

VAWG and Youth Safety Commissioning
222 Upper Street, N1 1XR

Report of: Executive Member for Community Safety, and
Executive Member for Children, Young People and Families

Meeting of: Executive

Date: 13 October 2022

Ward(s): All

Subject: Islington VAWG Procurement Strategy 2023 - 2032

1. Synopsis

1.1. This report seeks pre-tender approval for the procurement strategy for the: Core and Targeted Independent Domestic Violence Advocacy (IDVA) service (contract 1), Black, Asian and minoritised ethnic women IDVA service (contract 2), and Domestic Abuse Refuge service (contract 3) in accordance with Rule 2.8 of the Council's Procurement Rules.

1.2. This procurement strategy describes plans for commissioning:

- Core and Targeted IDVA service providing support and advocacy for survivors of domestic abuse (all genders), domestic abuse counselling and specialist advocates posts embedded within Mental Health, Housing, Children Social Care, and the Multi-Agency Safeguarding Hub;
- Domestic abuse support and advocacy service for Black, Asian and minoritised ethnic women and;
- Domestic abuse refuge supporting women and children fleeing violence and abuse.

2. Recommendations

- 2.1. To approve the procurement strategy for Core and Targeted IDVA service, Black, Asian and minoritised ethnic women IDVA service, and Domestic Abuse Refuge service as outlined in this report.
- 2.2. To delegate the award of the contract for Core and Targeted Independent Domestic Violence Advocacy (IDVA) service to the Corporate Director of Children's Services following consultation with the Executive Member for Children, Young People and Families and the Executive Member for Community Safety.
- 2.3. To delegate the award of the contract for Black, Asian and minoritised ethnic women IDVA service to the Corporate Director of Children's Services following consultation with the Executive Member for Children, Young People and Families and the Executive Member for Community Safety.
- 2.4. To delegate the award of the contract for Domestic Abuse Refuge service to the Corporate Director of Children's Services following consultation with the Executive Member for Children, Young People and Families and the Executive Member for Community Safety.

3. Background

3.1. Nature of the service

- 3.1.1 Islington Council intends to procure support services to reduce the risk of harm to survivors of domestic abuse and sexual violence and their children. The impact of this on children means that the Children Act (1989 and its amendment of 2004) is significant here. The services will provide support and advocacy to survivors of all genders at high and medium risk of harm at the point of crisis, as well as signposting to wrap around services for survivors of low risk of harm. The services will be transgender and non-binary inclusive and will work with survivors who are 16 years and above. The services will also include a specialist provision for women from Black, Asian and minoritised ethnic women, and for women experiencing multiple disadvantage and refuge provision for survivors fleeing domestic abuse. The services will support survivors by providing practical and emotional solutions to aid recovery and improve the safety and well-being of survivors and their children. The services will work together with Islington VAWG partners including council services, police, health, education, probation and VCS organisations to provide coordinated multi-agency support to reduce the impact of domestic abuse, sexual violence, harmful practices, cohesive control, stalking and harassment, and financial abuse.

The services will include: a core duty team, co-located roles in Islington police station, targeted posts based in Islington housing department, children social care, Multi-Agency Safeguarding Hub (MASH), and Islington mental health services, and a specialist service supporting women from Black, Asian and minoritised ethnic women and women experiencing multiple disadvantages, and a team of refuge support staff. The services will lead on the borough's provision of domestic abuse and sexual violence support through implementing safety and risk management plans to protect survivors and their children from further risk of harm and support the recovery from experienced trauma.

- 3.1.2 Responding to domestic abuse and sexual violence and abuse is a complex issue. Domestic abuse and sexual violence are experienced by adults and children from all social and economic backgrounds. The number of domestic abuse crimes recorded by the police in England and Wales in the year ending March 2021 increased by 6% (ONS 2021) and according to the Crime Survey for England and Wales (CSEW) year ending March 2020, an estimated 1.8% of adults aged 16 to 74 years experienced sexual assault (including attempts) in 2019/2020. Many domestic abuse and sexual violence incidents remain unreported and often result in devastating consequences for long term mental and physical health.

