

CABINET

20 DECEMBER 2016

GATEWAY 1 PROCUREMENT COMMENCEMENT: MEDWAY DOMESTIC ABUSE SERVICE

Portfolio Holder: Councillor David Brake, Adult Services
Councillor Howard Doe, Deputy Leader and Housing and
Community Services
Councillor Adrian Gulvin, Resources
Councillor Andrew Mackness, Children's Services (Lead Member)

Report from: Ian Sutherland, Interim Director of Children and Adults Services

Author: Sue Edmed, Partnership Commissioner

SUMMARY

This report seeks permission to commence the procurement of a Medway Domestic Abuse Service.

The management options have been approved for submission to the Cabinet after review and discussion at the Children and Adults Directorate Management Team Meeting and the Procurement Board on 8 November 2016.

The Children and Adults Directorate Management Team Meeting and Procurement Board have recommended that this project be approved as high risk procurement.

1. BACKGROUND INFORMATION

1.1 Service Background Information

1.1.1 Medway has high levels of domestic abuse when compared to other parts of Kent, and a variety of services that offer support to domestic abuse victims. Domestic abuse support services in Medway are commissioned using departmental budgets from different service areas; there are different service providers working with victims of Domestic Abuse (DA) and information sharing processes between services do not facilitate effective tracking of individuals across service boundaries. This is likely, in some cases at least, to be leading to avoidable service duplication and victims potentially being given conflicting information and advice. The experience of accessing

appropriate services for both DA victims and for professionals working with DA victims can be confusing and unhelpful.

1.1.2 A number of services that comprise the current domestic abuse offer in Medway are coming to either the end of their contracts, or points at which break clauses could be invoked. This provides Medway Council with an opportunity to fundamentally change the way in which domestic abuse services are organised in Medway to generate efficiencies in the system and significantly improve service provision.

1.1.3 The domestic abuse commissioning strategy recommends that Medway Council exits the Kent and Medway contract and pools existing local spend to enable a holistic local single service to be commissioned to meet local need across the low, medium and high risk client groups.

1.2 Proposed Service Aims

1.2.1 By delivering a coherent and clear domestic abuse service, Medway will ensure a consistent and robust response to individuals and families affected by domestic abuse; the service will also aim to reduce the number of repeat incidences of domestic abuse experienced by individuals and families.

1.2.2 The service will aim to implement a service pathway for victims in Medway that enables prompt identification of domestic abuse, effective engagement with people experiencing domestic abuse by services, and that supports recovery from the experience and consequences of domestic abuse.

1.3 Budget & Policy Framework

1.3.1 A number of services are currently being commissioned to deliver domestic abuse services. These include:

- Refuges
- Floating Support Services
- Independent Domestic Violence Advisers
- The One Stop Shop
- The Freedom Programme
- The Sanctuary Scheme

1.3.2 Medway Council's total annual spend on domestic abuse is £354,550 per annum, including some finances delegated from the Police Crime Commission (PCC).

1.3.3 The Freedom Programme is currently being delivered through the Early Years service and is funded on an annual basis. The Independent Domestic Violence Advisor (IDVA) contract is a joint Kent and Medway contract commissioned by the PCC and funded by Medway Council,

KCC and the PCC. The IDVA service provides advice and support to high risk victims of DA.

1.3.4 Although the PCC will not recommission the IDVA contract from March 2017, funding will be made available to support domestic abuse services in Kent and Medway. Subject to a successful application for funds, Medway Council will receive £30,000 from the PCC to support DA services in Medway.

