

## CABINET

16 April 2024

<b>Title:</b> Contract for the Provision of a Domestic Abuse Victim / Survivor Support Service	
<b>Report of the Cabinet Member for Adult Social Care and Health Integration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
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<b>Accountable Director:</b> Chris Bush, Commissioning Director, Care and Support	
<b>Accountable Executive Team Director:</b> Elaine Allegretti, Strategic Director, Children and Adults	
<b>Summary:</b>  <p>The Council currently commissions a Domestic and Sexual Violence, Victims Support Service. The contract was initially awarded 1<sup>st</sup> October 2019, with an initial contract term of three (3) years, with the option to extend for a further two (2) years. The current contract is due to expire, and we are seeking to recommission the service to ensure the Council is meeting its statutory obligations under the Domestic Abuse Act 2021. In addition, through the delivery of this service, we will be providing support to our most vulnerable residents.</p> <p>The delivery of this service will contribute towards a number of the priorities within the boroughs manifesto, and the delivery of this service will mean that victim/ survivors of domestic abuse are better supported and contribute towards the prevention of repeat victimisation. Victims are supported to flee their abusers and safety planning is undertaken with our vulnerable residents.</p> <p>This report seeks permission to procure and award a new contract for delivering an outcomes-based domestic and sexual violence support service due to the approaching expiry of the existing contract which ends on 30<sup>th</sup> September 2024.</p>	
<b>Recommendation(s)</b>  The Cabinet is recommended to:	
(i) Agree that the Council proceeds with the procurement of a contract for a Domestic Abuse Victim / Survivor Support Service in accordance with the strategy set out in the report; and	
(ii) Authorise the Commissioning Director for Care and Support, in consultation with the Cabinet Member for Adult Social Care and Health Integration, the Strategic	

Director, Resources and the Head of Legal, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements to fully implement and effect the proposals.

### **Reason(s)**

The Council has committed to the vision of 'One borough; one community; No one Left Behind'. The Borough Manifesto and corporate plans sets domestic violence as a clear priority and the developing Health and Wellbeing Strategy puts forwards the need to work closely with and for our residents to tackle violence and abuse. It is a council priority that residents are safe, protected, and supported at their most vulnerable, the delivery of the Domestic Abuse Victim/ Survivor Support Service will contribute to keeping residents safe and protected at their most vulnerable.

## **1. Introduction and Background**

1.1 Council we have a shared vision and are dedicated to keeping our residents safe by tackling Violence Against Women and Girls, this vision has been further embedded into the borough manifesto and Strategic policies and practice. Recognising and responding to VAWG is a responsibility shared by all professionals and partner organisations; be it health providers, Law enforcement, employers, family and friends. Within Barking and Dagenham, we wish to continue our journey in supporting vulnerable residents who have been impacted by domestic abuse and help them in their recovery to build their lives and 'live free from violence and abuse'.

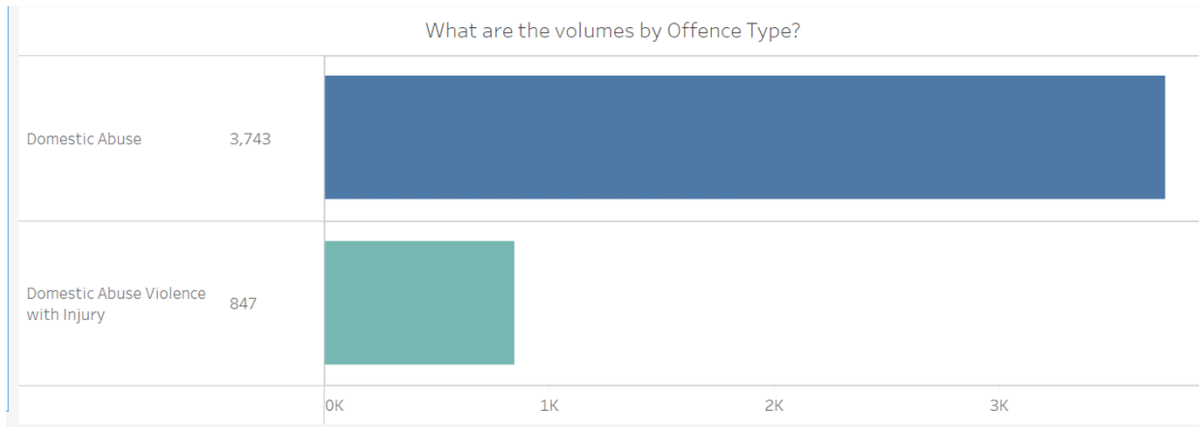
*"We need to build systems and services which can change the directions of people's lives for the better – preventing the big issues of poverty, unemployment, debt, health inequalities, poor housing, and domestic abuse from determining the lives led by our residents".*

