

TENDERING SPECIALIST DOMESTIC ABUSE SERVICES

Cabinet Date	27 September 2017
Adult Social Care	Cllr Kathy Williams
Key Decision	Yes
Background Documents	<p>Violence Against Women and Girls (VAWG) Strategy 2016</p> <p>Gloucestershire Domestic Abuse and Sexual Violence (DASV) Strategy and Outcomes Framework 2014/18</p> <p>National Institute for Health and Care Excellence Guidance on Domestic Abuse (NICE, 2014a)</p> <p>Due Regard Statement</p>
Location/Contact for inspection of Background Documents	Background documents are available on request from Kathryn Rees, Lead Commissioner, Supporting People: Kathryn.Rees@gloucestershire.gov.uk
Main Consultees	<p>Office of the Police and Crime Commissioner (OPCC)</p> <p>Gloucestershire Constabulary</p> <p>District Councils</p> <p>Gloucestershire Clinical Commissioning Group (GCCG)</p> <p>Health</p> <p>Probation</p> <p>Adult Social Care</p> <p>Children's Social Care</p> <p>Current provider and the wider provider market</p> <p>VCS Representatives</p> <p>Service User Consultation</p>
Planned Dates for Consultation	Stakeholder and provider market engagement - October 2017.
Divisional Councillor	County-wide
Officer	<p>Kathryn Rees, Lead Commissioner, Supporting People</p> <p>01452 328485</p> <p>Kathryn.Rees@gloucestershire.gov.uk</p>

Purpose of Report	To gain approval for the council to act as lead authority on behalf of Gloucestershire's Domestic Abuse and Sexual Violence Commissioning Group (DASV CG), for the creation of a multi-supplier Framework Agreement for the provision of specialist domestic abuse services for the benefit of the participating local partners.
Recommendations	<p>That Cabinet authorises the Director of Public Health to:</p> <ol style="list-style-type: none"> 1. Develop and conduct an EU compliant competitive tender process with the council acting as lead authority for the creation of a 5 year multi-supplier Framework Agreement for the delivery of specialist domestic abuse services. The Framework will be divided into specialist Lots and have a total estimated value of £14m over its term which comprises both the council spend (estimated at £9m) and that of the participating local partners. 2. Upon the conclusion of the competitive tender process, to appoint the preferred provider(s) to each Lot under the Framework Agreement that have been evaluated as meeting the standards set out in the evaluation criteria subject to any limitation on numbers that may have been provided for in the tender process. 3. Upon the conclusion of the award of the Framework Agreement to use it to award a single supplier call off contract for the provision of Specialist Services to Victims of Domestic Abuse for a term of 7 years comprising an initial term of 5 years with an option to extend for a further 2 years with an estimated total value of £7m. 4. Use the Framework Agreement to enter into such call off contracts during the term of the Framework Agreement as are required to meet the council's assessed needs for the Framework services to achieve the objectives of the Gloucestershire Domestic Abuse and Sexual Violence Strategy and Outcomes Framework.
Reasons for recommendations	To allow the continued delivery of specialist domestic abuse services following the end of the current contractual arrangements for this provision on 21 st July 2018 and develop an improved approach to joint commissioning.
Resource Implications	<p>The council's investment in specialist services to support victims of domestic abuse for 2017/18 has been £950k funded through Supporting People, Public Health and Children and Families budgets. Additional one-off funding of £70,000 has also been identified for the Domestic Abuse early identification pilot during 2018/19.</p> <p>The council's total combined budget for the procurement of services through the Framework will be in the region of £9M for the duration of the Framework.</p>

1. Background:

Domestic abuse causes harm to adults, children and communities; violates human rights and can affect anyone regardless of age, gender, sexuality, race, income, class, mental or physical ability and lifestyle.

Domestic abuse takes many forms. There is increasing awareness and understanding of coercive control, i.e. the emotional and psychological abuse of a partner, through threats and restrictions, as well as physical violence; domestic abuse is now understood to be far more prevalent than previously assumed. The impact on children of witnessing domestic abuse is well known. In the short and long term, the emotional, academic and life chances of these children are damaged.

There are high economic, social and human costs on public services, communities and individuals as a result of domestic abuse. More effort and resources targeted on prevention and early intervention can reduce the impact domestic abuse has on attainment, health and wellbeing and crime and disorder.