The council has a statutory duty to provide support to survivors of VAWG and their children. The Domestic Abuse Act 2021 includes duty to:

- provide support to victims of domestic abuse and their children within safe accommodation, to ensure that victims and their children across England can access the right support in safe accommodation when they need it.
- recognise children as victims of domestic abuse in their own right where they see, hear or experience the effects of domestic abuse. As such, any applicable duties in the Act toward victims apply to children falling under this definition to ensure they are duly supported in dealing with the impacts of experiencing abuse.
- ensure that every victim/survivor, whether adult or child, is an individual with different experiences, reactions and needs. Local areas should ensure that services are flexible and responsive to the victim's experience and voice, recognising both risk and need.
- Offer community-based support for all children and survivors affected by domestic abuse

The strategy also adheres to The Children Act 1989 and 2004 and local and national Supporting Families Framework.

Islington Council considers domestic abuse and sexual violence a gendered crime. Islington's VAWG Strategy 2021 – 2026 focuses on the needs of women and girls due to the disproportionate impact of domestic abuse and sexual violence crimes on women and girls. Although the core service works with all genders, the Office for

National Statistics (ONS) estimates that one in three women aged 16-59 will experience domestic abuse in their lifetime. Two women per week are killed by their current or previous partner in England and Wales alone and in the year between March 2019 and March 2020, 1.6 million women experienced domestic abuse. Almost one in three women aged 16-59 will experience domestic abuse in her lifetime. Women are more likely to experience higher rates of repeated victimisation and are more likely to be seriously hurt or killed than male survivors of domestic abuse (ONS 2019). Women are also more likely to be subjected to coercive and controlling behaviours and experience higher levels of fear. In the year ending March 2019, most defendants in domestic abuse related prosecutions were men (92%) and most survivors were female (75%).

3.1.3 In preparation for this procurement the existing service provision has been reviewed to identify improved models for delivery of this service. The Islington VAWG Strategy 2021 – 2026 launched in November 2021, sets out the borough's commitment to make Islington a safer place to live, work, travel, have fun and visit for women and girls. In 2020/21, Islington supported over 1,500 survivors. We also increased investment in specialist VAWG Services in 2020-21, funding new Independent Domestic Violence Advocates (IDVA) roles and establishing one of the first multi-agency Daily Safeguarding Meeting (DSM) in London, to provide a much faster, whole-system response to address the perpetrators behaviours and address the needs of survivors and their children.

Our existing service receives excellent feedback from survivors as outlined in the quotes below:

- "I now feel safe as I am completely away from any potential physical and emotional abuse from my ex-partner."
- "I met you at a time when I felt I had no choice and was about to go back to my abusive husband. I had a disabled child and was NRPF, I was completely dependent on him. You helped me get a secure immigration and helped me apply to welfare. You helped me communicate with social services who found a safe house for me and my children to live a new life."
- "Before starting I was not sure about counselling: I thought I was managing, but at the same time I felt very ill. The sessions first helped me understanding my physical symptoms and the link with what had happened. I felt I was given permission to feel upset, that it was ok not to feel ok. I began being less scared of the images and memories in my head and this helped me to accept my feelings instead of pushing them away."

In 2021-2022 following engagement with domestic abuse support services:

- 72% of survivors stated that they felt safer
- 78% of survivors felt more confident and reported improved self-esteem
- 96% of survivors were able to recognise abusive behaviour and
- 87% of survivors reported that their support networks have improved

Whilst figures show that Islington has taken important steps towards improving its response to VAWG, we are aware that more needs to be done. For instance, rape investigation rates in the borough have decreased from 9% in 2020-2021 to 5% in 2021-2022. Our overarching commitment is to keep as many of our women and girls and their families as safe as possible, to make perpetrators accountable for their actions and to have a first class system in place to achieve this.

3.2 Estimated value

3.2.1 The Core and Targeted IDVA service and the Domestic abuse support and advocacy service for Black and minoritised ethnic women are part funded by MOPAC's London Crime Prevention Fund (LCPF). The LCPF grant is allocated every three years. Current funding has been confirmed for April 2022 until March 2025. Due to the external match funding contracts length will be initially awarded for two years with possibility of extension in line with LCPF funding. The full length of contract will therefore be issued for two years with the possibility to extend for three years and three years (total length of contact will be eight years).

