



## Officer Key Decision

**Report to the Strategic Director of  
Regeneration and Environment**

# **AUTHORITY TO TENDER CONTRACT FOR DOMESTIC ABUSE ADVOCACY AND FAMILY SUPPORT SERVICES**

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	One Appendix 1 Equality Analysis
<b>Background Papers<sup>1</sup>:</b>	<a href="https://www.gov.uk/government/collections/domestic-abuse-bill">https://www.gov.uk/government/collections/domestic-abuse-bill</a> Safe Lives (2010), Saving Lives, Saving Money: MARACs and high risk domestic abuse,
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## 1.0 Purpose of the Report

1.1 This report concerns the procurement of a specialist Domestic Abuse advocacy (Independent domestic violence advocacy - IDVA), family support and one-stop shop services. This report requests approval to invite tenders in respect of

<sup>1</sup> <https://www.gov.uk/government/collections/domestic-abuse-bill>  
Safe Lives (2010), Saving Lives, Saving Money: MARACs and high risk domestic abuse,

specialist services to support medium and high-risk victim/survivors of Domestic Abuse as required by Contract Standing Orders 88 and 89.

## **2.0 Recommendation(s)**

That the Strategic Director of Regeneration and Environment and Assistant Chief Executive

- 2.1 Approves inviting tenders for specialist services to support medium and high risk victim/survivors of Domestic Abuse, family support and one-stop shop delivery on the basis of the pre - tender considerations set out in paragraph 3.17 of the report.
- 2.2 Approves Officers evaluating the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.2 (vi) of the report.

## **3.0 Detail**

- 3.1 A domestic abuse advocacy service consists of Independent Domestic Violence Advisors (IDVAs) whose main purpose is to address the safety of survivors at high risk of harm (as defined by CAADA – Coordinated Action Against Domestic Abuse) from intimate partners, ex-partners or family members to secure their safety and the safety of their children. IDVAs are specialist advocacy caseworkers who focus on working predominantly with high-risk victims, those most at risk of homicide or serious harm. Their main goal is to ensure safety. They work from the point of crisis and have a well-defined role underpinned by experience and specialist accredited training.
- 3.2 They provide a range of interventions including: practical and emotional support; advice and information; referrals to other specialist services such as mental health, and Substance misuse services, access to refuge, emergency and supported housing; support to attend court; legal appointments and help with DVPN / DVPO; support in understanding the Criminal and Civil Justice Systems; and representing victims at the Multi Agency Risk Assessment Conference (MARAC).
- 3.3 Serving as a survivor's primary point of contact, IDVAs normally work with their client from the point of crisis to assess the level of risk, discuss the range of suitable options and develop safety plans. They work over the short to medium term to put their clients 'on the path' to long-term safety and to reduce the risk. They also mobilise multiple resources on behalf of victims by coordinating the response from multiple agencies who might be involved with a case, including those working with perpetrators and children.
- 3.4 The MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, IDVAs and other specialists from the statutory and voluntary sectors. An IDVA represents the victims' voice at the

MARAC and therefore has key input and function. After sharing all relevant information they have about a victim/survivor, the representatives discuss options for increasing the safety of the victim/survivor and turn these into a co-ordinated action plan.

- 3.5 The delivery and coordination of the MARAC will be delivered in house and alongside the successful delivery partner, this is a change to the existing arrangement. The focus of the MARAC is on managing the risk to the adult victim/survivor but in doing this it will also consider other wider family members including any children involved and managing the behaviour of the perpetrator including referral to onward support and intervention service. Information shared at the MARAC is confidential and is only used for the purpose of reducing the risk of harm to those at risk.
- 3.6 In Brent, ADVANCE has been delivering the IDVA and MARAC services under contract since 1<sup>st</sup> December 2017. Prior to this date, Hestia delivered the services. The previous cycle of procurement identified a number of viable alternative providers with the specialist expertise to supply services and Advance was considered a high performing contractor and successfully awarded the contract. There remains an increased interest in this work and type of contract, with other neighbouring local authorities delivering services with alternative providers.
- 3.7 The current Domestic Abuse support (IDVA, MARAC) activity is delivered by ADVANCE at an annual contract cost of £456,450 until August 2022. This is shared funding of £184,110 from Community Protection core budget (following a growth bid), £163,404 from Public Health and £108,936 children and young people service as per table below.

