

 Brent	<p align="center">Cabinet</p> <p align="center">11 September 2017</p> <p align="center">Report from the Strategic Director of Regeneration and Environment</p>
For Action	Wards affected: ALL
Brent Domestic Abuse Advocacy and MARAC Coordination: Contract Variation	

1.0 Summary

- 1.1 In June 2017 Cabinet agreed the proposed option to commission Independent Domestic Violence Advocacy (IDVA), Family Support and Multi Agency Risk Assessment Conference (MARAC) coordination services, allocating a council budget of £270,226 per year for an initial period of 3 years with the option to extend by a further 2 years.. The contract was subsequently re-tendered in July 2017 and awarded using delegated powers in September 2017.
- 1.2 In February 2017 the council's Community Protection Service submitted a funding application to the Home Office Transformation Fund for additional specialist domestic abuse IDVA intervention. The council was notified its application was successfully in July 2017, however contract validation regarding provider requirements were not confirmed by the Home Office until August 2017, after the IDVA, Family Support and MARAC coordinator services tender had closed. Given the additional funding awarded to the council is for very similar services to those it has very recently procured, it is considered that rather than procuring a further contract, the recently let Brent Domestic Abuse Advocacy and MARAC Coordination Contract should be varied to include the additional provision covered by the grant funding.

2.0 Recommendations

- 2.1 That Cabinet agree to vary the Brent Domestic Abuse Advocacy and MARAC Coordination Contract to include the delivery of the Home Office Transformation Fund services detailed in paragraph 3.2 to the value of an additional £100,000 per annum for three years.

3.0 Detail

- 3.1 Following Cabinet approval to tender in June 2017, the Brent Domestic Abuse Advocacy and MARAC Coordination Contract (the Contract") was re-tendered in July 2017. In September 2017, prior to Cabinet, the Strategic Director of Regeneration and Environment, in consultation with the lead member and the Strategic Director of Children and Young People, awarded the contract to the successful tenderer using powers delegated to them. This prompt procurement and award has allowed for increased mobilisation time for the successful provider to commence delivery of the IDVA, Family Support and MARAC coordinator services before the cessation of the current contract with Hestia which expires on 03 December 2017.

On the 24th February 2017 the Community Protection Service submitted a bid to the Home Office Transformation fund for two additional IDVA interventions which would help to reach out to a wider and additional service user group than the IDVA, Family Support and MARAC coordinator services target. The bid requested £100,000 each year from 2017/18 to 2019/20, summing a total grant award of £300,000. The bid included two elements of delivery for each year:

1. Three Tier Support IDVA

A specialist IDVA to 'screen for support' all calls logged by the Police on their CRIS system, which are non-crimes and low level abuse which would normally be delegated to non-specialist workers. This is a shift in focus for current IDVA provisions across London, addressing more earlier intervention. Brent have piloted this work in recent years identifying the increased number of service users being supported; however the work load cannot commit to all non-crimes and possible early intervention identified. The focus for this intervention is to only be on all non-crime incidents, and standard - medium level Domestic Abuse incidents not normally referred to core IDVA services by Police colleagues. Aims include:

- a) **Reduce risk:** Increase expert support to victims at an earlier stage rather than being reactive to high risk issues only which current IDVA services offer. Will screen all 3 tiers of risk, standard – high, and none-crimes based on appropriate specialist screening.
- b) **Prevent risk escalation:** Earlier support prevents an increase in risk leading to lengthier IDVA intervention. Supported at earlier time to implement safety planning earlier.
- c) **Increased victim awareness:** Earlier intervention increases awareness of support options and identifying the risk to victim and children and share awareness of perpetrator programmes where appropriate.
- d) **Increase support:** Support more victims via increased screening method. Earlier intervention enables increase in numbers being offered safety planning and support options etc. earlier than usually offered.

2. Health IDVA

Specialist IDVA part of a whole-system approach to support victims of domestic abuse coming through our health settings, to better feed the victims' path into services and increase opportunity for support. Offering face to face IDVA service on site at Northwick Park hospital for a quick crisis response to their need and a better linked service to the local GPs where identified. There will help bridge the current gap of referrals from health based settings, as over the last 12 months only 7 referrals have been made to Brent IDVAs from any health sector organisation/service. Aims include:

- a) **Reduce risk and minimise costs:** If domestic abuse were to be responded to effectively when identified in hospital and wider health settings, detrimental costs could be minimised and harm to victims and children avoided through earlier intervention and reduction of risk escalation.
- b) **Support and Training:** Ensuring that the training is offered across the departments and that there are clear referral pathways including for specialist services. Brent specialist Health IDVA helping to deliver domestic abuse training to all hospital staff and GP staff educating on referral routes, DA identification, support options. Linking in with the CCG programme across 8 boroughs.
- c) **Increased support:** Increased training and support to lead to increased victim support as better identification of victimisation and specialist DA issues. IDVA able to attend appointments on emergency basis and available for staff consultations for immediate increased support to meet service user needs.
- d) **Reduce health implications on victims:** Domestic abuse has a long-term impact on physical and mental health. Health IDVA service will help to address

mental and physical health issues as well as the domestic abuse that victims are suffering ensuring complex needs met for the most vulnerable victims.