3.2.2 The value of funding will therefore be written into the contracts to incorporate potential reduction of funding if LCPF grant would not be extended as below.

The tender expression of interest will include question regarding proposed model of delivery and staffing in an event that the funding will have to be reduced.

The tender will also include question regarding TUPE management if funding would be readied in year 3 or/and year 6.

| Funding source annual | Core and Targeted IDVA service (contract 1) (£) | Black and Minoritised Ethnic women IDVA service (contract 2) (£) | Domestic Abuse Refuge service (contract 3) (£) | Total funding – three contracts (£) |
|---|---|--|--|-------------------------------------|
| LBI Core (VAWG) | 343,000 | 88,000 | 5,483 | 436,483 |
| LBI Core Fund Adult Social Care (ASC) | - | - | 181,517 | 181,517 |
| MOPAC London Crime Prevention Fund (LCPF) grant | 92,000 | 60,000 | - | 152,000 |
| Total annual contract cost full funding including MOPAC grant extended | 435,000 | 148,000 | 187,000 | 770,000 |

| | | | | |
|---|---------|--------|---------|---------|
| Total annual contract cost if MOPAC LCPF funding not extended | 343,000 | 88,000 | 187,000 | 618,000 |
|---|---------|--------|---------|---------|

| | |
|--|-----------|
| Contract total maximum (eight years) | 6,160,000 |
| Contract total minim (eight years – if MOPAC LCPF funding reduces from year three) | 5,248,000 |

All spend will be allocated to support the Islington council residents.

3.2.3 The spend on this service for the last two years will be allocated as below:

| | |
|---|-----------|
| Contract total maximum (two final years with MOPAC LCPF funding continuation grant) | 1,540,000 |
| Contract total maximum (two final years if MOPAC LCPF funding grant not extended) | 1,236,000 |

3.2.4 Reduction of budget will ultimately increase the pressure on, and costs to, statutory public services. If support services are reduced and domestic abuse continues to increase the demand for services such as housing, health, policing and adult and children’s social care will increase.

In the year ending 31 March 2017, domestic abuse is estimated to have cost over £66 billion in England and Wales with the estimated cost for a single victim of domestic abuse is £34,015 (Home Office 2019).

In preparation for this procurement the existing service provision has been reviewed to identify improved models for delivery of this service. The Islington VAWG Strategy 2021 – 2026 included a review of current service provision and estimated service needs in preparation for the future procurement. This includes transferring resources to increase resources for the targeted Black and minoritised ethnic women support IDVA provision and reducing the cost of core IDVA contract overheads by assimilating smaller pilot programmes’ contracts into the core service delivery.

Islington’s VAWG commissioning outcome measurement framework and contract monitoring process adheres to the set of National Shared Core Standards developed by members of a VAWG Sustainability Working Group, which drive forward quality improvements and provide benchmarks for service providers, funders and commissioners about the extent and mix of services that should be available, who should provide them, and the principles and practice base from which they should operate (Home Office 2016).

- 3.2.5 The provision of a successful IDVA and support service through this contract provides excellent value for money and crucial support to improve the safety of survivors and their children. With the increase in IDVA post in Islington in 2020/2021 financial year, over 1,500 survivors were supported by Islington domestic abuse advocacy services. With IDVA services fully embedded in their targeted co-location areas numbers or referrals are continuing to increase with 2,008 survivors supported in 2021/2022 including:
- 194 survivors were supported to access safe accommodation and prevent homelessness
 - 93 survivors and their families were supported to improve safety of their properties and enable them to remain in their accommodation and prevent re-location
 - 271 survivors were supported to access welfare benefits
 - 107 survivors were supported to access education, employment and/or training
 - 688 survivors were supported to access civil and legal protection orders against their perpetrators

For every £1 spent on a Multi-Agency Risk Assessment Conference (MARAC) high risk case that is supported by an IDVA, at least £6 of public money can be saved annually on direct costs to agencies such as the police and health services (Home Office 2019). With increased resources invested into Islington's Domestic Abuse Daily Safeguarding Meeting (DSM previously MARAC), in 2021/2022:

- DSM heard 695 high risk referrals. This is 75% higher than the national average and 28% higher than the London average. DSM also received 22% more early intervention referrals from health, education and housing than national average of non-police referrals.
- Islington repeat referral rate was 8% lower than the national average. This is due to high rate of DSM referrals from non-police partners including health and social care, early identification and intervention and increased scrutiny on high risk referrals being identified by the police.

