

Key Decision Report of: Director, Children's Services

| Officer Key Decision | Date | Ward(s) |
|----------------------|-------------------|---------|
| | 29 September 2017 | All |

| Delete as appropriate | Exempt | Non-exempt |
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| | | |

SUBJECT: Procurement Strategy for Independent Domestic Violence Advocacy (IDVA) and Support Service

1. Synopsis

- 1.1 This report seeks pre tender approval for the procurement strategy in respect of the Independent Domestic Violence Advocacy (IDVA) and Support Service to deliver support to victims of Domestic Violence and Abuse (DVA) in accordance with Rule 2.5 of the Council's Procurement Rules.

2. Recommendations

- 2.1 To approve the procurement strategy for the Independent Domestic Violence Advocacy (IDVA) and Support Service that will be commissioned in 2018 as outlined in this report.

3. Date the decision is to be taken

9 October 2017.

4. Background

4.1 Nature of the service

Islington Council wishes to procure a service to reduce the risk of harm to survivors/victims and their children of DVA. The service will provide one-to-one support to high risk victims at the point of crisis as well as to those at standard and medium risk levels. This will include all gender and ages 16yrs and above. The service will coordinate multi-agency support and provide practical solutions to aid recovery, improve the safety and well-being of the victim and their family.

IDVA's will be assigned to high risk victims, and support workers will be assigned to lower risk cases. The IDVA's provide a specialist service and provide case work support to individuals referred to the MARAC (Multi Agency Risk Assessment Conference) because they have been identified as high risk of serious harm or homicide. The IDVA is proactive in implementing safety plans and risk management which includes practical steps to protect victims and their children. The safety plans are overseen by the monthly MARAC meetings which determine any further actions required to safeguard the individuals and families discussed.

In preparation for this procurement the existing service provision has been reviewed to identify improved models for delivery of this service. This has included piloting co-location of services which we will seek to build into the new contract. We consulted widely with service users and practitioners to develop the Islington Violence Against Women And Girls (VAWG) Strategy 2017 - 2021 and this consultation has informed this commissioning strategy.

4.2 Estimated Value

This contract is funded through London Crime Prevention Funding through the Mayors Officer for Policing and Crime and Council core funding of £220,000 per annum. The total value of the contract will be £660,000 over three (3) years. There will be an option to extend for a further two (2) + two (2) years. Therefore the maximum contract value over the maximum seven (7) years would be £1,540,000.)

The spend on the service in the previous two years has been £360,000 and in the period April 2015 – March 2017 the service has provided support and information to hundreds of victims and families including the IDVA case work to the 695 of victims referred to by the DV MARAC in 2015 - 2017. The new service will be procured in line with Safe Lives guidance, who are the national organisation that provides guidance on the provision of MARAC and IDVA services in the UK. The funding for the new contract has been increased by £40,000 per annum to provide an additional IDVA resource to meet the increase in demand seen by the service in the past year, to provide the minimum number of IDVA's in order to keep victims safe.

Rates of DVA have increased in Islington in the past few years with higher rates of violence than the London average. Islington recognises that there is a high human cost as well as financial cost to services as a result of DVA. Based on research by Professor Sylvia Walby, *Cost of Domestic Violence: Update 2009*, and borough estimates from figures released by Trust for London and Henry Smith Charity in 2011, this is estimated to cost the borough £25.7million per annum, taking into account the health, social care, housing, legal and criminal justice costs. Therefore the provision of successful IDVA and support service through this contract provides excellent value for money and crucial support to improve the safety of victims and their children.