1.2 Preventing violence and abuse in the first instance will have a substantial impact on the overall prevalence of these crimes. It is of utmost importance, that from a young age children and young people are informed about healthy relationships and are challenged about negative views that they may hold. Within Barking and Dagenham, are committed to ensuring young people are making informed choices and are aware of: healthy relationships. It is our priority that residents are safe and protected at their most vulnerable.

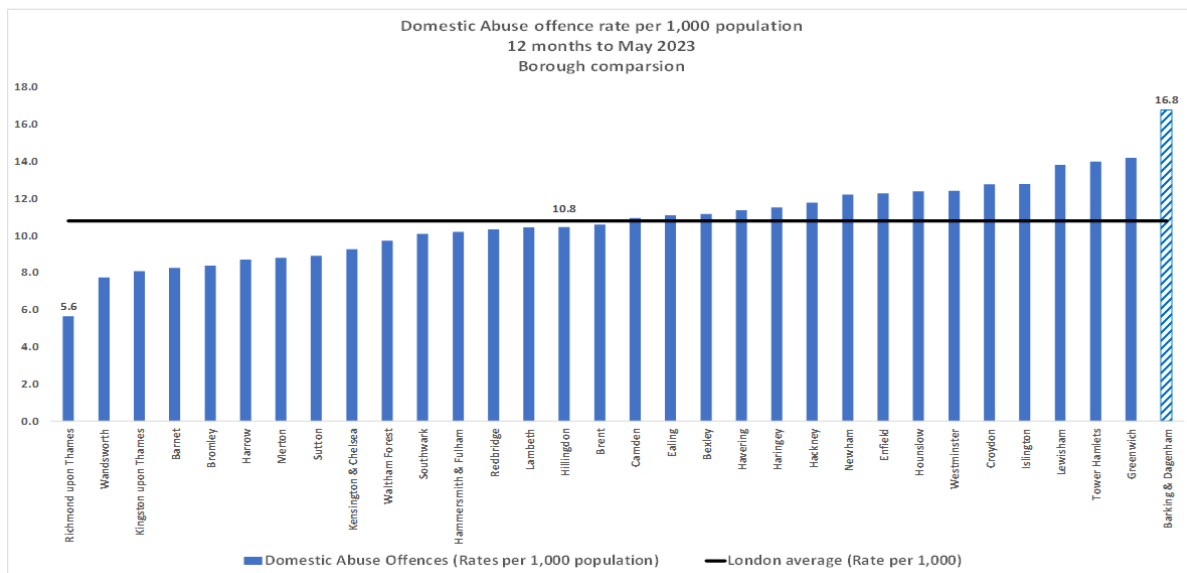
1.3 It is estimated that domestic abuse affects 2.3 million people each year, with women more disproportionately affected than men, due to the gendered nature of this crime. Around one fifth of all homicides where the victim is an adult female are domestic homicides, however, this figure does not include the number of suicides due to domestic abuse.

1.4 Domestic abuse is a significant issue within Barking and Dagenham, reported instances of domestic abuse are the highest in London per 1,000 of the population. Domestic Abuse features in a large proportion of all open social care cases, having an enormous impact on children and young people who following on from the Domestic Abuse Act 2021, are considered victims in their own right.

