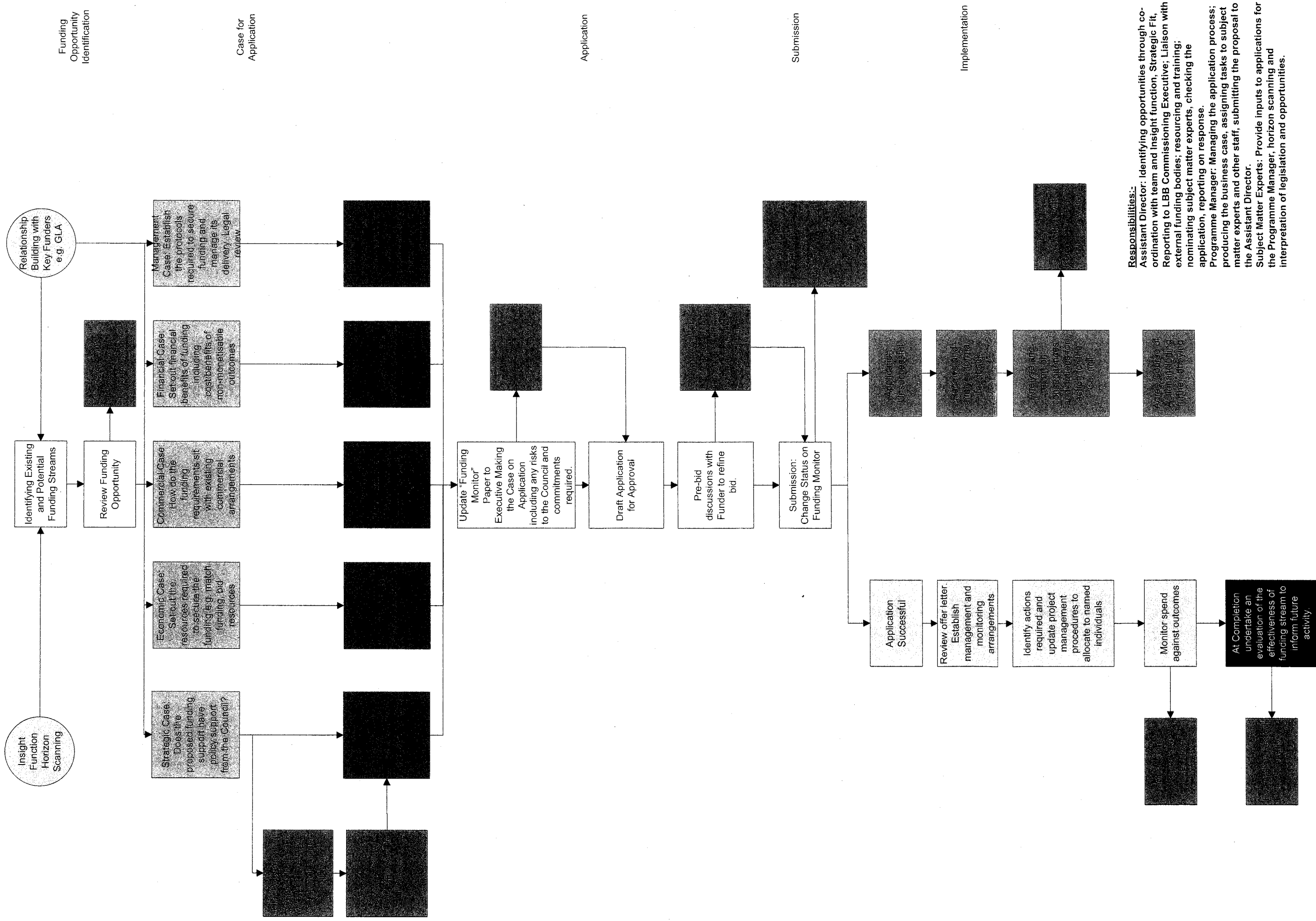
7.2.1 a member of its Staff failed to comply with its obligations under this Funding Protocol and in the event that there has been no breach of this Funding Protocol, the Service Provider shall direct that Staff member to undergo training in accordance with paragraph 3.7.

7.2.2 the member of its Staff wilfully, negligently or has failed to comply with the obligations set out in paragraph 3.7. If there is reasonable evidence to demonstrate that the actions of the member of Staff has caused a potential loss of funding opportunity, the member of Staff shall be dealt with the Service Provider's internal employment procedures.