<b>Advance contract until 31/08/22</b>	<b>£ 456,450.00</b>
Public Health	£ 163,404.00
CYP	£ 108,936.00
Community Protection	£ 38,250.00
Growth bid	£ 145,860.00

Over the course of the contract, the provider ADVANCE has also brought in additional funding to Brent.

- 3.8 Brent Community Safety has funded ADVANCE through contract variations over the last 5 years including the contract extension, funding to deliver the Hospital based IDVA support through the Home Office Transformation Fund.
- 3.9 ADVANCE's current Brent advocacy service consists of 5 IDVA staff team and a management oversight co located at Brent Civic Centre, Wembley Police Station and working remotely. With IDVAs co-located in Brent's Children and Young Peoples' Department working across Early Help and Social Care. Due

to no additional uplift in funding from Children and Young Peoples service, the possible allocation of IDVA direct delivery will likely be reduced

- 3.10 The proposal is to alter the current specification and procure a service consisting of the delivery of the Chrysalis one-stop shop, withdrawal of the MARAC delivery (coming in house), more focus on management oversight, IDVAs co located in Wembley Police Station and Brent Civic Centre, with IDVAs and a family support worker based in the children and young people service / Children social care. The family support worker offers an intervention model that provides direct support for children and their non-abusive primary carer, preventing the long-term trauma, and providing a range of positive outcomes for children. It recognises children as also being victims and supports children's school attendance, promotes their mental well-being, and their physical and other aspects of safety, helping to reduce and prevent future domestic abuse.
- 3.11 Through working with the family support worker, children increase their understanding of the nature of domestic violence, learn that it is not their fault and that they are not the only ones experiencing this, improve their ability to communicate in general and about their experiences in particular, and learn how to deal with their feelings.
- 3.12 The total funding available (refer to 3.7) from the consortium is £456,450 per annum, of which £400,000 per annum will cover the delivery of the services one-stop shop, IDVAs, and management oversight. Brent's Children and Families department are providing £108,936, which will cover specific IDVA support, a family support worker, additional contribution to the manager's salary and partial fund to support Chrysalis one-stop shop.
- 3.13 Although Community Safety have increased funding to delivery there are some additional potentially creative ways of increasing capacity whilst keeping the cost down. Sourcing external grants, sharing facilities and resources. These will continue to be explored with the successful provider. The current contract also includes delivery of training on general domestic abuse awareness as well as MARAC and risk assessment. In 2020/21, this training was delivered to more than 280 front line practitioners and professionals. We will include such training within the new contract specification, and as this was an added extra for no additional cost to current contract, no charge is levied for this service. The added value has been very beneficial as the more professional and front line practitioners trained will endeavour to mean fewer victims for the future, through earlier identification of risk.
- 3.14 There remains an existing pressure in the current service to meet the demand for service support. In the year ending March 2021, 1,431 medium and high-risk victims and survivors of domestic abuse were offered support and intervention from Advance Services. This figure includes 164 adult victims referred into the Family Support projects and 78 children referred to the

Children and Young Person's Support Worker. This figure also includes 264 victims and survivors who were supported by the Chrysalis One Stop Shop.

- 3.15 Safelives good practice guidance recommend IDVA caseloads are 60-80 per year. In 2020/21 Advance Core and Family Support, teams received 1167 referrals and engaged 507 victim/survivors (43% engagement). This team currently has six case holders meaning if they were following recommended safe caseloads, they should only support a maximum of 480 cases per year (41% engagement). Best practice would be to work towards 75% engagement but this exceeds safe caseloads. In order to engage 75% of the cases (875 cases per year) within SafeLives recommended safe caseloads, this would require a team of 11 case holders. In relation to the MARAC Safelives recommend 1 FTE per 400 MARAC cases. In 2020/21 the Brent MARAC received 668 referrals which requires 1.7 FTEs if meeting SafeLives guidance
- 3.16 In order to address the high demand for services we hope the new specification will provide the flexibility for the new provider to work creatively to address the needs and accessing wider partnership support and interventions. In addition, the Community Safety Service will continue to lobby MOPAC and the Home Office to seek more localised support and funding to enhance delivery. Future variation and uplift in funding will be sought if successful. There is a plethora of evidence that supports early intervention and the longer-term financial benefits to the public purse. SafeLives also highlights that for every £1 spent on an IDVA and MARAC intervention, £6 of public money is saved and that one high risk victim who does not receive intervention resulting in murder costs the public sector £1.2m

*“Safelives analysis shows that IDVAs and MARAC interventions save on average of at least £6,100 of these costs per high risk victim. MARACs and related IDVA intervention would only have to be successful in 16% of cases to pay for themselves<sup>2</sup>.”*

## **Tender Process**

- 3.17 The contract will be for a period of 3 years with the option to extend for two successive periods of 1+1 year.
- 3.18 Advertisements will be placed on the Find a tender and the London Tenders Portal.
- 3.19 Tenders will be sought by way of Open tender process.