2014 Evidence Hub DVA report estimated (based on national research) found that annual cost of domestic abuse in Islington was £25.7 million: £8.5m (33%) – lost economic output, £7.7m (30%) – physical and mental health care, £5.6m (22%) – criminal justice, £1.7m (7%) – civil legal services, £1.35m (5%) – social services and £0.9m (4%) – housing and refugees.

- 3.2.6 Parts of the Core and Targeted IDVA and Black and minoritised ethnic women IDVA services contracts will be funded by MOPAC London Crime Prevention Fund (see 3.2). This funding is re-allocated every three years and current arrangement has been confirmed up to the end of March 2024/2025. A review of the financial funding position will need to be undertaken before agreeing any contract extension beyond the initial two years (prior to year three and prior to year six extensions).

3.3 Timetable

- 3.3.1 Key dates for the procurement are:

- October 2022: Tender documents publication

- November 2022: Evaluation
- December 2022: Contracts award
- April 2023: Contracts commence

3.3.2 The current contracts expire on 31 March 2023 and it is important to ensure that there is continuity of services for women and girls who may be at risk (and any potential children they may have).

3.3.3 There is no other statutory deadlines aside of standard procurement regulations.

3.3.4 The procurement strategy is informed by consultation with key stakeholders including service users, survivors, and their children (where appropriate), VAWG service providers and statutory, voluntary and community VAWG Strategy Board partners. The consultation was completed as part of the development of the VAWG Strategy 2021-2026 launched in November 2021. The ongoing co-production with survivors which will inform the final service specification and Experts in experience will join the procurement panel.

3.4 Options appraisal

3.4.1 Procurement routes considered:

- Option 1 – Joint commissioning
- Option 2 – Consortium model
- Option 3 – In-sourcing provision
- Option 4 – Procurement via competitive tender process

3.4.2 Option 4 – Procurement via competitive tender process. This is the recommended option. The commissioning model is designed to ensure thorough oversight from a contractual, budgetary and performance management perspective, whilst still meeting need and demand for specialist services and best achieving economies of scale. The option demonstrates a commitment to ensuring that services are focussed on the needs of survivors of VAWG.

Competitive tender process will increase competition in the market from the range of organisations who are experts in supporting survivors of VAWG and their children.

3.4.3 Joint commissioning was considered however this is not a recommended option – see below.

3.4.4 Option 1 – Joint commissioning. This is not the recommended option due to lack of interest from the boroughs we approached due to the differences in their respective commissioning arrangements for VAWG services. We are currently working with Camden, Haringey, Barnet and Enfield on the joint procurement of other VAWG services funded by Central Government, MOPAC and Public Health grants including North Central London Sexual Health IDSVAs service and Refuge family

support service. Our preference if we were to joint commission would be to do so with our neighbouring boroughs Camden, Haringey, and Hackney due to location and similar service needs around VAWG in these boroughs. However, all three boroughs declined, Camden and Hackney services are run in-house provided by the Local Authority and Haringey core services significantly differ from Islington's, including no provision of targeted delivery. Other local authorities across London were approached via MOPAC VAWG commissioner's forum however the feedback was boroughs prefer to commission independent for Core services.