4.3 Time table

The following key dates must be reached:

- Advert (including in OJEU) and tender documents published November 2017
- Evaluation completed – January 2018
- Contract Award – Feb 2018
- Contract start date – 1 April 2018

The current contract ends on the 31 March 2018. There are no statutory deadlines required. In preparation for this procurement strategy we consulted widely through the development of the Islington VAWG Strategy 2017 – 2021 which was launched in February 2017. This involved consultation with service providers, and managers and practitioners working with

VAWG victims and perpetrators across statutory and VCS services. In addition we consulted with DVA survivors both from the Advocacy and IDVA and Black, Minority, Ethnic and/or Refugee (BMER) specific VAWG services in the borough. The commissioning process itself has been reviewed by the VAWG Strategy Board and the procurement strategy was agreed by the senior representatives attending the board. We intend to further consult with service users throughout the procurement process. There is also a service user who is part of the VAWG Business group which oversees the operational commissioning process on behalf of the VAWG Strategic Board.

4.4 Options appraisal

The VAWG Business Group looked at the following options

- Joint procurement with neighbouring boroughs
- Providing the service in-house
- Procurement through a competitive tender

Contact was made with Camden, Haringey and Hackney to see whether they would be interested in a joint procurement. Although all boroughs are developing services in this area, the timing did not fit with their procurement strategies. However we are working with neighbouring boroughs on the joint procurement of other services around VAWG including the refuge service.

Providing the service in-house would risk losing the specialist knowledge and expertise that the established voluntary and independent providers have gained working with this high risk group of victims. Many of the main providers of VAWG services have established track records in the delivery of VAWG services and are able to provide additionality through their in-house services e.g. counselling and legal services.

The preferred option is procurement through a competitive tender as this will increase competition in the market from the range of organisations who work in this area.

4.4 Key Considerations

This service delivers important work with victims (female and male) and their families affected by DVA who are at risk of moderate harm, serious harm and homicide. This involves working with families where there can be serious safeguarding concerns for the children and vulnerable adults. The service works closely with police and children and adult safeguarding services as well as a range of other partners including health, probation, housing and education.

The council together with our partners, is fully committed to preventing and tackling all forms of Domestic Violence and Abuse this includes services for boys and men affected; this service is Islington's main commissioned support and advocacy service for victims of this highly prevalent crime in our borough. In 2015 there were 5,267 domestic violence incidents recorded by the police with 4,000 identified victims. DVA is a largely unreported crime and therefore there are many more victims and children affected in Islington than records show.

London Living Wage (LLW) has been considered and successful bidders will be contractually obliged to pay LLW or above should there be no cross border interest in the contract following the OJEU contract notice. The contract is not expected to generate cross border interest.

Best value has been considered through the provision of services via co-location arrangements with the key agencies e.g. children's social care, health, police and housing. Through these arrangements the service can reach the victim at the earliest opportunity and by working alongside the practitioners in these services, work force development and their capacity to identify and support victims of DVA is enhanced.

The service will operate within a performance monitoring and quality assurance framework. The contract will be monitored against a range of targets and outcome measures. Review meetings and quality assurance checks will be carried out to allow for continuous improvement and service development.

As this is an existing service, there may be TUPE implications.

4.4 Evaluation

The tender will be conducted in one stage known as the Open Procedure as the tender is 'open' to all organisations who express their interest in the tender. The open procedure includes minimum requirements which the organisation must achieve before their full tender submission is evaluated.

Bids will be awarded on the basis of 70% quality and 30% cost.

| Tender award criteria | Total |
|---|--------------|
| Cost | 30% |
| Quality – made up of | 70% |
| Proposed model of service and staffing | 25% |
| Quality assurance, service monitoring and continuous improvement | 5% |
| Proposals on meeting the needs of a diverse client group and promoting the voice of survivors | 10% |
| Proposed approach to partnership and multi-agency working | 10% |
| Proposed approach to managing risk and safety | 10% |
| Proposed approach to contract implementation, transition and mobilisation | 10% |
| Total | 100% |

4.5 Business Risks

There are two main risks identified with this procurement.

Firstly, no one bids for this service. This is unlikely but the impact would be high. There is an established market of providers (both local and national) for services to support victims of domestic violence and abuse including those based locally in Islington and elsewhere in London and the UK.