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<sup>2</sup> Safe Lives (2010), Saving Lives, Saving Money: MARACs and high risk domestic abuse, [http://www.safelives.org.uk/sites/default/files/resources/Saving\\_lives\\_saving\\_money\\_FINAL\\_REFERENCED\\_VERSION.pdf](http://www.safelives.org.uk/sites/default/files/resources/Saving_lives_saving_money_FINAL_REFERENCED_VERSION.pdf)

3.20 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Strategic Director.

Ref.	Requirement	Response	
(i)	The nature of the contract for Domestic Abuse advocacy, family support and one-stop shop services	Specialist services to support medium and high-risk victim/survivors of Domestic Abuse, family support and one-stop shop delivery.	
(ii)	The estimated value.	£ 2,000,000.00 excluding VAT	
(iii)	The contract term.	A period of 3 years +1+1 To commence from 1 <sup>st</sup> March 2023	
(iv)	The tender procedure to be adopted.	Open	
v)	The procurement timetable.	<b>Indicative dates are:</b>	
		Invite to tender	29/08/2022
		Deadline for tender submissions	26/09/2022
		Panel evaluation	03/10/2022-14/10/2022
		Contract decision	21/10/2022
		Report recommending Contract award circulated internally for comment	28/10/2022
		Cabinet approval	04/11/2022
		Alcatel standstill period of 10 calendar days – notification issued to all tenderers and additional debriefing of unsuccessful tenderers	04/11/2022– 14/11/2022

Ref.	Requirement	Response	
		Contract Mobilisation	14/11/2022 - 01/03/2023
		Contract start date	01/03/2023
(vi)	The evaluation criteria and process.	<p>1. At selection, stage shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines by the use of a selection questionnaire to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria: Safeguarding, workforce model, relevant experience, service referral and accessibility. We intend to apportion 10% social value, 75% quality and 15% price.</p>	
(vii)	Any business risks associated with entering the contract.	<p>The following business risks are considered associated with entering into the proposed contract.</p> <ul style="list-style-type: none"> <li>• Non-compliance or failure to deliver</li> <li>• Commissioned provider breach of contract</li> </ul> <p>All are adequately covered and mitigated within the contractual arrangements and through contract monitoring processes. Financial Services and Legal Services have been consulted concerning this contract and have identified the risks associated with entering into this contract set out sections 4.0 and 5.0 of the report.</p>	
(viii)	The Council's Best Value duties.	The adoption of an open procedure will allow the council to open up the opportunity to the market and ensure best value for money	
(ix)	Consideration of Public Services (Social Value) Act 2012	See section 9.0 below	
(x)	Any staffing implications, including TUPE and pensions.	With delivering part of the service in house, TUPE may apply to 2 existing staff, whom will be consulted and due process followed. - See section 8.1, 8.2 below.	
(xi)	The relevant financial, legal and other considerations.	See sections 4.1 and 5.0 below.	

3.21 The Strategic Director is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

#### **4.1 Financial Implications**

4.1 The estimated value of this Domestic Abuse advocacy, family support and one-stop shop services contract is £400,000 per annum, which totals £2,000,000.00 for a contract of 3+1+1 indexation / inflation will not apply year on year

4.2 It is anticipated that the cost of this contract will be funded from an internal consortium of pooled budgets, which include Public Health £163,400.00 Children and Young People Service £108,936. Community Safety £197,000.00 (including a growth bid). In total funding combined to the value of £469,336.00. The MARAC coordination will be delivered in house and the cost will be from the above allocation (at an estimated cost of £70,000.00).

4.3 Specific delivery of the One Stop Shop is combined with the existing contract as a variation. ADVANCE provide the One Stop Shop – Chrysalis, at an annual cost of £37,500. This is funded from the Community Protection core budget (3.7) to deliver support and will be incorporated into the new contract following the procurement of services.

4.4 Further funding to secure additional services will be sought within the contract period through Grants, the provider and other sources. Any additional delivery will be dependent on this, without further funding there will be no additional delivery. Funding for a specialist Independent Sexual Violence Advocate (ISVA) and a Perpetrator Programme has already been confirmed by MOPAC through the London Crime Prevention Fund to be delivered in the borough until 2025.