1.3.5 The funding sources for the current services are detailed in the table below;

Service Title	Budget Source
Refuge and Floating Support	Housing Services
Sanctuary Scheme	Housing Services
Independent Domestic Abuse Advisors	Public Health
Freedom Programme	Partnership Commissioning
One Stop Shop rent	Community Safety Partnership
Domestic Abuse Services	Police Crime Commission

1.4 Identification, Engagement and Intervention, Recovery

1.4.1 By delivering opportunities for identification, screening and assessment across Medway, prompt responses can be delivered for people experiencing domestic abuse. Medway Council and its partners will ensure that there is no 'wrong front door' to access support and services by supporting the delivery of training on identification of domestic abuse to professionals who are likely to have contact with affected individuals and families, and by raising awareness amongst communities of the nature of domestic abuse including who to contact for advice, assistance and support.

1.4.2 It is crucial that domestic abuse support services have referral criteria and processes that are easily disseminated and understood. Due to the nature of domestic abuse, disclosures that would merit a referral into services are made at a wide range of services and times. Referrals into services are currently made by victims, concerned members of the public, and professionals from a variety of organisations including those working in the criminal justice system, social care, emergency services, health and education services.

1.4.3 The nature of the initial response to the referral will be determined by the level of assessed risk at the point of entry, and common employment of the Domestic Abuse, Stalking and Honour Based Violence Risk Identification, Management and Assessment Model

(DASH); a nationally and locally recognised DA assessment tool which is central to ensuring a consistent response to all victims is delivered. In addition, open lines of communication between different elements of service provision will be crucial to ensure that services are able to meet the needs of domestic abuse victims as effectively as possible.

1.5 Future pathways of support

1.5.1 Clear pathways will be built into the new service model. This is expected to promote swift entry into services, consistent assessment and response, as well as enable services to share information in the best interest of victims.

1.6 Recovery from domestic abuse

1.6.1 Individuals who have experienced domestic abuse will often require support with their recovery. This includes ensuring access to services that can deliver interventions that offer appropriate therapeutic support, and support with additional difficulties that they may be experiencing in the areas of employment, skills and training, housing, substance misuse, social isolation.

1.6.2 Victims that are enabled to recover from domestic abuse will be more equipped to avoid abusive relationships in the future, and will help to build personal and community resilience. A core element of the work around building community capacity will be the introduction of a volunteer support function, which could be aligned to the current One Stop Shop in Chatham. Evidence from nearby local authority areas has highlighted that this can be a cost effective strategy which delivers positive outcomes for victims of domestic abuse and reduces onward domestic abuse instances by reducing instances of 'repeat victims'.

1.7 Preventing and reducing offending and re-offending

1.7.1 Whilst the majority of resources are intended to support the victims of domestic abuse, there is a lack of availability of resources both locally and nationally that can enable behaviour change by perpetrators of domestic abuse. The proposed Medway Domestic Abuse Service will support the development of resources and programmes available to perpetrators of domestic abuse, in line with the level of risk that they present to victims.

1.8 Urgency of Report

1.8.1 Medway's current housing and floating support contract ends August 2017, however the contract has the provision to extend. This is an opportunity for Medway to rationalise the current domestic abuse services with the aim of combining resources by April 2018 to make best use of available resources.

1.9 Parent Company Guarantee/Performance Bond Required

1.9.1 Potential providers may be requested to provide guarantees/bonds to mitigate against failures/breaches in service delivery.

2. PROCUREMENT DEPENDENCIES & OBLIGATIONS

2.1 Project Dependency

2.1.1 Domestic abuse services create complex interdependencies with both internal and external partners. For example, the Police and Crime Commission has recently (April 2016) commissioned Victim Support to provide support to victims of crime across Kent and Medway, including victims of domestic abuse. All domestic abuse incidents reported to the police in Kent and Medway will be triaged by Victim Support through the DASH assessment tool. The service will:

- Provide the appropriate intervention for those victims deemed to be standard risk
- Make a referral to location based services for victims who are assessed as medium risk
- Refer high risk victims to MARAC (Multi-Agency Risk Assessment Conference.)

This procurement will not be undertaken in isolation, further stakeholder engagement and consultation will be carried out.