1.5 Barking and Dagenham has one of the highest rates of domestic abuse within the London, and still remains a high rate within the country. Although we know that most domestic abuse incidents go unreported, so the actual figure is likely to be much higher. The levels of domestic abuse in the borough have not decreased and have been relatively high for at least the last 10 years. Domestic abuse is cyclical and intergenerational, requiring work to change attitudes.



**Barking & Dagenham Domestic Abuse Offences Trends by volume and rates per 1,000 population**



**Fiscal costs of domestic abuse within England and Wales**

1.6 The Home Office has estimated that domestic abuse has an economic and social cost of around £74 billion in England and Wales each year. Costs to health services estimated to 2.3 billion and police 1.3 million. The government will be affected fiscally too with the cost of homelessness, temporary housing, housing repairs, and costs to social care, especially if a child is taken into care as a result. It is normally three years before a domestic abuse case reaches the Multi Agency Risk Assessment Conference (MARAC) for victims of domestic abuse, 27 percent of young people who witness domestic abuse will require mental health support, according to SafeLives research, taking into account the costs of mental health support, police referrals, youth crime costs, children social care and education disruption ahead of this three year point, their research estimated the potential of a £508 million cashable saving if

early, effective interventions are put in place. Each victim is estimated to cost £34,015, however, the true actual cost will be much higher.

- 1.7 Locally, the costs have been estimated to be £13.8m fiscal costs and £60m including the wider social economic costs in Barking and Dagenham. This is based on reported figures to police services, and it is important to note that only 20% of victims report to the police so these costs are likely to be much higher, especially, as we have the highest rates of domestic abuse in London, and we are in the higher quartile of London boroughs for levels of sexual violence too.
- 1.8 Through a coordinated response and providing services for victim/ survivor's children and young people at the earliest opportunity available, there is potential to reduce not only the emotional harms. But also, the fiscal costs associated with this social harm, of VAWG, and the potential of escalating costs to social care, by having to bring a child into the care of the local authority. Supporting the victim/ survivor can also enable them to rebuild their lives and increase resilience.

### **Procurement of the current Service**

- 1.9 Following on from extensive consultation with survivors, professionals and partner agencies the LBBDD Ending Violence Against Women and Girls Strategy 2018 -2022 was formed, which highlighted a number of priorities which underpinned the commissioning intentions of the new Domestic Abuse Support service in 2019. The Domestic Abuse and Sexual Violence Victim/ Survivor Support service was commissioned within Barking and Dagenham in 2019, with the new provider Refuge commencing delivery of the service 1<sup>st</sup> October 2019. This was the first time the service was to be commissioned as a single point of access, with victims able to get support from Independent Gender Violence Advocates (IDVAs), Support for Children and young people, Sanctuary scheme, Refuge Accommodation, Young Persons Advocate, Honor Based Violence, Forced Marriage, Female Genital Mutilation, Peer Support, DA Champions, By and For Service, Schools Support and the Perpetrator Service was also to be subcontracted by the provider. All services were to be accessed via a single duty line, to be managed via a rota by the IDVAs.
- 1.10 The contract was tendered for a period of five (5) years in total, three (3) years for the initial period with a two (2) year extension, which commenced 1<sup>st</sup> October 2022. The current contract will expire 30<sup>th</sup> September 2024. It is due to the approaching expiry of this contract, that we wish to retender for this service in accordance with the Council's contract rules and relevant national legislation. Approval is sought from Procurement Board to commence this tender exercise.

## **2. Proposed Procurement Strategy**

### **2.1 Outline specification of the works, goods or services being procured**

- 2.1.1 This report presents a procurement strategy that will commission an outcome based domestic and sexual violence victim support service in Barking and Dagenham to commence on the 1st of October 2024, due to the approaching expiry of an existing contract.
- 2.1.2 We intend to seek a VAWG a delivery partner to provide a service which can be adapted to the changing needs of residents and fluctuating budgets. We intend to

identify a provider that will bring several additional layers to the borough, including the ability to seek out potential funding streams to strengthen sustainability within the service.