#### **5.0 Legal Implications**

5.1 Under the Public Contracts Regulations 2015 ('PCR'), domestic violence advocacy, family support and MARAC coordination is a Schedule 3 service. As the estimated value of the contract is in excess of the threshold for Schedule 3 services, the procurement is subject to the full application of the PCR in that the contract opportunity must be advertised and placed on the UK Find a Tender Service ('FTS') with the applicable rules for tendering and selection followed. Officers have set out the process that will be undertaken in procuring the services in paragraph 3.2

5.2 Based on the estimated value of the contract it is deemed a Medium Value Contract under the Council's Contract Standing Orders ('CSO'), and the Strategic Director's approval of the pre-tender considerations set out in paragraph 4.0 above and the inviting of tenders in accordance with CSO 89 and CSO 88 is required.

- 5.3 Once the tendering process is undertaken, Officers will report to the Strategic Director / Assistant Chief Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 As this procurement is subject to the full application of the PCR, the Council must observe the requirements of the mandatory minimum 10-calendar standstill period imposed by the PCR before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. At the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.
- 5.5 The service is currently delivered by an external provider and as the Multi Agency Risk Assessment Conference (MARAC), which forms part of the service delivered by the current provider, will be brought in house as mentioned in paragraph 3.5 there is likely to be TUPE implications for the Council arising from the retendering. Officers will obtain Employee Liability Information from the current provider to share with the bidders for the service that will be retendered as part of the procurement process and the Council in respect of MARAC.

## **6.0 Equality Implications**

- 6.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 6.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. The Strategic Director is referred to the contents of this report for information, in particular the Equality Analysis at Appendix 1
- 6.4 There are no negative equality implications resulting from the proposals in this report.

- 6.5 Brent Council is required to make anticipatory reasonable adjustments to ensure that disabled service users have equitable access to all services. Over the past 12 months, we have been working to make our web services compliant with the Web Content Accessibility Guidelines version 2.1 AA standards.
- 6.6 Brent Council have commissioned Domestic Abuse provider – ADVANCE, and other services commissioned by the council we undertake regular monitoring and collation of data relating to equality as part of the contract including gender, disability, sexuality, ethnicity, and age (with particular interest in young victims and perpetrators). The advocacy service are monitored on their ability to deliver effective services to specialist BAME victims, and to link in with other local specialist partners to facilitate this. An Equalities Impact Assessment form has been completed prior to the point of procuring services.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The VAWG delivery board has been consulted
- 7.2 Lead Member for Community Protection have been briefed on the request to procure services.
- 7.3 Consultation began in 2021 and has taken place with key stakeholders including Early Help, Children’s Social Care, Public Health and Adult Social Care who detailed their needs from a new domestic abuse support service. The response was that all partners wished to retain the current model with additional enhancements. These enhancements included;
- Sexual abuse/violence support (ISVA)
  - Expansion of Chrysalis (East and West)
  - Domestic Abuse Support Worker for medium risk Adult Social Care cases
  - Domestic Abuse Support Worker for medium risk Family Solutions cases coming
  - Enhanced support programme for children with whole family approach

No additional uplift in funding was confirmed, however no reduction was agreed.

## **8.0 Human Resources/Property Implications**

- 8.1 This service is currently provided by an external contractor, however with the MARAC delivery coming in house, there is likely to be implications for the council, as the current provider does have two members of staff delivering the coordination and admin role who would be eligible to apply under TUPE. No other staff would be affected. If the staff once consulted do not wish to transfer then the council will follow its recruitment processes.

8.2 A request has been made to the current provider to declare all the staff eligible under TUPE and this will be included within the tender pack. Two posts have been identified which would apply to the service delivery which is due to be brought in house.

Role 1 - Salary - £27,000 length of service since 07/09/2020.

Role 2 – Salary £12,600 length of service since 08/11/2021.

8.3 Some of the current providers' staff are based at the Civic Centre and occupy under a licence. It is likely that a similar arrangement would apply following any procurement.

## 9.0 Public Services (Social Value) Act 2012

9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.

9.2 Relevant Social Value Act considerations to include reference to social value being 10% of the evaluation score to include –

- Strong Foundations
- Every opportunity to succeed
- A borough where we can all feel safe, secure, happy and healthy

**Report sign off:**

**Alan Lunt**

Operational Director of  
Regeneration and Environment

**Shazia Hussain**

Assistant Chief Executive