



## Key Decision Report of the Corporate Director, Housing and Adult Social Services

Officer Key Decision	Date: 17 March 2017	Ward(s): All
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Delete as appropriate	Exempt	
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## THE APPENDIX TO THIS REPORT IS NOT FOR PUBLICATION

### **SUBJECT: Contract award for domestic abuse refuge provision for women and children**

#### **1. Synopsis**

- 1.1 This report seeks approval for the contract award in respect of domestic abuse refuge provision for women and children in accordance with Rule 2.5 of the Council's Procurement Rules.
- 1.2 The contract will be awarded for an initial three (3) year period with the option to extend by up to a further two (2) years (total five (5) years). The contract will commence on 1 August 2017.
- 1.3 Our understanding of domestic abuse follows the Home Office (March 2013) definition as "any incident or pattern of incidents of controlling, coercive or threatening behaviour or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality". This encompasses but is not limited to psychological, physical, sexual, financial and emotional abuse.

#### **2. Recommendations**

- 2.1 To approve the contract award for domestic abuse refuge provision for women and children to Solace.
- 2.2 To note that the financial envelope for this contract was advertised as £224,821 per year (a maximum of £1,124,105 over five years). However Solace has indicated that they will deliver the service for £182,016 per year (a maximum of £910,080 over five years).

- 2.3 To note that Solace are proposing to deliver the service for the price per hour and annual support hours as set out in the exempt appendix.
- 2.4 To note that the procurement process and subsequent contract management process are jointly undertaken by the London boroughs of Enfield, Haringey and Islington.

**3. Date the decision is to be taken:**

17 March 2017.

**4. Background**

- 4.1 The service will provide an advocacy and support service for women and children at risk of domestic and sexual abuse. The service will aim to prevent homelessness and address the needs of women and children at risk of harm to secure their safety. This is achieved through a combination of advice, advocacy, housing related support and signposting provided to service users in a safe, nurturing, inclusive environment that is psychologically informed and trauma aware, putting clients on the path to long term safety and sustainable, stable accommodation.

Refuges provide a safe and supportive environment for households fleeing domestic abuse with short term, intensive support. Islington's domestic abuse refuge offers a safe haven for individuals seeking refuge from other parts of the country, just as refuges in other parts of the country offer safe spaces to our own residents fleeing abuse. 70% of referrals to refuge services in England are from local authority areas outside the one in which the service is located. This is because most refuges prefer to accommodate victims of domestic abuse at a 'safe' distance from where the offence has been committed in order for them to be safe from the perpetrator. The majority of Islington residents who require such services are referred into refuges outside of the borough. Additionally, the locations of refuges within Islington are kept confidential.

Legislatively, the Care Act (2014) specifies that freedom from abuse and neglect is a key aspect of a person's wellbeing, and local authorities have a duty to provide advice and support to prevent the arising or worsening of care and support needs from abuse. In addition the Housing (1996) and Homelessness (2002) Acts specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness – the former Act including those who are living in a refuge.

The borough currently provides 21 units of refuge accommodation for women over 16 with or without children in at two separate sites, one of which has offices on-site. When examining the service as part of the tender exercise it was deemed important to maintain the current level of provision in order to meet national need. The national Women's Aid Survey (2015) found that on one day taking as an example, 92 women and 75 children were turned away from refuge provision, 45% of refusals explained by a lack of available units. Only 34% of referrals were accepted. At Islington, the refuge has had at least 95% utilisation in the past two years, and a high level of throughput indicating that voids are quickly filled.

- 4.2 The service will be funded from the Housing and Adult Social Services (HASS) budget. The contract was advertised with an annual value of £224,821. Over a maximum of five years, this would make the maximum value of the contract £1,124,105.

The overall, advertised value of the contract across participating boroughs was £648,061 per year or £3,240,305 across the lifetime of the contract.

The winning bid for Islington's Lot from Solace came in at £182,016 per year meaning that a five year contract would have a value of £910,080. This equates to an annual saving of £42,805 and a saving of £214,025 over five years.

The total sum of the winning bids from Solace (who won all four Lots associated with the procurement) came to £584,427 per annum, or £2,922,135 across the lifetime of the contract.