- 2.1.3 The provider will deliver a needs-based domestic and sexual violence service that meets national guidelines for Violence Against Women and Girls Commissioning and fulfils the Council's obligations and commitments to tackle domestic and sexual violence within the borough.
- 2.1.4 The provider will work in conjunction with other agencies and services to provide a coordinated response to the social issue that is VAWG. Agencies who the provider will be expected to work with will include police, perpetrator services, health, social care, early help, education, mental health, substance misuse, and other services.
- 2.1.5 There are several outputs that will need to be delivered including:
- A single front door with one phone number, one referral form, assessment and transfer into appropriate support.
  - Trauma informed service provision for residents, victim/ survivors and their children
  - Refuge Accommodation
  - Independent Advocacy and 1:1 Support
  - Therapeutic support (group) for adults and for children affected by domestic abuse
  - Sanctuary schemes – and target hardening, making the survivors safer in their homes
  - Community engagement and awareness raising, including training for staff and partners, and healthy relationship workshops offered to schools and providers working with children and young people
  - Volunteering Opportunities, peer mentoring and peer support development

## **2.2 Estimated Contract Value, including the value of any uplift or extension period**

- 2.2.1 The annual value of the service which has been agreed is £635,991, with an aggregate value over the five years (including the extension) will be £3,179,995. This funding is made up of contributions from Public Health Grant, General Fund, Housing Revenue Account, Targeted Early Help and Safer Homes.

## **2.3 Duration of the contract, including any options for extension**

- 2.3.1 The contract will be let for a three (3) years from 1<sup>st</sup> October 2024 to 30<sup>th</sup> September 2027 with the option to extend for a further two (2) years period from 30<sup>th</sup> September 2029 the extension will be based on funding and at the sole discretion of the council.

## **2.4 Is the contract subject to (a) the Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?**

2.4.1 This contract is subject to the (EU) Public Contracts Regulations 2015 and is subject to the Light Touch Regime. As the procurement will be undertaken under the Light Touch Regime, it will not be subject to the full rigor of the Public Contracts Regulations 2015, however, we will ensure that the procurement is open, transparent, and fair, in accordance with the council's contract rules and the PCR.

## 2.5 **Recommended procurement procedure and reasons for the recommendation**

2.5.1 The service will be procured in line with the Public Contract Regulations 2015 through a 'light touch regime' and line with the Councils contract rules. The Open tender opportunity will be advertised in Find a Tender, on the Council's e-tendering portal (Bravo), Contracts Finder and the Council's website.

2.5.2 Potential suppliers will be required to complete Supplier Information in addition to a tender submission document (including method statements) to ascertain suitability to deliver. An evaluation of the Tender Submission will take place once the deadline has passed for submission. To ensure that the quality of the service is satisfactory there will be a pass threshold and a minimum quality score will be set that providers must meet, to be considered for delivery. Potential suppliers may be invited to attend a clarification interview to further determine suitability and assess their ability to deliver against the specified outcomes. Overall scores will be collated and a provider who meets the thresholds and has the highest overall score will be awarded the contract following on from the mandatory Alcatel standstill period.

## 2.6 **The contract delivery methodology and documentation to be adopted**

2.6.1 The service will be delivered by external providers. Documentation to be adopted will be the Council's standard terms and conditions. The contracts will be monitored on a quarterly basis to ensure compliance with terms and conditions, and to confirm the provider is meeting performance targets.

## 2.7 **Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract**

2.7.1 There are no direct financial efficiencies as a result of awarding this contract. However, in her 2008 up-date, Walby found that domestic abuse costs public services across England and Wales £3.856 billion each year; £479 million of which was spend from local government on housing and children's social care. In 2017, it was estimated that approximately £383m is spent on housing repairs nationally, a total of 933 million was spent on emergency homelessness, when applying the 12.8% assumed homelessness due to domestic abuse, this figure equates to £119m. However, estimates are much higher, as most domestic abuse goes unreported. A study by the charity Shelter found that 40% of all homeless women stated that domestic abuse was a contributory factor to their homeless status.