- 3.4.5 Option 2 – Consortium model. This is not the recommended option. Such an approach will impact on the ability to provide specialised services, such as to women from Black and minoritised ethnic women, as it would not be economically viable and would disadvantage smaller, more specialist by and for providers whilst part of consortium with a larger provider.
- 3.4.6 Option 3 – In-sourcing provision. This is not the recommended option. Providing the service in-house would risk losing the specialist knowledge and expertise that the established voluntary and independent providers have gained working with survivors. Many of the main providers of VAWG services have established track records in the delivery of VAWG services and are able to provide economical additionality through their built-in services e.g. specialist legal services and counselling providing better value for money. They key reason for not in-sourcing the provision is to offer survivors independent advocacy provided by by and for providers and Voluntary and Community Sector (VCS) providers. From consultations with the survivors, we are aware that they value this when previously encountered challenging or in their perspective negative experiences from the council services (i.e. involvement with Social Services or Housing). The benefit of awarding the contracts to VCS providers is bridging the gap between survivors and statutory services including encouraging the survivors to engage with police.

3.5 **Key Considerations**

- 3.5.1 The Social Value has been considered as part of the quality evaluation in line with the Social Value Act 2012. The additional value of activities that the providers can deliver beyond their contractual obligation will be measured. This will improve the social, economic and environmental outcomes of the local area (i.e. volunteer's hours offered to support local provision including opportunity for training and volunteering for the council staff). These measurements will be made part of the contract's key performance indicators (KPIs) and will be monitored and delivered for the duration of the contracts.
- 3.5.2 The successful service providers will be asked to confirm that the staff involved in delivering the services will receive payment of the London Living Wage.

3.5.3 The successful provider will publish all vacancies on Islington Council's portal and will work with iWork on recruitment to entry level pathways. The provider will be encouraged to support service users to see the value of the lived experience to the workforce and have a model that allows people to build self-esteem through work placements.

A competitive tender will ensure best value and to identify new and innovate models of delivery.

3.5.4 The VAWG commissioned services have a positive and vital impact on survivors and their children who require support and engagement. The services will operate within a performance monitoring and quality assurance framework. The contracts will be monitored against a range of KPIs and outcome measures. Review meetings and quality assurance checks will be carried out to allow for continuous improvement and service development.

3.5.5 As all the services are currently in existence, TUPE will apply.

3.6 Evaluation

The tender will be conducted in one stage, known as the Open Procedure, as the tender is 'open' to all organisations who express an interest. The Open Procedure includes minimum requirements which organisations must meet before the rest of their tender is evaluated.

The quality award criteria will be 70% quality and 30% cost.

| Tender award criteria | Total |
|---|--------------|
| Cost | 30% |
| Quality – made up of: | 70% |
| Proposed model of service and staffing | 20% |
| Proposed approach to social value | 20% |
| 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 | 5% |
| Proposed approach to managing risk and safety | 10% |
| Total | 100% |

3.7 Business risks

3.7.1 Poor provider interest would have high impact on procurement. Pan London advertising of the tenders will be completed by the commissioners including through Pan London networks through MOPAC. National advertising will also be completed with support of VAWG practice networks partners including Safelives.

Timescales for the procurement (see 3.3) aim to provide three months mobilisation / handover period (January – March 2023). If TUPE would apply the planning for the transition will be clearly drafted by the council during procurement. Tender advertising / shortlisting period between October and December 2022 is being planned including consideration of diverse recruitment panel including expert in experience.

3.7.2 There will 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.

3.7.3 Lack of continuity of service is a high risk to safety of survivors and their children during transition to any new providers. To reduce the possible impact of service transition suitable implementation timescales have been included in the plan. Implementation and transition arrangements including a mobilisation period has been included in the tender quality evaluation.

3.7.4 No other implications have been identified.

3.8 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 complete an 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.