2.2 Statutory/Legal Obligations

2.2.1 **The Care Act 2014** puts adult safeguarding on a legal footing and from April 2015 each local authority must:

- Make enquiries, or ensure others do so, if it believes an adult is subject to, or at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to stop or prevent abuse or neglect, and if so, by whom
- Set up a Safeguarding Adults Board (SAB) with core membership from the local authority, the Police and the NHS (specifically the local Clinical Commissioning Group/s) and the power to include other relevant bodies
- Arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other appropriate adult to help them
- Cooperate with each of its relevant partners in order to protect adults experiencing or at risk of abuse or neglect.

2.2.2 Where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- Has needs for care and support (whether or not the authority is meeting any of those needs)

- Is experiencing, or is at risk of, abuse or neglect
- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Domestic abuse is included in the definition of 'abuse', above.

2.2.3 Injunctions under the Housing Act 1996

- All local authorities are empowered to use s.153A Housing Act 1996 to prevent domestic violence in the context of their housing management functions.

2.2.4 Section 47 of the Children Act 1989

- Where there are child protection concerns (reasonable cause to suspect a child is suffering or likely to suffer significant harm) local authority social care services must make enquiries and decide if any action must be taken.

3. BUSINESS CASE

3.1 Procurement Project Outputs / Outcomes

As part of the successful delivery of this procurement requirement, the following procurement project outputs / outcomes within the table below have been identified as key and will be monitored as part of the procurement project delivery process. Measurable targets and performance indicators will be confirmed as a part of the consultation and engagement work that will be undertaken throughout the commissioning exercise.

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?
1. Young people enjoy healthy relationships	<ul style="list-style-type: none"> • Reduction in the number of young victims and percentage of repeat victims • Reduction in the number of young perpetrators and percentage of repeat perpetration • Number of young people who demonstrate a good understanding of healthy relationships 	Partnership Commissioning	Quarterly reporting
2. Victims of domestic abuse are enabled to live a safe and healthy life	<ul style="list-style-type: none"> • Increased number of victims that have access to relevant and appropriate information, guidance and specialist support • Increased training sessions for front-line practitioners 	Partnership Commissioning	Quarterly reporting
3. Victims are supported in reducing their experience of domestic abuse	<ul style="list-style-type: none"> • Timeliness of multi-agency information sharing • Timeliness of access to pertinent and appropriate information, guidance and specialist support services • Reduction in the number of repeat incidents • Reduction in the number of MARAC cases • Reduction in A&E attendances due to domestic abuse 	Partnership Commissioning	Quarterly reporting
4. Perpetrators are prevented from causing further	<ul style="list-style-type: none"> • Reduction in the number of repeat victims • Increased number of perpetrators who access behaviour change programmes 	Partnership Commissioning	Quarterly reporting

harm	<ul style="list-style-type: none"> • Increase in the number of successful prosecutions 		
5. Victims (adults and children) are able to recover and make choices that are right for them	<ul style="list-style-type: none"> • Increased number of victims accessing education, training and employment • Increase in the number of victims accessing appropriate on going support services • Decrease in number of victims who require relocation as a consequence of domestic abuse 	Partnership Commissioning	Quarterly reporting

3.2 Procurement Project Management

3.2.1 The Category Management Lead will manage the procurement with input from Partnership Commissioning and Public Health officers.

3.3 Post Procurement Contract Management

3.3.1 Medway's Public Health department holds the strategic lead for domestic abuse within the Authority and is expected to retain responsibility for contract management. Governance arrangements linked to domestic abuse are currently subject to review and once these have been agreed, the contract management will be reviewed.

4. MARKET CONDITIONS & PROCUREMENT APPROACH

4.1 Market Conditions

4.1.1 There are a number of domestic abuse providers who have the expertise, capacity and capability to deliver services to victims of domestic abuse from across the spectrum of risk, and thus would appear to be well placed to provide a holistic domestic abuse service in Medway.

4.2 Procurement Process Proposed

4.2.1 This procurement will follow the Open Procedure in line with the Council's Contract Procedure Rules, and the Public Contract Regulations 2015.