2.7.2 Domestic abuse can cause persistent absenteeism, time off work due to sickness and injury, performance issues, and lost productivity, which will all result in reduced and lost earnings for women, who are also more likely to work in industries with zero-hour contracts, where they will not be paid if they do not work.

2.7.3 Within Barking and Dagenham, over 70 percent of Police Merlins (referrals) into social care are due to domestic abuse. Many of these children will be subject to

either child in need or child protection plans, with these children requiring additional support from either social care or targeted early help teams. In the event a child is unfortunately taken into care, this would be a lifetime of emotional trauma, which is unquantifiable. The fiscal costs will be high, with the average residential placement costing £4,700 per week. If a child was in care for approximately 5 years, this could amount to approximately 1.2 million, for one child was taken into care at 13 and left the placement at 18, not taking into account inflation, and potential placement changes, or a child coming into care at a younger age who may require a residential placement.

2.7.4 Domestic abuse is a complex social problem, which requires a coordinated community response, as mentioned within the Standing Together Against Domestic Abuse (STADA) paper *In Search of Excellence*. Providing support early, can reduce the harm caused by domestic abuse, potentially keeping children with the non-abusive parent, reducing the need of placements and repeat victimisation, by building resilience, and giving survivors the support when they need it at the earliest opportunity.

2.7.5 Through the delivery of this service, it is anticipated that more survivors will be supported, which may reduce the need for more costly interventions in the future.

## 2.8 **Criteria against which the tenderers are to be selected and contract is to be awarded**

2.8.1 The price/quality ratio upon which contracts will be awarded will be 70% quality, 20% price and 10% social value. The contract will be awarded based on value for money, and the provider who obtains the highest score from the bidders. Due to the current market, it is highly unlikely that weighting the bid more towards price will reduce the cost dramatically, as the current staffing is a large part of the cost, which will remain as TUPE will apply.

## 2.9 **How the procurement will address and implement the Council's Social Value policy**

2.9.1 The government recommends a minimum weighting of 10% in order to ensure contractors deliver meaningful Social Value proposals. As a part of the tender process, we will add a 10% weighting for social value proposals. Suppliers wishing to bid for works with the council will be asked to set out convincing Social Value proposals that support delivery of the Borough Manifesto goals and Corporate Plan priorities.

These strategic goals have been grouped into three priority themes which provide the context for the council's Social Value Framework. These themes are shown below with examples of the sorts of activities and outputs the policy seeks to secure under each theme:

- **Investment in local people:** tackling unemployment and, securing quality employment, work experience and apprenticeship opportunities – with additional consideration for opportunities created for those facing disadvantage in the labour market (including NEETs, care leavers, young offenders and those with learning disabilities or physical and mental health conditions);

- **Investment in the local economy:** supporting local job creation by sourcing goods and services from organisations with premises/operations based in the borough and supporting initiatives to build the capacity of local suppliers;
- **Environmental sustainability:** reducing waste and single-use plastics, promoting recycling and sustainable energy, supporting local growing initiatives and other activities to improve the local environment and air quality

Potential contractors will be required to set out a method statement and delivery plan setting out their commitments to one of the above themes and how these will be delivered, including how they will work with local partners and (where relevant) ensure compliance in their wider supply chain.

## 2.10 London Living Wage (LLW)

2.10.1 Potential contractors will be required to set out within method statements how they will provide the LLW for staff members, and a commitment to do so as a part of the contractual terms and conditions, will be set out at the tender stage.

## 2.11 How the Procurement will impact/support the Net Zero Carbon Target and Sustainability

2.11.1 We will ask potential providers how they will support and contribute towards the Council's Net Zero Carbon target. Also, what proposals they have which can reduce their carbon emissions within service delivery.

