



**REPORT TITLE: Mini-Competition to procure a call-off contract under Lot 3 of the Gloucestershire Framework Agreement for Domestic Abuse**

<b>Cabinet Date</b>	22 <sup>nd</sup> December 2021
<b>Cabinet Member</b>	Councillor Kathy Williams, Cabinet Member for Adult Social Care Delivery
<b>Key Decision</b>	Yes/No
<b>Purpose of Report</b>	To seek Cabinet approval to conduct a mini-competition between all the providers on Lot 3 of the Gloucestershire Framework for Domestic Abuse (GFDA) for the procurement of a four-year contract with an initial term of three years, with the option to extend for a further year, for services to address domestic abuse perpetrator behaviour.
<b>Recommendations</b>	<p>That Cabinet delegates authority to the Executive Director: Adult Social Care and Public Health in consultation with the Cabinet Member for <b>Adults Social Care Delivery</b> to:</p> <ol style="list-style-type: none"><li>1. Conduct a mini-competition process under Lot 3 of the Gloucestershire Framework for Domestic Abuse (GFDA) in respect of a call-off contract for the supply of services to address domestic abuse perpetrator behaviour. The proposed call-off contract shall continue for an initial period of three years and include an option to extend its term for a further period of not more than one year;</li><li>2. Award such call-off contract to the preferred tenderer; and</li><li>3. Determine whether to exercise the option to extend such contract for a further period of not more than one year on the expiry of the initial three-year term.</li></ol>
<b>Reasons for recommendations</b>	<p>The current contract for Lot 3 Perpetrator Services ends on 30<sup>th</sup> June 2022.</p> <p>The Cabinet decision made on the 27<sup>th</sup> September 2017 authorised the use of the GFDA to procure call-off contracts required to meet the council's assessed needs in order to achieve the objectives of the Gloucestershire Domestic Abuse and Sexual Violence Strategy and Outcomes Framework. The GFDA includes activity to address the behaviour of perpetrators under Lot 3.</p> <p>The <a href="#">Tackling Violence Against Women and Girls Strategy 2021</a> advocates bringing perpetrators to justice and breaking the cycle of re-offending and re-</p>

	<p>victimisation. The <a href="#">Domestic Abuse Act 2021</a> provides for a statutory domestic abuse perpetrator strategy which must be in place by April 2022.</p> <p>The most recent Gloucestershire Domestic Abuse <a href="#">Needs Assessment</a> and <a href="#">Strategy</a> have also identified a need for activity to address perpetrator behaviour and expand capacity within services.</p> <p>The proposed call-off contract under Lot 3 will procure a range of interventions to address perpetrator behaviour. The call-off contract will commence on 1st July 2022 to ensure continuation of service delivery of a voluntary programme and activity addressing the behaviour of perpetrators of domestic abuse whilst maintaining the safety of victims and their children.</p>
<b>Resource Implications</b>	<p>The Council will procure the contract on behalf of itself and its partner agencies. The total maximum joint funding for the proposed contract, including the potential extension period will be £640,000 which comprises the following contributions:</p> <ul style="list-style-type: none"> <li>• Gloucestershire County Council: £80,000 per annum from the Domestic Abuse Budget up to a total of £320,000 for the four-year contract</li> <li>• Office of the Police and Crime Commissioner: £50,000 per annum up to a total of £200,000 for the four-year contract</li> <li>• Gloucestershire Clinical Commissioning Group: £30,000 per annum up to a total of £120,000 for the four-year contract</li> </ul>
<b>Background Documents</b>	<p><a href="#">Gloucestershire Domestic Abuse Strategy 2021 - 2024</a></p> <p><a href="#">Gloucestershire Domestic Abuse Needs Assessment 2021</a></p> <p><a href="#">Cabinet Report 27<sup>th</sup> September 2017</a></p> <p><a href="#">Officer Decision Paper: Lot 3 – Addressing Perpetrator Behaviour</a></p> <p><a href="#">Tackling Violence Against Women and Girls Strategy 2021</a></p> <p><a href="#">Domestic Abuse Act 2021</a></p>
<b>Statutory Authority</b>	Domestic Abuse Act 2021
<b>Divisional Councillor(s)</b>	All
<b>Director</b>	<p>Name: Sarah Scott, Executive Director for Adult Social Care and Director of Public Health  Tel. no: 01452 328497  Email: <a href="mailto:Sarah.L.Scott@gloucestershire.gov.uk">Sarah.L.Scott@gloucestershire.gov.uk</a></p>
<b>Officer</b>	<p>Name: Helen Flitton,  Tel. no: 01452 328602  Email: <a href="mailto:Helen.Flitton@gloucestershire.gov.uk">Helen.Flitton@gloucestershire.gov.uk</a></p>