4.3 Award Criteria

4.3.1 The award of the contract will be on the basis of the most economically advantageous tender comprised of 80% quality and 20% price.

4.3.2 A higher weighting is being attributed to the quality component of the service to ensure that standards are kept appropriately high for this high risk service.

5. RISK MANAGEMENT

5.1 Risk Categorisation

1. Risk Category: Contractual delivery	Likelihood: Low	Impact: Critical
Outline Description: Failure of the tender process to appoint a contractor of appropriate capacity to ensure the new model of delivery is delivered successfully.		
Plans to Mitigate: Engage widely and early with the supplier market for their input into the service model		
2. Risk Category: Procurement Process	Likelihood: Significant	Impact: Critical
Outline Description: The commissioning timeline is not met, causing a delay in service implementation and possible service gaps as notice will have been served on current contracts.		
Plans to Mitigate: <ul style="list-style-type: none"> • Significant work in this area has already taken place, and a strong case for change already exists. Partnership commissioning will be able to build on consultation and engagement work, and prioritise this project to ensure that the commissioning timeline is met • Ensure a robust procurement timetable is designed with the required time for each stage of the process factored in. Officers will also regularly report on progress to the Domestic Abuse Sub Group and highlight any potential delays or risks • Extend existing services for reasonable periods of time to ensure continuity of service delivery and adequate time for the procurement process 		
3. Risk Category: Financial	Likelihood: Significant	Impact: Critical
Outline Description: Failure of contractors to tender for service to the required budget.		
Plans to Mitigate: Additional support has been built in to the PCC' Victim Support Contract for high risk victims of domestic abuse		
4. Risk Category: Political / Reputational	Likelihood: Significant	Impact: Critical
Outline Description: Negative reaction or response to the proposed re-design of elements of the service		
Plans to Mitigate: Consultation and stakeholder engagement relating to the model of delivery will be carried out as part of the commissioning process		

6. CONSULTATION

6.1 Internal (Medway) Stakeholder Consultation

6.1.1 Documents relating to domestic abuse in Medway have been presented to the Domestic Abuse Sub Group which reports to the Community Safety Partnership Board. Further consultation will be carried out throughout the commissioning process.

6.2 External Stakeholder Consultation

6.2.1 Initial consultation has been carried out with the Medway Domestic Abuse Forum partners and with users of floating support services, the one stop shop and refuges. Further consultation will be carried out throughout the commissioning process to ensure that the experiences of this vulnerable group are fully accounted for. Suppliers will also be consulted through market engagement events and one-to-one sessions early on in the commissioning process.

7. SERVICE IMPLICATIONS

7.1 Financial Implications

7.1.1 The procurement requirement and its associated delivery (as per the recommendations at Section 9) will be funded from existing revenue budgets.

7.1.2 Further detail is contained within Section 2.1 Finance Analysis of the Exempt Appendix.

7.2 Legal Implications

7.2.1 The Public Services (Social Value) Act 2012 gives the Council a statutory duty to consider at the pre-procurement stage of any service contract:

- How what is proposed to be procured may improve the economic, social and environmental well-being of their areas;
- How the Council may act with a view to securing that improvement in conducting the process of procurement;

7.2.2 The Act applies to all services contracts to which the Public Contracts Regulations 2015 apply. In addition to social value, officers should ensure that the external consultation described above at para 6.2 covers the proposed re-design of elements of the service. This will inform the specification for the new service and allow the Open Procurement process to be successful.

7.3 TUPE Implications

7.3.1 The Transfer of Undertakings (Protection of Employment) Regulations 2006 will apply to any transfers of staff from the existing service to the new services. The mobilisation period for the new service will need to be structured to allow staff consultations and transfers to take place including the winning tenderer obtaining admitted body status to the LGPS or the NHS pension scheme (if applicable).