Effective responses to domestic abuse require multi-agency co-operation and agreement for both the commissioning and delivery of services; there is an expectation from government that all publically funded partners should work together. Impending new legislation will increase expectations and responsibilities around domestic abuse responses on the public sector, including local authorities.

2. Gloucestershire Context and Response

Based on Crime Survey England and Wales (CSEW) population figures from March 2014 it is estimated that there are 19,900 victims of domestic abuse in Gloucestershire, with 6.5% of all people aged 16-59 experiencing one incident of domestic abuse during the year.

Gloucestershire police data indicates that there were 10,675 recorded domestic abuse incidents in 2016/17. However domestic abuse remains significantly underreported; the CSEW found that 4 out of 5 victims of DA do not tell the police.

The council currently funds a county-wide specialist support service for victims of domestic abuse, provided by Westlea Housing Association operating as Greensquare. It works on a community based, flexible model supporting a continuum of need that includes early intervention and a safe response for those families most at risk. The current service includes; Independent Domestic Violence Advisors (IDVA) support for high risk victims and the courts, floating support for medium/ standard risk victims, group work programmes, help desk (triage), access to places of safety and healthy relationship work for teenagers in schools. The service is performing well and has successfully moved resources across the service to meet changing levels of demand and of risk over the course of the contract.

The council also jointly funds a perpetrator programme in partnership with Gloucestershire Clinical Commissioning Group (GCCG) and the Office of the Police and Crime Commissioner (OPPC). This provision offers an accredited 25 week group work programme for male perpetrators (21yrs+) and a 'women's safety worker' for female partners/ ex partners.

Evidence shows that the programme is having some success in getting commitment from perpetrators to change their abusive behaviour in the longer term.

The contractual arrangements for both services expire in July 2018.

A range of other local services are provided via short term and/or ad hoc investments from local partners and national funding sources.

3. Developing Proposals for Gloucestershire

A Domestic Abuse and Sexual Violence Commissioning Strategy and Outcomes Framework (2014/18) (the “Strategy”) has been agreed by partners and adopted by the Health and Wellbeing Board. A Commissioning Group made up of Gloucestershire Clinical Commissioning Group, Office of Police and Crime Commissioner, Gloucestershire Constabulary; District Councils, Probation and the County Council, oversees implementation of the Strategy. The Strategy reflects a shared vision, values and ownership of a sustainable and outcomes-led commissioning model.

An extensive range of partnership activities have provided an understanding of the current service provision and informed future proposals for domestic abuse (“DA”) services in Gloucestershire. Activity included service and pathway mapping; national and local data analysis; county-wide stakeholder planning event; market engagement and a programme of service user engagement.

The DASV CG has considered in detail the outcomes of the activities and recommends continued investment in specialist DA service provision based on the 5 national expectations as set out in the Government’s strategy for ending violence against women and girls (VAWG 2016) i.e.:

1. Put the victim at the centre of service delivery
2. Have a clear focus on perpetrators in order to keep victims safe
3. Take a strategic, system-wide approach to commissioning acknowledging the gendered nature of VAWG
4. Ensure services are locally led and safeguard individuals at every point
5. Raise local awareness of the issues and involve, engage and empower communities to seek, design and deliver solutions to prevent VAWG

4. The proposed Framework Agreement procurement

The DASV CG proposes to improve joint commissioning at a strategic level by creating a 5 year multi-supplier Framework Agreement divided into specialist themed Lots which will be accessible to all participating local partners. This approach will align current and future investment across the county to:

- maintain the specialist approach for high risk victims and their families;
- shift over time towards prevention and away from reactive crisis;
- increasingly integrate provision and influence practice across the system;
- support the development of a more confident system wide workforce; and
- collect shared robust intelligence.

The outcomes of this approach will be to:

- reduce repeat incidents of DA, including for those victims with multiple disadvantages;
- build victim resilience (recovery & move on); sustain positive outcomes; reduce the incidence of DA for all households;
- reduce exposure to DA by children and young people; improving safety for individuals and families;
- change the behaviour of perpetrators, reduce repeat and serial incidents;
- ensure workers are competent and confident in identifying and responding to DA; and
- develop a stronger community approach to tackling and reducing DA (zero tolerance).