The annual and total values of Islington's domestic abuse refuge contract will therefore be slightly less than current provision, though given that the incumbent provider bid at a lower level we are confident that the service can be provided. Moreover, benchmarking reveals that spend on this service will still be well within line with the London average. The structure of the contract (3+1+1) leaves further flexibility for further changes in future.

- 4.3 The domestic abuse refuge for vulnerable women and children is considered a Housing and Related Support Service (social services), and is therefore covered by the 'light-touch' regime. A procurement exercise was carried out by the Strategy and Commissioning team and relevant counterparts in Enfield and Haringey, with advice from Strategic Procurement and Legal Services, with relevant counterparts in the other procuring boroughs.

The Procurement Strategy for this contract was examined by the Commissioning and Procurement Board on 26 September 2016. The strategy was to partake in a joint procurement with Enfield and Haringey, and to follow the open procedure.

De-commissioning the service and re-procuring the service without partners were both considered. On the former, it was felt the detrimental impact and worse outcomes suffered by victims of domestic abuse and their children would be in contravention of both the Council's 'A Fairer Borough' corporate plan and the Violence Against Women and Girls (VAWG) strategy's aims.

Commissioning independently was considered and benefits to this approach included working to only our own timescales and governance procedures, as well as having more autonomy with writing the specification. However jointly procuring was the preferred option as it had added benefits of achieving economies of scale through joint management structures of the provider, lightening the resource required to complete the re-procurement, and give an opportunity to share information, practices and lessons learned.

In jointly procuring this service with two other London boroughs, Enfield and Haringey, we proceeded with separate block contracts, with Lots specifying the different requirements (i.e. units) for each borough. Three of the four total Lots were for refuge provisions in Enfield, Haringey and Islington respectively. An additional Lot was for floating support provision to supplement the domestic abuse refuges commissioned by Haringey.

The joint procurement exercise came about as a result of initial conversations between commissioners at local authorities who were due to re-commission their domestic abuse refuges at the same time. It was felt a joint re-procurement would increase transparency within the limited Provider marketplace, facilitate joint-working between local authorities e.g. sharing information regarding issues and trends in provision, and discussion of common issues in joint contract meetings with the successful Provider(s).

Different governance procedures have led to a delay in the award of the contract which could have been more proactively mitigated at the outset of the project. However the exercise was useful in making aspects such as hourly rates more transparent, and shared contract monitoring meetings will allow the Council to have a greater insight into how the service performs in other contexts and local trends and issues.

- 4.4 The refuge will prevent abused women from becoming homeless, and provide support in traumatic circumstances.

The service will additionally support these women in becoming independent and aim to maximise their social and economic wellbeing, including encouraging clients' active involvement in their own support plans and with wider community organisations.

During evaluation, much was made of added value, and providers were made aware during the tendering process that each method statement would take into account the added value each Provider could bring to the service. Examples of such added value include but are not limited to projects conducted with other providers and/or community organisations; additional (i.e. grant) funding given to the Provider to run specific programmes of value; and supplementary provision offered by the Provider e.g. translators, pro-bono lawyer work.

- 4.5 The contract was advertised in the official Journal of the European Union (OJEU). An advert was also placed on the London Tenders Portal on 21 November 2016.

The following award criteria were advertised. These were developed by commissioners and relevant service managers from the three participating boroughs with advice from respective Procurement teams.

**Cost 40%** made up of:

- Lowest total contract price – 10%
- Lowest hourly rate – 15%
- Highest number of annual support hours offered – 15%

**Quality 60%** made up of:

- Proposed model of service – 10%
- Promoting wellbeing and independence – 10%
- Service monitoring and continuous improvements – 5%
- Partnerships, communication and innovative working – 10%
- Managing risk and safety – 15%
- Service user questions – 10%

Questions posed by service users asked providers to evidence how the service would be provided in a dignified, nurturing and respectful way, accounting for diversity e.g. in ethnicity, age, circumstance, history. These were written with the support of a VAWG Service Manager. The same service users were then asked to evaluate providers' responses to their questions, again with support from the Service Manager.

Providers were required to score a minimum of three points for each of the areas in the method statement questions. All providers were advised failure to achieve this would result in their tender submissions being disqualified from the procurement process.