7.4 Procurement Implications

7.4.1 The Category Management Lead will work closely with Commissioners and key stakeholders to identify the most appropriate route to market to achieve the best outcome within a realistic timeframe. The possibility of contract extension beyond the current contract expiration date will be explored to ensure service delivery is not disrupted.

7.5 ICT Implications

7.5.1 External agencies will require a network logon in order to view data in Frameworki. Each person in the agency that requires access will need to be supplied with a Medway logon, no email service or data storage drive is required.

7.5.2 In order to logon from their own service they will use the Medway workwise service which will require a Fortinet token for each person. These cost £55 each.

7.5.3 The Partnership Commissioning service will need to meet with the Social Service System Support team to establish a Frameworki profile to ensure the external agencies can access data they are authorised to view.

8. OTHER CONSIDERATIONS

8.1 Diversity & Equality

8.1.1 Domestic abuse is an issue that transcends all sectors of society and is prevalent in all groups, including those with protected characteristics.

8.1.2 Although the model for delivery is yet to be decided and will be informed by further engagement and consultation work, commissioners believe that the move towards commissioning a holistic domestic abuse service will bring about service efficiencies in Medway, thus improving the service offer for victims of domestic abuse.

8.1.3 The needs assessment work has identified some areas where there are gaps in current service provision, for example perpetrator programmes and support services for those at medium to low risk. It is hoped that the development of a single service in Medway will be able to incorporate provision to positively benefit individuals where current services are not comprehensive.

8.2 Mitigating actions

8.2.1 The development of a single Medway service for domestic abuse does not carry with it likely adverse impacts.

8.2.2 Commissioners are of the view that the market for provision of domestic abuse services is mature enough to be able to deliver such a service, and the commissioning process will draw in partners and service users to determine the key priorities for service delivery to ensure that the new service is closely aligned to presenting needs across Medway.

8.2.3 Due to difficulties in determining crossover between the caseloads of services that are currently commissioned, and the ability to assess whether this is necessary or not, total numbers of service users that would be likely to access a revised service model is difficult to predict at this stage.

8.2.4 The proposal is that the service will be provided using the current level of investment, recognising that there is not surplus in the system that can reasonably be saved. This will help to ensure that a service is able to effectively deliver the desired outcomes. In order to build system capacity, greater links with appropriate external services, such as victim support, will be developed.

9. RECOMMENDATION

9.1 The Cabinet is asked to agree that spend across the various domestic abuse services is pooled together and a holistic local service for Medway be commissioned to meet the needs of low, medium and high visit client groups.

10. SUGGESTED REASONS FOR DECISION

10.1 A new holistic Domestic Abuse Service is expected to deliver a more integrated service across the Medway area. Additionally, most of the existing contracts are coming up for renewal or near their initial contract term. This is an opportunity to recommitment these services and reconsider the service delivery and models to ensure that they are fit for purpose.

LEAD OFFICER CONTACT

Name	Sue Edmed	Title	Senior Partnership Commissioner
Department	Partnership Commissioning	Directorate	Children & Adults
Extension	1082	Email	sue.edmed@medway.gov.uk

APPENDICES

Appendix 1 Diversity Impact Assessment
Exempt Appendix

BACKGROUND PAPERS

None

DIVERSITY IMPACT ASSESSMENT

TITLE <i>Name / description of the issue being assessed</i>	Recommissioning of domestic abuse services – commissioning a holistic domestic abuse service in Medway
DATE <i>Date the DIA is completed</i>	07/09/16
LEAD OFFICER <i>Name, title and dept of person responsible for carrying out the DIA.</i>	Michael Griffiths, Partnership Commissioning Lead – Children and Families, Medway Council & Medway CCG

1 Summary description of the proposed change

- *What is the change to policy / service / new project that is being proposed?*
- *How does it compare with the current situation?*

A change in the way that domestic abuse services in Medway are commissioned. The proposed change is for a single domestic abuse service to be commissioned in Medway, to work with service users across the spectrum of need in relation to domestic abuse.