## 3. Options Appraisal

- 3.1 Do nothing – this is not a viable option as the Council would be in breach of its statutory duties arising from the Domestic Abuse Act 2021 and the Children Act 1989. It would also result in victim/survivors and their children not receiving the vital support that need, when they are vulnerable and at risk. The negative effects of domestic abuse are significant on victim/ survivors and their families. Over 70% of open social care cases have domestic abuse as a presenting factor. Merlin's completed by the police due to domestic abuse are high within LBB. Sexual assault incidents are high in comparison to some of the other London boroughs. Doing nothing is not a viable option and not providing a support service for victim/ survivors would have a detrimental effect on our residents.
- 3.2 Join up with other boroughs – there are currently not any procurement exercises for Domestic Abuse Victim/Survivor Support service being undertaken, which align with the current contract expiry dates. Hence, joining up with neighbouring boroughs would not be a viable option in this instance.
- 3.3 Tender the service – tendering of this service would ensure compliance with the Council's Contract rules and the Public Contracts Regulations 2015. The tender would be open to any organisation which has the experience of delivering the service and will be undertaken under the Light Touch Regime. Of the options that have been considered this is the recommended option.



#### 4. Waiver

4.1 Not applicable.

#### 5. Consultation

5.1 As part of the need to re-tender Commissioners have reviewed the current service provision and pathways. The local authority will be providing an open access, universally provided Domestic Abuse and Victim/ Survivor Support Service that will meet the need of the population.

5.2 Extensive consultation has been undertaken in relation to the services which are needed for victim/ survivors of domestic abuse in the borough with our residents through a series of workshops and consultations, in the development of the Violence Against Women and Girls Strategy 2018-2022 and the Domestic Abuse Commission.

5.3 The proposals in this report were considered and endorsed by the People and Resilience Management Group on 16 November 2023, and the Violence Against Women and Girls Strategic Group on 14 September 2023. The proposals were also endorsed by Procurement Board Subgroup on 5 February 2024 and Executive Board in March 2024.

#### 6. Corporate Procurement

Implications completed by: Francis Parker – Senior Procurement Manager

6.1 The proposed Open tender route is compliant with the PCR 2015 and the Councils contract rules.

6.2 Officers have satisfied themselves that the proposed route to market will offer the best value for money to the Council.

6.3 The service will be heavily weighted for quality which is suitable for this service. There is unlikely to be much price variance between bids so quality needs to be the defining factor.

#### 7. Financial Implications

Implications completed by: Implications completed by Amar Barot – Head of Service Finance

7.1 This report seeks permission to procure and award a new contract for the provision of a Domestic Abuse Victim / Survivor Support Service due to the approaching expiry of the existing contract on 30th September 2024.

7.2 The service has agreed funding from several streams, set out per annum as follows:

<u>Funding Stream</u>	<u>Allocation</u>
• Public Health	£272,000
• HRA	£80,800

- Safer Homes/Community Solutions £49,000
- Targeted Early Help £147,000
- Other General Fund (Commissioning) £87,700
- Total** **£636,500**

7.3 The value of the new contract would need to be contained within the total available funding.

## 8. Legal Implications

Implications completed by: Lauren van Arendonk, Principal Contracts and Procurement Lawyer (Acting), Law and Governance

8.1 This report seeks to approve the procurement strategy for the commissioning of domestic abuse survivor support services.

8.2 This contract is subject to the (EU) Public Contracts Regulations 2015 and is subject to the Light Touch Regime. As the procurement will be undertaken under the Light Touch Regime, it will not be subject to the full rigor of the Public Contracts Regulations 2015. However, the procurement must be conducted in accordance with the principles of procurement (reg 18 of PCR 2015) and in accordance with the council's contract rules and the PCR.

8.3 The annual value of the contract shall be £635,991, with an aggregate value over the five years (including the extension) to be £3,179,995. This funding is made up of contributions from Public Health Grant, General Fund, Housing Revenue Account, Targeted Early Help and Safer Homes. Given that grant funding may also form part of the payment terms of the contract, special terms for the payment schedule should be considered to offer the council additional protections.