The term of the Framework Agreement is to be 5 years. The rationale in informing the duration of the agreement for a period longer than 4 years is as follows:

- National guidance around best practice within the public sector from both a commercial and commissioning perspective encourages the focus and move to outcomes based commissioning. The guidance recognises and confirms the needs for greater security and commitment to the markets concerning contracting, joint commissioning across local partners.
- Short term agreements do not support collaborative working between the commissioners and the providers.
- The length of the framework will provide opportunities for partners to harness and align future funding that may become available.
- Domestic violence services are specialist in nature resulting in a limited number of suppliers with the specialist professional expertise and training present in the market place.
- We are seeking to harness future investment over the term of the Framework Agreement which will provide further stability in the market place to ensure that consistent trusted relationships are set up and continued with users of the services who are in a very vulnerable position.

Service changes arising from the end of the council's current contracts and the award of new contracts may result in TUPE issues between the incumbent provider and any new provider(s) when call off contracts are awarded under the Framework Agreement and timescales will be built into the procurement processes to take account of these potential issues. No council staff will be affected.

5. Options

1. Do nothing - allow contracts to end in July 2018; do not commission specialist DA services for victims and perpetrators from this point. This option is not recommended as there would be a significant impact through increased referrals to the Police, Social Care and other partner agencies. There is likely to be an increased risk to victims (particularly high risk) and their families if they are unable to access specialist support.

2. Incorporate support for victims and perpetrators into business as usual activity for all partners (e.g. Health, Social Care, Police, Education) with no commissioned specialist services for DA. The council's investment would be redirected into core service delivery. This option is not recommended as partners do not all currently have the capacity and specialist skills to take on the requirements of addressing DA across all levels of risk. There is potential for an increase in incidents due to late intervention; increased risk for service users and demand on high risk high cost services. Investment would be fragmented with no effective means of ensuring a joint approach which would run contrary to the expectations of the VAWG 2016.
3. No investment in perpetrator support, only support victims. This option is not recommended as it places all the responsibility for the solution on the victim; does not recognise the financial and emotional impact of DA on the wider family and community and the benefits work with perpetrators can have on reducing (repeat) DA. There is growing evidence for investment in perpetrator support to address DA. Again, investment would be fragmented with no effective means of ensuring a joint approach which would run contrary to the expectations of the VAWG 2016.
4. Focus all resource on high risk activity addressing only immediate need with no prevention or early identification. This approach increases the risk of higher levels of demands in social care from people in crisis with increased potential for domestic homicide. It is not consistent with our agreed strategic approach and would run contrary to the expectations of the VAWG 2016.
5. Procure services for victims and perpetrators using a block contract single provider option. This option is not recommended as it does not offer flexibility over the lifetime of the contract for changing levels of investment from partners. There are concerns that this model would damage the provider market as smaller specialist providers would not be able to bid for such a large contract remit.
6. Develop and conduct an EU compliant competitive tender process with the council acting as lead authority for the creation of a 5 year multi-supplier framework for the procurement of DA services on behalf of the DASV CG. The call-off contracts made under the Framework Agreement could be for longer than the Framework term. The value will be the potential combined spend of all the participating local partners and should ensure a joined up approach to delivering the outcomes of the Strategy through a pool of selected suppliers; this should create the ability to respond more quickly to procuring services as well as ensuring suppliers are familiar with the Strategy and its outcomes. Future arrangements for calling off contracts through the Framework will be made in accordance with the council's constitution, all statutory and legal obligations of the council and all relevant statutory guidance.
7. To use the Framework Agreement to award a single supplier call off contract for the provision of Specialist Services to Victims of Domestic Abuse for a term of 7 years comprising an initial term of 5 years with an option to extend for a further 2 years with an estimated total value of £7m.

6. Officer Advice

It is recommended that Cabinet agree to the implementation of:

- (1) Option 6: the tendering of specialist domestic abuse services for victims and perpetrators of domestic abuse with the council acting as the lead authority for the creation of a 5 year multi-supplier framework that enables the council and its partners to procure specialist DA services; and
- (2) Option 7: the award of a 7 year call off contract for the provision of Specialist Services to Victims of Domestic Abuse.

The use of a multi-supplier Framework provides a number of benefits, including:

- the selection of suppliers for individual services without re-advertising each service through OJEU and running separate tendering exercises for contracts; reducing programme and management resource requirements across the partnership;
- working with Framework suppliers to establish robust shared intelligence to provide a comprehensive range of services that addresses changing and emerging levels of demand and risk;
- offering an effective way to address and support victims, their families and perpetrators with the resources available; and
- allowing individual partners in the DASV CG to invest and to deliver the objectives of the Strategy while maintaining commissioning flexibility to respond to future Government legislation and funding opportunities.