This proposal signifies a move away from the current system of domestic abuse services being commissioned and provided in a fragmented way, in order to ensure that service users receive a joined up service that focuses on meeting their needs, and that can case load them until they are no longer in need of a dedicated support service.

2 Summary of evidence used to support this assessment

- *Eg: Feedback from consultation, performance information, service user records etc.*
- *Eg: Comparison of service user profile with Medway Community Profile*

An extensive needs analysis and service reviews have been undertaken (see appendix 2 and 3) and provide the evidence in relation to this proposal and assessment.

3 What is the likely impact of the proposed change?

Is it likely to :

- *Adversely impact on one or more of the protected characteristic groups?*
- *Advance equality of opportunity for one or more of the protected characteristic groups?*
- *Foster good relations between people who share a protected characteristic and those who don't?*

(insert ✓ in one or more boxes)

Protected characteristic groups	Adverse impact	Advance equality	Foster good relations
Age		X	
Disability		X	
Gender reassignment		X	

Marriage/civil partnership		X	
Pregnancy/maternity		X	
Race		X	
Religion/belief		X	
Sex		X	
Sexual orientation		X	
Other (eg low income groups)		X	

4 Summary of the likely impacts

- *Who will be affected?*
- *How will they be affected?*

Domestic abuse is an issue that transcends all sectors of society and is prevalent in all groups, including those with protected characteristics.

Although the model for delivery is yet to be decided and will be informed by further engagement and consultation work, commissioners believe that the move towards commissioning a holistic domestic abuse service will bring about service efficiencies in Medway, thus improving the service offer for victims of domestic abuse.

The needs assessment work has identified some areas where there are gaps in current service provision, for example perpetrator programmes and support services for those at medium to low risk. It is hoped that the development of a single service in Medway will be able to incorporate provision to positively benefit individuals where current services are not comprehensive.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- *Are there alternative providers?*
- *What alternative ways can the Council provide the service?*
- *Can demand for services be managed differently?*

The development of a single Medway service for domestic abuse does not carry with it likely adverse impacts.

Commissioners are of the view that the market for provision of domestic abuse services is mature enough to be able to deliver such a service, and the commissioning process will draw in partners and service users to determine the key priorities for service delivery to ensure that the new service is closely aligned to presenting needs across Medway.

Due to difficulties in determining crossover between the caseloads of services that are currently commissioned, and the ability to assess whether this is necessary or not, total numbers of service users that would be likely to access a revised service model is difficult to predict at this stage.

The proposal is that the service will be provided using the current level of investment, recognising that there is not surplus in the system that can reasonably be saved. This will help to ensure that a service is able to effectively deliver the desired outcomes. In order to build system capacity, greater links with appropriate external services, such as victim support, will be developed.

6 Action plan

- *Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence*

Action	Lead	Deadline or review date
Undertake further consultation with service users to inform service priorities and potential service model	MG	Autumn 2016
Engagement with professionals to scope service model requirements and identify key interfaces with existing service provision	MG	Autumn 2016
Provide market engagement opportunities to develop market interest and awareness of the proposed new opportunity	MG	Spring 2017
A further EIA will be undertaken as part of the first year review of the new service, in order to identify and address any unforeseen adverse impacts	MG	May 2018

7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change, implementing the Action Plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

The recommendation is to proceed with the change

8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into the relevant Service Plan and monitored

Assistant Director

Date

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC: phone 2443 email: annamarie.lawrence@medway.gov.uk

C&A: (Children's Social Care) contact your normal P&I contact

C&A (all other areas): phone 4013 email: chrismckenzie@medway.gov.uk

BSD: phone 2472/1490 email: corppi@medway.gov.uk

PH: phone 2636 email: david.whiting@medway.gov.uk

Send completed assessment to the Corporate Performance & Intelligence Hub (CPI) for web publication (corppi@medway.gov.uk)