8.4 Given the value of the contract, in accordance with rule 51 of the contract rules, the contract must be sealed. Legal will be onside to assist with drafting and sealing, once instructed. It is proposed that the procurement strategy herein is approved.

## 9. Other Implications

9.1 **Risk and Risk Management** – Potential procurement risks are highlighted below:

Issue	Likelihood	Impact Risk	Category	Mitigation
Delay in issuing the tender/ procurement exercise	Medium	Medium	Medium	Ensure procurement timelines are realistic and the tender is advertised widely
No submissions are received	Medium	Medium	Medium	There is a developed market in this area within the voluntary and community sector with organisations who specialise in delivering services to victim/ survivors
Contract award decision challenged by	Low	Medium	Medium	The procurement will be the Gold threshold under the Councils contract rules, and

unsuccessful providers				we will undertake advice and guidance from both corporate procurement and legal services throughout the process, and ensure the tender is undertaken with the fair and transparent principles under relevant legislation.
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- 9.2 **TUPE, other staffing and trade union implications** – There will be TUPE implications associated with this contract if someone other than the incumbent provider is awarded the contract. Potential bidders will be made aware of the TUPE implications of staff currently employed by the service.
- 9.3 **Corporate Policy and Equality Impact** – The Equality Impact Assessment Screening Tool has been completed for the service and is attached at Appendix 1. As a part of the tender process we will be assessing providers cultural competencies and ability to comply with the Equality Act 2010 and all protected characteristics, their understanding of intersectionality, and work with a diverse population, through method statement questions and current policies they hold as an organisation, in addition to their ability to demonstrate relevant experience.
- 9.4 **Safeguarding Adults and Children** – Over 70% of active social care cases feature domestic abuse, in addition to Merlin reports completed by the police. Domestic abuse consequences can last into adulthood. Adverse childhood experiences (ACES) can have long lasting impacts on children and young people, which can last into adulthood, including health outcomes. Domestic abuse is identified as an ACE. ACEs can lead to poor health consequences in adulthood such as diabetes, heart disease, cancer, asthma and depression. ACEs can also increase risky behaviours in young adults, such as smoking, and heavy drinking. It is estimated that 27 percent of children who witness domestic abuse will go on to develop a mental health condition, and 22 percent who display aggressive behaviours have been exposed to domestic abuse.
- Addressing ACEs and increasing the resilience of children and young people by providing them with the support they need at the earliest opportunity can improve future prospects for children and young people and increase their resilience.
- 9.5 **Health Issues** – VAWG damages health and wellbeing and is a public health issue. According to research women are twice as likely to experience poor mental health episodes if they have been subject to domestic abuse, then women who have not. Substance misuse and alcohol are increasingly shown to be present in cases where there is intimate partner violence, as the victim/ survivor seeks to self-medicate, and uses substances to cope, placing them at further risk of harm. The physical violence itself often results in injury including, broken teeth, bones, dislocated joints, there can often be life threatening and or life changing injuries as a result of the violence, including maiming, and death in some cases. The violence and abuse can also lead to increased risk of suicide for the victims.
- 9.6 **Crime and Disorder Issues** - the delivery of this service will not have a direct impact on reducing the levels of crime and anti – social behaviour, however, it will

provide the opportunity to safeguard and support victim/survivors of domestic abuse to rebuild their lives, escape violence to a refuge, advocacy, safety planning and assistance from a sanctuary scheme, whereby the victim/ survivor can be made safe in their home through specific security measures on the property.

- 9.7 **Property / Asset Issues** – there are currently two safe accommodation buildings that are a part of the service offer and the lease is provided concurrently with the contract through London and Quadrant Housing.
- 9.8 **Business Continuity / Disaster Recovery** – As a part of the procurement process, we will seek business continuity and disaster recovery plans from the potential providers. Potential providers will be asked to demonstrate how they continued to deliver services during a pandemic, such as COVID or in the event of another extreme emergency situation.

**Public Background Papers Used in the Preparation of the Report: None**

**List of appendices:**

**Appendix 1 - Equality Impact Screening Tool**