Secondly, victims and families could face a lack of continuity of service as there would need to be a transfer of a high number of cases should the service be transferred to a new provider. This is likely and could have a high impact. To mitigate the impact, there will be a requirement for robust implementation and transition arrangements, with a mobilisation period to allow for case transfer and that the safety plans are maintained during the transition. This will also ensure new referrals are taken by the existing service until transfer of caseload to avoid any break in service provision.

There will also be an expectation that the winning providers would actively identify opportunities to strengthen relationships with the voluntary sector and apply for funding to bring in additional capacity to the service.

The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to sign the Council's anti-blacklisting declaration. Where an organisation is unable

to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

- 4.6 The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.6 of the Procurement Rules:

| Relevant information | Information/section in report |
|--|---|
| 1 Nature of the service | Independent Domestic Violence Advocacy (IDVA) and Support Service to deliver advice and support to victims of domestic violence and abuse (DVA) See paragraph 4.1 |
| 2 Estimated value | The total value of the procurement over the maximum seven year period is £1,540,000 The agreement is proposed to run for a period of three years with two optional extension periods of two years each. See paragraph 4.2 |
| 3 Timetable | See paragraph 4.3 |
| 4 Options appraisal for tender procedure including consideration of collaboration opportunities | Competitive tender See paragraph 4.4 |
| 5 Consideration of: Social benefit clauses; London Living Wage; Best value; TUPE, pensions and other staffing implications | Considerations factored into evaluation criteria and contractual arrangements. See paragraph 4.4 |
| 6 Evaluation criteria | Cost 30% - Quality 70%. The award criteria price/quality breakdown is described within the report. See paragraph 4.4 |
| 7 Any business risks associated with entering the contract | Business risks will be managed through good communication and engagement with the provider. See paragraph 4.5 |
| 8 Any other relevant financial, legal or other considerations. | See paragraph 5 |

5. Implications

5.1 Financial implications:

The contract will be funded by MOPAC (Mayors Officer for Policing and Crime) monies and core LBI revenue funds. A review of the financial funding position will need to be undertaken before agreeing any contract extension beyond the initial three years.

5.2 Legal Implications:

The Council has power to provide Independent Domestic Violence Advocacy (IDVA) and Support Services under section 1 of the Care Act 2014. This provision imposes a general duty on the council in exercising its functions under part 1 of the Care Act 2014 to promote the 'well-being' of individuals. Well-being includes (a) physical and mental health emotional well-being and personal dignity (b) control by the individual over day to day life (c) participation in work education, training or recreation (section 1).

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)]]].

The Council has power to enter into contracts with providers of such services under section 1 of the Local Government (Contracts) Act 1997.

The estimated value of the contract is £1,540,000.00 over the seven (7) year period. This is over the EU threshold for application of the light touch regime in the Public Contracts Regulations 2015. It will therefore need to be advertised in the Official Journal of the European Union. The council's Procurement Rules also require contracts over the value of £164,176.00 to be subject to competitive tender. The proposed procurement strategy, to advertise a call for competition and procure the service using a competitive tender process, is in compliance with the principles underpinning the Regulations and the council's Procurement Rules.

On completion of the procurement process the contract may be awarded to the highest scoring tenderer subject to the tender providing value for money for the council.

5.3 Environmental Implications:

[Please see the guidance on izzi regarding environmental implications and once you have drafted your paragraph, forward it to the Energy Services team at energyservices.@islington.gov.uk allowing 8 days for clearance.]

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."

6. Conclusion and reasons for recommendations

- 6.1 Reducing the number of victims and children affected by VAWG remains a priority for Islington. The aim is to make Islington a safer place for everyone who lives here, especially in their own home. This service provides essential support to victims of VAWG and their families including the hundreds of victims referred to the DV MARAC each year because they and their families are at high risk of serious harm or homicide.

The IDVA and Support Service will advise and support standard, medium and high risk victims of domestic and sexual violence and abuse. The aim of the service is to reduce the risk of harm to survivors/victims and their children, to aid their recovery and improve their well-being.

Appendices: None

Background papers: None

Signed by:

Corporate Director Children Services

Date

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