<b>Timeline</b>	ITT published week beginning 14 <sup>th</sup> February 2022; Contract awarded week beginning 28 <sup>th</sup> March 2022. Contract start date 1 <sup>st</sup> July 2022
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## Background

### National

- 1 Domestic abuse is an area of high priority for national government. The [Tackling Violence Against Women and Girls Strategy 2021](#) advocates bringing perpetrators to justice and breaking the cycle of re-offending and re-victimisation. The Strategy notes that there is some evidence that intervening early can prevent violence from escalating and further offending occurring, and also that there is some promising evidence from domestic violence perpetrator programmes. There is also evidence that intervening later in the cycle of violence can also have substantial benefits, as demonstrated in evaluations of the 'Drive' programme for high-risk, high-harm perpetrators of domestic abuse, which has been shown to successfully reduce levels of abuse.<sup>1</sup>
- 2 The Domestic Abuse Act 2021 will be followed by a new national Domestic Abuse Strategy and a refreshed National Statement of Expectations. A perpetrator strategy will be included in the DA Strategy which will be in place by April 2022. There is a clear and strong driver for local authority areas to address issues in relation to domestic abuse including the provision of services for perpetrators of domestic abuse while at the same time prioritising the safety of victims and children.

### Local

- 3 This decision follows the Executive Decision made on 8th June 2018 which authorised GCC to award and enter into a four-year contract, for an initial term of three years with an option to extend for a further year, with Splitz Support Services for the provision of services under Lot 3 of the Gloucestershire Framework for Domestic Abuse (GFDA): Addressing Perpetrator Behaviour. The contract commenced on 22nd July 2018 and the one-year contract extension was actioned in November 2020.
- 4 The 2021 Gloucestershire Domestic Abuse Needs Assessment found that further investment in Lot 3 services would ensure greater reach, offering more perpetrator interventions to a larger number of individuals and increasing engagement with rural communities, ensuring ease of access.
- 5 The Domestic Abuse Local Partnership Board have committed, through the [Gloucestershire Domestic Abuse Strategy](#), to working to break the cycle of perpetrator behaviour through:
  - the development and delivery of local specialist support for perpetrators of domestic abuse and other harmful relationship behaviours;
  - ensuring a system wide joined up approach to addressing perpetrator behaviour that enables all agencies to identify perpetrators and respond appropriately;
  - having a robust criminal justice response that brings perpetrators to justice;
  - raising awareness of perpetrator behaviour both in the community and for the individual by enabling people to recognise abusive relationship behaviours, be aware of support available and feel empowered to respond effectively,

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<sup>1</sup> [http://driveproject.org.uk/wp-content/uploads/2020/02/Executive-Summary\\_Final2020.pdf](http://driveproject.org.uk/wp-content/uploads/2020/02/Executive-Summary_Final2020.pdf)

supporting a county wide approach where domestic abuse is not tolerated.

## Scope

- 6 The services delivered through the Lot 3 Perpetrator contract cover a range of interventions to challenge beliefs and address the behaviour of domestic abuse perpetrators. Services are offered across different levels of need from prevention activity including healthy relationship courses for males and females, to one to one interventions and longer term accredited voluntary perpetrators programmes (DVPP) addressing the behaviour of male perpetrators. The DVPP includes direct support to partners/ ex-partners. All services offered support a reduction in risk to victims and their children and help to prevent repeat and serial incidences of perpetrator behaviour and, therefore, domestic abuse. There is also a service offer for relapse prevention where clients have completed a formal programme.