The Service Provider shall promptly notify the Authority of the outcome of any such investigation and if requested by the Authority shall provide the Authority with all documentation and information relating to such investigation. If the Authority disputes the finding of the investigation, then the matter may be referred to the Dispute Resolution Procedure.

7.2 The Authority shall notify the Service Provider immediately if in its reasonable opinion a member of Staff has breached the Funding Protocol. The Service Provider shall undertake appropriate action in accordance with paragraph 7.2.

**Schedule 1 to Funding Protocol  
Capita Symonds – Commercial in Confidence**



**Responsibilities:-**  
**Assistant Director:** Identifying opportunities through co-ordination with team and Insight function, Strategic Fit, Reporting to LBB Commissioning Executive; Liaison with external funding bodies; resourcing and training; nominating subject matter experts, checking the application, reporting on response.  
**Programme Manager:** Managing the application process; producing the business case, assigning tasks to subject matter experts and other staff, submitting the proposal to the Assistant Director.  
**Subject Matter Experts:** Provide inputs to applications for the Programme Manager, horizon scanning and interpretation of legislation and opportunities.





Schedule 39 redacted in full

**Schedule 40**

**Joint Employees**

The employees listed below are the Joint Employees for the purposes of clause 26.1.2. The below Joint Employees will carry out the performance of non-delegable Statutory Functions and therefore will be employed post Service Transfer Date on joint employment contracts. The percentage of time allocated to each role will be an estimated annual average for the first month immediately following the Service Transfer Date and measured on actual work, a month in arrears, from the second month following the Service Transfer Date onwards.

**THIS DATA IS A PROVISIONAL DRAFT ONLY AND SHALL BE UPDATED BY THE AUTHORITY 14 CALENDAR DAYS BEFORE SERVICE TRANSFER DATE**

Name (First)	Name (Surname)	Organised Grouping	Service	Job Title
		DRS	Building Control	Area Building Control Manager
		DRS	Building Control	Area Building Control Manager
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Senior Building Control Surveyor
		DRS	Building Control	Building Control Surveyor
		DRS	Building Control	Assistant Building Control Surveyor
		DRS	Building Control	Principle Engineer
		DRS	Building Control	Senior Engineer
		DRS	Building Control	Business Performance and Development Manager
		DRS	Environmental Health	Assistant Director for Regulation and Highways Network Management
		DRS	Environmental Health	Environmental Health Manager

		DRS	Environmental Health	Group Manager (Food Health & Safety)
		DRS	Environmental Health	Group Manager (Private Sector Housing)
		DRS	Environmental Health	Group Manager (Private Sector Housing)
		DRS	Environmental Health	Group Manager (Public Health & Nuisance & Scientific Services)
		DRS	Environmental Health	Team Leader (Food, Health & Safety)
		DRS	Environmental Health	Team Leader (Food, Health & Safety)
		DRS	Environmental Health	Team Leader (Private Sector Housing)
		DRS	Environmental Health	Team Leader (Private Sector Housing)
		DRS	Environmental Health	Principal Environmental Health Officer (Food Health & Safety)
		DRS	Environmental Health	Principal Environmental Health Officer (Food Health & Safety)
		DRS	Environmental Health	Principal Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Principal Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Principal Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Principal Environmental Health Officer (Private Sector Housing)

		DRS	Environmental Health	Principal Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Food, Health & Safety)
		DRS	Environmental Health	Environmental Health Officer (Food, Health & Safety)
		DRS	Environmental Health	Environmental Health Officer (Food, Health & Safety)
		DRS	Environmental Health	Environmental Health Officer (Food, Health & Safety)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Environmental Health Officer (Private Sector Housing)
		DRS	Environmental Health	Principal Environmental Health Officer/Environmental Health Officer (Public Health & Nuisance)
		DRS	Environmental Health	Principal Technical Officer
		DRS	Environmental Health	Technical Officer
		DRS	Environmental Health	Technical Officer