The use of Framework Agreements does not commit the council or the partners to appointing framework suppliers to individual projects; the council and the partners retain the ability to procure services outside of the framework if necessary.

The use of the Framework Agreement to award a contract for the provision of Specialist Services to Victims of Domestic Abuse is an efficient and cost effective way of ensuring the continued delivery of these services to vulnerable services users.

7. Risk Assessment

There are four main risks:

1. One of the main service risks is that demand continues to rise. Resources would be used at the acute end of system limiting our ability to meet the requirements of anticipated Government legislation including shifting investment to the prevention and early identification of domestic abuse.
2. That the tender process disrupts support for service users. Partnership working amongst current and new providers will be required to ensure good transitional arrangements for existing service users and staff. The commitment and widespread support of providers tested in the consultation period assures that there is strong ownership and enthusiasm for the proposed model, aims and approach as described in section 4. Timescales built into the tender process allow for TUPE issues to be carefully managed.

3. All partners will need the capacity to scope and detail their requirements and to evaluate a number of the Lots on the framework. Following extensive engagement with partners, commitment has been secured; progress will be overseen by the council's project management.
4. The Framework will enable DASV CG partners to enter into individual contractual arrangements with providers without exposing the council to any risk of financial liability. Funding Agreements will be entered into with each of the participating partner agencies where the council is procuring with joint funds.

8. Equalities considerations

A due regard statement has been completed, reviewing the impact of procuring a county-wide specialist DA service and the planned development of a specialist framework for DA. There should be no disproportionate impact of this activity on protected characteristics. The flexibility of the model will allow for delivery to better meet the needs and preferences of different groups within the population.

Cabinet Members should read and consider the Due Regard Statement in order to satisfy themselves as decision makers that due regard has been given.

9. Consultation feedback

A range of engagement activities including partnership mapping, a stakeholder workshop, provider engagement event and service user consultation have been carried out and have informed the DASV CG's recommended proposals as detailed in section 4 of this report.

Further engagement will now take place with partners and the provider market to inform the detailed development and creation of the framework.

10. Performance Management/Follow-up

The performance management and contract management arrangements will be fully considered in the development of the contract specification and Invitation to Tender.

Performance information from across the entirety of services procured via the Framework will be considered by the DASV CG to create system-wide intelligence to inform future commissioning intentions.

Report Title	Tendering Specialist Domestic Abuse Services
Statutory Authority	
Relevant County Council policy	Gloucestershire Domestic Abuse and Sexual Violence Commissioning Strategy and Outcomes Framework 2014-2018 Settled, Secure and Safe Lives Policy 2016-2019
Resource Implications	<p>The council's investment in specialist services to support victims of domestic abuse for 2017/18 has been £950k funded through Supporting People, Public Health and Children and Families budgets. Additional one-off funding of £70,000 has also been identified for the Domestic Abuse early identification pilot during 2018/19.</p> <p>The council's total combined budget for the procurement of services through the Framework will be in the region of £9M for the duration of the Framework.</p>
Sustainability checklist:	
Partnerships	A wide range of partners have been engaged through a range of formal consultation activities reporting to the Domestic Abuse and Sexual Violence Commissioning Group.
Decision Making and Involvement	Stakeholders including partner organisations, current service providers, wider provider market and service users have been involved in a number of consultation exercises that have informed decision making.
Economy and Employment	Support will address domestic abuse and contribute to improvement in service users' chances of maintaining and/or accessing employment.
Caring for people	Support provided for service users in vulnerable circumstances will address domestic abuse and increase victim resilience. Service users have been involved in consultation.
Social Value	Opportunities to maximise economic and social benefits beyond the scope of the commissioned activity will be included in the service specification, invitation to tender and monitoring requirements.

Built Environment	No impact
Natural Environment' including Ecology (Biodiversity)	No impact
Education and Information	Service users will be signposted to support around education, training and employment where applicable
Tackling Climate Change	Carbon Emissions Implications? Neutral Vulnerable to climate change? No
Due Regard Statement	Has a Due Regard Statement been completed? Yes Yes - considerations included in main body of report A copy of the full Due Regard Statement can be accessed on GLOSTEXT via http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1 Alternatively a hard copy is available for inspection from Jo Moore, Democratic Services Unit, e-mail: jo.moore@gloucestershire.gov.uk .
Human rights Implications	None
Consultation Arrangements	Stakeholder consultation and engagement activities undertaken between April 2016 – July 2017