## **Options**

### Option 1: Do nothing – not funding a domestic abuse perpetrator programme beyond 30<sup>th</sup> June 2022.

- 7 Not having services in place to help address perpetrator behaviour would be in direct contradiction to the national emphasis on tackling violence against women and girls and addressing domestic abuse, as well as our local strategic intentions.
- 8 This option is not recommended.

### Option 2: Commissioning less support and reducing investment in this area.

- 9 The level of investment is already relatively modest and there would be risks in securing market interest. Reducing investment is likely to result in providers being unable to deliver an effective programme for enough perpetrators for it to be viable. It would also mean that the needs identified in the DA Needs Assessment in relation to perpetrator services could not be realised.
- 10 This option is not recommended.

### Option 3: Tendering to the open market, not using the GFDA.

- 11 This option would not be in line with the Framework Agreement approach proposed and agreed by the DASV Commissioning Group and approved by Cabinet on the 27<sup>th</sup> of September 2017 and further endorsed by the Domestic Abuse Local Partnership Board in 2021. Not using the GFDA would undermine the joint approach and incur further costs and delay in procuring services as well as damaging the reputation of the Council by not using the Framework. In addition, it could undermine the confidence of partners and providers.
- 12 This option is not recommended.

### Option 4: conduct a mini-competition between all the providers on Lot 3 of the Gloucestershire Framework for Domestic Abuse (GFDA) for the procurement of services to address domestic abuse perpetrator behaviour.

13 Using the GFDA to conduct a mini competition between Lot 3 providers would be in line with the strategic intent of the Gloucestershire Domestic Abuse Strategy 2021 – 2024 and the national policy agenda. Letting of a new four-year contract would contribute to efforts to make the county safer for women and girls and victims of domestic abuse and sexual violence and would enable the provider to embed the service effectively.

14 This option is our recommended option.

## Risks

15 There is sufficient time allocated within the procurement process for TUPE to be properly conducted but the length of the timeframe available will require providers to take swift action to undertake due diligence. The small number of staff who are subject to TUPE will help mitigate the risks. In addition, the short timeframe may present a risk if there are current staff engaged in the provision of the service but who will not be subject to TUPE, in which case a new provider may be required to organise a recruitment process if they do not have suitable staff of their own in place.

16 Upon the conclusion of the mini-competition process and the award of a call-off contract there is potential for disruption to service provision where current contractual arrangements come to an end and new contractual arrangements are mobilised. The Domestic Violence Perpetrator Programme (DVPP) is a six-month programme and therefore it is important to assess the balance of risk between service provision and not starting new clients on the programme any later than six months prior to the contract end date. Commissioners are in discussion with the current provider about how to manage this and we hope to be able to mitigate this risk.

17 Failure to secure a provider for the new call-off contract:

- providers awarded to the GFDA may not wish to or be able to respond to the mini-competition.
- providers may not meet the mandatory requirements for contract award.

This could lead to:

- Increased risk for victims if we are unable to deliver behaviour change programmes.
- Failure to reduce risk of harm of domestic abuse to perpetrators' families.
- The collective commitment by partners to a joint approach to tackling DA and in delivering the joint outcomes of the DASV Strategy not being fully realised.
- Not meeting the requirements of the Government's VAWG strategy and the accompanying National Statement of Expectations for addressing perpetrator behaviour and how this is a key part of meeting the challenges of domestic abuse.

This risk is considered to be minimal since each of the Lots on the GFDA, including Lot 3, now has several providers. In the unlikely event that this happens we could consider:

- Extending the current contract.
- A direct award to the current provider.

- Running a procurement process outside of the Framework Agreement to direct award to another provider on a short-term basis while a full tender process is run to secure longer-term provision.

18 The timing required to address these risks may mean that there will be a gap in service provision for perpetrators, the impact of a short gap in service provision could be managed within acceptable levels of risk.

### **Financial implications**

19 The Council will procure the contract on behalf of itself and its partner agencies. The total maximum joint funding for the proposed contract, including the potential extension period will be £640,000 which comprises the following contributions:

- Gloucestershire County Council Domestic Abuse budget: £80,000 per annum up to a total of £320,000 for the four-year contract
- Office of the Police and Crime Commissioner: £50,000 per annum up to a total of £200,000 for the four-year contract
- Gloucestershire Clinical Commissioning Group: £30,000 per annum up to a total of £120,000 for the four-year contract

20 The Council will enter into Funding Agreements with each of the Partner organisations to secure their funding contributions over the initial three-year period of the contract. Partners have confirmed funding commitments for the initial three-year term. Funding arrangements for the one-year extension period will be agreed between the Partners if a decision is taken to exercise the option to extend.