Each of the three boroughs were allocated with a Lot to detail specific requirements. Providers were asked to submit a common quality response for the refuge provision, and a separate response for a Haringey-specific Floating Support-oriented lot. Providers were asked to submit a pricing schedule which requested a separate price for each Lot that they were bidding for. The Lots were:

- Lot 1 – Enfield refuge provision and floating support
- Lot 2 – Haringey refuge provision
- Lot 3 – Haringey floating support
- Lot 4 – Islington refuge provision

Tender process

In response to the contract notice, two providers submitted tenders for all four Lots, and an additional organisation submitted a tender for Lot 3 only.

The quality submissions were evaluated by two council officers from each of the participating boroughs. The panel scored admissions individually, and then a consensus meeting was held on 25 January 2017 where the panel agreed the final quality evaluation scores for all providers.

The evaluation panel recommends the awarding of all four Lots to Solace based on their performance against the above criteria demonstrating they are the Most Economically Advantageous Bid.

The exempt appendix details the scoring of bids received.

## **5. Implications**

### **5.1 Financial implications:**

Housing Related Support, Domestic Abuse Refuge Provision is funded from the Adult Social Services base budget and the proposed contract award to Solace Women's Aid for a period of three years with the option to extend for a further two years (in two twelve month extensions) will not result in a budget pressure for the department.

The annual contract value is £182k and the total value over the maximum five year contract term is £910k.

Payment of the London Living Wage is a requirement of the contract and will not result in any additional costs. Any TUPE cost implications that may arise from this tender will have to be met by existing resources outlined above.

### **5.2 Legal Implications:**

The Council has power to provide services in respect of domestic violence refuge provision for women and children under the Care Act 2014 which specifies that freedom from abuse and neglect is a key aspect of a person's wellbeing (section 1(2)(c), and local authorities have a duty to provide advice and support to prevent the arising or worsening of care and support needs arising from abuse (section 4). In addition, the Housing Act (1996) and Homelessness Act (2002) specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness – the former including those who are living in a refuge. The Council has power to undertake a joint procurement exercise with another local authority under section 111 of the Local Government Act 1972 which provides the power for the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council has power to enter into contracts with providers of such services under section 1 of the Local Government (Contracts) Act 1997. Corporate Directors have power to award contracts paid for using revenue money of up to £2,000,000 of Islington Council spend (council's Procurement Rule 18.1.2).

The services being procured are subject to the light touch regime set out in Regulations 74 to 77 of the Public Contracts Regulations 2015 (the Regulations). The threshold for application of this light touch regime is currently £589,148.00. The value of the proposed contract is above this threshold. The council's Procurement Rules require contracts over the value of £164,176.00 to be subject to competitive tender. In compliance with the requirements of the light touch regime in the Regulations and the council's Procurement Rules the contract was advertised in OJEU.

Bids were subject to evaluation in accordance with the evaluation model. Accordingly the contract may be awarded to the highest scoring tenderer which was Solace. In deciding whether to award the contract to the recommended service provider the Corporate Director should be satisfied as to the competence of the supplier to provide the services and that the tender prices represent value for money for the Council.

### **5.3 Environmental Implications**

An environmental impact assessment has been conducted on the proposed contract and identified no significant impacts. The service is a refuge offering, amongst other functions, supported housing and it is therefore expected to use basic energy such as heating, cooling, catering, lighting, kitchen and bathroom facilities. Where possible and/or relevant, the provider should look to use energy,

water and materials in an efficient and environmentally friendly way, e.g. by using energy saving lightbulbs, providing double-glazed windows and/or insulation to decrease energy costs, and processing waste in an environmentally friendly way (i.e. recycling, composting).

Minor impacts associated with staff travel, office-based work, vehicular emissions have also been identified but should be minimised by the provider.

#### **5.4 Resident Impact Assessment:**

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment was carried out in July 2016 which identified a positive impact on women and children accessing the service.

#### **6. Reasons for the decision: (summary)**

- 6.1 Following the successful conclusion of the tender process the evaluation panel recommends that the contract for domestic abuse refuge provision for women and children is awarded to Solace as the Most Economically Advantageous Bid.

The contract will commence on 1 August 2017.

#### **7. Record of the decision: (to be completed after 5 days on the website and re-sent to Democratic Services)**

- 7.1 I have today decided to take the decision set out in section 2 of this report for the reasons set out above.

#### **Signed by:**

Corporate Director, Housing and Adult Social  
Services

Date

#### **Appendices**

- Exempt appendix: Full breakdown of bids received and scores.

#### **Background papers:**

- None.

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