3.9 The following relevant information is required to be specifically approved in accordance with rule 2.8 of the Procurement Rules:

| Relevant information | Information/section in report |
|--------------------------|---|
| 1. Nature of the service | The services will provide support to survivors of domestic abuse and sexual violence through Core and Targeted IDVA services providing support and advocacy for survivors of domestic abuse, domestic |

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| | <p>abuse counselling and specialist advocates posts embedded within Mental Health, Housing, Children Social Care, Multi-Agency Safeguarding Hub; specialist Black, Asian and Minoritised Ethnic women domestic abuse support and advocacy service and Domestic Abuse refuge supporting women and children fleeing violence and abuse.</p> <p>See paragraph 3.1</p> |
| 2. Estimated value | <p>The estimated value per year is £770,000 for full funding or £618,000 from year three if MOPAC LCPF contribution would be reduced.</p> <p>The agreement is proposed to run for a period of two years with an optional extension of up to six years.</p> <p>See paragraph 3.2</p> |
| 3. Timetable | <p>Tender documents publication - July 2022 Evaluation - September 2022 Contracts award - October 2022 Contracts commence - April 2023</p> <p>See paragraph 3.3</p> |
| 4. Options appraisal for tender procedure including consideration of collaboration opportunities | <p>We recommend a competitive tender process.</p> <p>See paragraph 3.4</p> |
| 5. Consideration of: <ul style="list-style-type: none"> • Social benefit clauses; • London Living Wage; • Best value; • TUPE, pensions and other staffing implications | <p>As outlined in this report.</p> <p>See paragraph 3.5</p> |
| 6. Award criteria | <p>Award criteria will be 70% quality and 30% cost.</p> <p>See paragraph 3.6</p> |

| | |
|---|--|
| 7. Any business risks associated with entering the contract | <p>Poor provider interests would have high impact on procurement.</p> <p>Lack of continuity of service is a high risk to safety of survivors and their children during transition to any new providers.</p> <p>See paragraph 3.7</p> |
| 8. Any other relevant financial, legal or other considerations. | See paragraph 4 |

4 Implications

4.1 Financial Implications

4.1.1 There is currently sufficient Core budget and income from MOPAC to cover the proposed tender costs as outlined in Table 3.2

4.2 Legal Implications

4.2.1 This report seeks approval for the procurement strategy for a new domestic abuse and sexual violence service.

4.2.2 The Council has the power to provide such services under section 111 of the Local Government Act 1972 which enables the Council to carry out any activity that is calculated to facilitate or is conducive or incidental to the discharge of any of their functions. The Council may enter into contracts for such services under section 1 of the Local Government (Contracts) Act 1997.

4.2.3 The proposed contract will be for an initial period of two years with an optional extension of up to six years so the total maximum contract term is eight (8) years.

4.2.4 The total contract value over the maximum term of eight years is £6,160,000. However, if London Crime Prevention Funding (LCPF) is reduced after the second year then the total contract value will be £5,248,000. Both values are over the Public Contracts Regulations 2015 (as amended) (PCR) 'light touch' regime threshold of £663,540 so this contract will be subject to the 'light touch' regime of the PCR and must be advertised in the 'Find A Tender' Service.

4.2.5 The procurement must also comply with the Council's Procurement Rules. Under Procurement Rule 1.7 this is a band (iv) value contract and requires a formal tender process with a minimum of five (5) written competitive tenders. The report states

that a tender process using the open procedure will be used. This must be in accordance with the PCR.

4.2.6 The decision maker can approve the proposed procurement strategy provided they are satisfied with the contents of the report and that the recommendations represent value for money for the Council.

4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

4.3.1 Environmental Implications must be reviewed by the Energy Services team. Energy Services requires eight working days for implications to be reviewed. Email: energyservices@islington.gov.uk

4.4 Equalities Impact Assessment

4.4.1 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.

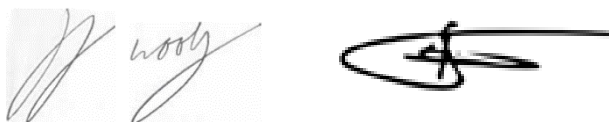
4.4.2 An Equalities Impact Assessment is not required in relation to this report, because the proposal has a beneficial and desirable impact on people with the identified protected characteristics.

5 Conclusion and reasons for recommendations

5.1 We recommend approving this procurement strategy for the VAWG services as outlined in 3.1. This will allow Islington to fulfil its obligations to provide advocacy provisions under the Domestic Abuse Bill 2020.

Background papers: None

Final report clearance:



Signed by:

Executive Member for Community Safety

Executive Member for Children, Young People and Families

Date: 3 October 2022

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