### **Climate change implications**

21 Carbon Emissions Implications? Neutral

22 Vulnerable to climate change? No

### **Equality implications**

23 Has an Equalities Impact Assessment (EIA) been completed? Yes

24 The Equalities Impact Assessment (EIA) originally produced to support the decision to create a Joint Commissioning Framework for Domestic Abuse (2017) has been updated. Since April 2021 we have a statutory duty to produce a needs assessment every three years and within this we are required to pay particular regard to protected characteristics and intersectionality. The Gloucestershire Domestic Abuse Needs Assessment 2021 was published in September on the Inform Gloucestershire website and the EIA was updated following publication of the need's assessment.

25 The new Lot 3 contract for Addressing Perpetrator Behaviour will continue to support a greater percentage of male clients (82% in the current service), reflecting the fact that most perpetrators are male however, the proposed healthy relationship support and advice will be open to all, including same sex couples, and where needed, 1:1 support will be provided to female and LGBT+ perpetrators.

- 26 The service will offer support to male perpetrators in same sex relationships and female perpetrators in both same sex and mixed sex relationships. The service offer to these individuals is delivered one to one and it is hoped that this will encourage a greater engagement rate. Statistically these groups are under-represented in services to address DA perpetrator behaviour but in Gloucestershire we do have a service offer for these groups.
- 27 There is little evidence nationally on DA perpetrator work which is specific to protected characteristic groups however, we will evaluate access to the service through contract monitoring. In addition, planned work to be carried out by the newly appointed Domestic Abuse Local Partnership Board Consultation Officer (once they are in post) will support access to services by protected characteristic groups.
- 28 By increasing capacity in the service, the service will be able to offer a greater provision of 1:1 behavioural change work which can adapt to meet clients' individual needs.
- 29 Consideration of equalities will be embedded in the service specification and the contract, and practice of the provider will be monitored through regular contract monitoring of the service.
- 30 Cabinet Members should read and consider the Equalities Impact Assessment in order to satisfy themselves as decision makers that due regard has been given.

### **Data Protection Impact Assessment (DPIA) implications**

- 31 A DPIA screening checklist has been completed for this procurement. The nature of the data processing required within the remit of the Lot 3: Perpetrators contract legally requires the completion of a DPIA. This is due to the risk to service users in the event of a data breach, as the service will collect personal and sensitive data as part of client referrals, assessments, and support plans.
- 32 All providers have passed an IG assessment to join the framework. As part of the ITT, providers will be assessed by ICT with regard to security standards and will have to complete and provide assurance that they meet the required information security standards.
- 33 With support from the GCC Information Management Service, the DPIA will be undertaken throughout the commissioning process to identify and mitigate against any risks. The DPIA will be finalised by commissioners working with the successful Provider to consider their specific systems and processes and ensure all measures to mitigate data protection issues are in place before the contract is signed.

### **Social value implications**

- 34 Opportunities to maximise economic and social benefits beyond the scope of the commissioned activity will be included in the service specifications, invitation to tender and monitoring requirements for the investments we are making.

### **Consultation feedback**

35 The Gloucestershire Domestic Abuse Local Partnership Board have expressed their support for the recommissioning of Lot 3 perpetrator services.

### **Officer recommendations**

36 Officer advice is to agree the recommendations set out in this report to proceed with option 4.

### **Performance management/follow-up**

37 Individual contracts within the Gloucestershire Framework for Domestic Abuse are managed by GCC, the Office of the Police and Crime Commissioner (OPCC), Gloucestershire Clinical Commissioning Group (GCCG) and the District Councils. Regular contract management and reporting processes are in place and reporting will be managed through the normal governance processes. We report Domestic Abuse key performance indicators (KPIs) internally within GCC and are working with the performance team to develop a corporate DA indicator.