		DRS	Environmental Health	Technical Officer
		DRS	Environmental Health	Technical Officer
		DRS	Environmental Health	Principal Scientific Officer
		DRS	Environmental Health	Principal Scientific Officer
		DRS	Environmental Health	Scientific Officer
		DRS	Environmental Health	Scientific Officer
		DRS	Environmental Health	Scientific Officer
		DRS	Environmental Health	Food Safety Officer
		DRS	Environmental Health	Food Safety Officer
		DRS	Environmental Health	Health & Safety Officer
		DRS	Environmental Health	Noise and Nuisance Officer
		DRS	Environmental Health	Noise and Nuisance Officer
		DRS	Environmental Health	Noise and Nuisance Officer
		DRS	Environmental Health	Noise and Nuisance Officer
		DRS	Environmental Health	Noise and Nuisance Officer
		DRS	Environmental Health	As and When Noise and Nuisance Officer
		DRS	Environmental Health	Housing Technical Officer
		DRS	Environmental Health	Priority Intervention Officer
		DRS	Environmental Health	Priority Intervention Officer
		DRS	Environmental Health	Priority Intervention Officer
		DRS	TS&L	Trading Standards & Licensing Manager
		DRS	TS&L	Trading Standards Enforcement Officer
		DRS	TS&L	Trading Standards Enforcement Officer
		DRS	TS&L	Senior Licensing Officer
		DRS	TS&L	Licensing Officer
		DRS	TS&L	Trading Standards & Licensing Technical Officer

		DRS	TS&L	Trading Standards Officer
		DRS	Highways Network Management	Highway Manager - Network Management
		DRS	Highways Network Management	Permit/NRSWA Manager
		DRS	Highways Network Management	Highway Maintenance Manager
		DRS	Highways Network Management	Asset Management, Projects and Contracts Manager
		DRS	Highways Network Management	Compliance Officer (Street Works)
		DRS	Highways Network Management	Senior Permit Co-Ordinator
		DRS	Highways Network Management	Permit Co-Ordinator
		DRS	Highways Network Management	Permit Co-Ordinator
		DRS	Highways Network Management	Permit Co-Ordinator
		DRS	Highways Network Management	Permit Co-Ordinator
		DRS	Highways Network Management	Senior Street Works Inspector
		DRS	Highways Network Management	Street Works Inspector
		DRS	Highways Network Management	Street Works Inspector
		DRS	Highways Network Management	Street Works Inspector
		DRS	Highways Network Management	Street Works Inspector
		DRS	Highways Network Management	Authority Permit Officer
		DRS	Highways Network Management	Senior Highway Inspector
		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Highway Inspector

		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Highway Inspector
		DRS	Highways Network Management	Senior Engineer/Principal Technician
		DRS	Highways Network Management	Senior Engineer/Principal Technician
		DRS	Highways Network Management	Senior Engineer/Principal Technician
		DRS	Highways Network Management	Senior Engineer/Principal Technician
		DRS	Highways Network Management	Clerk of Works
		DRS	Highways Network Management	Clerk of Works
		DRS	Highways Network Management	Clerk of Works
		DRS	Highways Network Management	Clerk of Works
		DRS	Planning & Development	Acting Assistant Director, Planning & Building Control
		DRS	Planning & Development	Planning Regulation & Enforcement Manager (Deputy Head of Service)
		DRS	Planning & Development	Area Planning Manager
		DRS	Planning & Development	Area Planning Manager
		DRS	Planning & Development	Area Planning Manager
		DRS	Planning & Development	Area Planning Manager
		DRS	Planning & Development	Area Planning Manager



		DRS	Planning & Development	Major Developments Manager
		DRS	Planning & Development	Principal Tree Officer
		DRS	Planning & Development	Principal Enforcement Officer
		DRS	Regeneration	AD Strategic Planning and Regeneration
		DRS	Regeneration	Head of Regeneration
		DRS	Regeneration	Regeneration Manager
		DRS	Regeneration	Regeneration Manager
		DRS	Regeneration	Regeneration Manager
		DRS	Regeneration	Interim Regeneration Manager
		DRS	Regeneration	Interim Property Consultant/Surveyor
		DRS	Regeneration	Senior Regeneration Officer
		DRS	Regeneration	Regeneration Officer
		DRS	Regeneration	Regeneration Officer
		DRS	Regeneration	Regeneration Officer
		DRS	Regeneration	Interim Programme Manager

Details of payment and operational practicalities are set out in the Joint Employment Operations Manual, which is a live working document.

The Service Provider shall on behalf of the Authority pay to the Joint Employees the salaries and on costs (including but not limited to pension contributions) attributable to non-delegable statutory functions. Details of such salary and on costs shall be set out in the quarterly invoice from the Service Provider to the Authority.