3.2 The Transformation bid for the above was successful, and credited for being a well written bid. Many other local authority bids were rejected therefore Brent was fortunate to gain this extra grant funding. Confirmation of this success was confirmed in 05 July 2017. There was an unanswered query regarding the requirements of the bid which specifically involved provider requirements. The Community Protection Service repeatedly requested the Home Office for confirmation regarding the outstanding query, highlighting that they sought for this Transformation Fund delivery to be incorporated and added into the already advertised council funded IDVA, Family Support and MARAC coordinator services re-tender. The query was not fully responded to by the Home Office until 08 August 2017, after the re-tender of the IDVA, Family Support and MARAC coordinator services had ended on the 04 August 2017.

3.3 The unfortunate timing detailed as above has therefore left only two options to progress the delivery of the Transformation Fund services.

1. **Separately tender** for the Transformation fund services to be delivered by a provider following a further procurement process. This provider could well be a different provider to that the council has awarded the IDVA, Family Support and MARAC coordinator service contract.
2. **To vary** the IDVA, Family Support and MARAC coordinator service contract already awarded to include the additional Transformation Fund services . A variation of the Contract would ensure the same provider to deliver both elements, addressing the same main outcome of services.

3.4 Officers are recommending option 2 detailed in paragraph 3.3 above is progressed, namely to vary the Contract already awarded.

3.5 Officers recommendation to pursue option 2 rather than option 1, is based on the following:

- Varying the existing contract would achieve additional delivery value as a result of delivery synergies achieved by one provider delivering both the council funded IDVA, Family Support and MARAC coordinator service delivery and the Transformation fund delivery.
- That negotiation to vary the Contract will be based on gaining additional front line resource as the grant price is already set, and only one management fee would need to be funded if one provider.
- Management and governance efficiencies are achieved in having the same service provider for both contracts ensuring one quality delivery method.
- Varying the existing contract would ensure developed support mechanisms for service users transitioning between both services i.e. a service user identified via Northwick Park Hospital would be initially supported via the Health IDVA and later referred to the core Council funded IDVA. Both IDVAs would be colleagues working with the same processes and systems, for the same provider and therefore would be a smoother transition for the service user.
- Varying the existing contract would lead to enhanced provider business continuity procedures via an increased pool of trained Brent IDVAs across our settings.

3.6 The council Procurement Service was consulted with regarding the proposed options. Procurement have confirmed that legislation permits the council to vary existing contracts in these circumstances outlined above in line with s72 of

Procurement Regulations 2015. Procurement would also recommend the route proposed for option 2, given that the original tender process has now closed.

4.0 Financial Implications

4.1 The recommendations of this report will commit the Council to £0.3m expenditure over the next three years to deliver option 2 as set out in paragraph 3.3 above. The expenditure will be wholly funded by government grant (Home Office Transformation Fund) and will be claimed in arrears, payable at the end of each financial year which is consistent with other similar Home Office grants. The grant agreement has been approved and the service anticipates the grant claim profile to be as follow:

- 2017/18 £0.05m
- 2018/19 £0.15m
- 2019/20 £0.10m

4.2 Full completion of the Home Office Transformation Fund grant conditions are essential to ensure the grant claims are wholly honoured and that the programme's expenditure does not impact on Council budgets.

5.0 Legal Implications

5.1 The Contract is a Schedule 3 service contract under the Public Contracts Regulation 2015 (PCR). The PCR only permits modification (including variation) of contracts without commencing a new procurement in the circumstances detailed in Regulations 72. Regulation 72(1)(b) provides for modification where it is for additional service by the original contractor, irrespective of their value, that have become necessary and were not included in the initial procurement where a change of contractor cannot be made for economic or technical reasons and would cause significant inconvenience or substantial duplication of costs for council. Further, the value of the variation cannot exceed 50% of the value of the original contract. As detailed in paragraph 3.5, Officers consider that the grounds set out in Regulation 72(1)(b) are met and the value of the proposed variation would be considerably less than the 50% permitted under Regulation 72(1)(b).

5.2 Should Members approve the variation of the contract, the council is required to publish a notice of such variation in the Official Journal of the European Union.

5.3 A variation of the Contract to include the proposed Transformation Fund services is acceptable to the Home Office and would not breach the Transformation Fund grant conditions.

6.0 Equalities Implications

6.1 The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic. There are no negative equality implications resulting from the proposals in this report.

6.2 IDVA service monitoring will collate 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 will be monitored on their ability to deliver effective services to specialist BME victims, and to link in with other local specialist partners to facilitate this. An Equalities Impact Assessment has been completed whereby no negative impact was evident to any protected groups therefore no further action required.

7.0 Staffing/Accommodation Implications

- 7.1 There are no implications for existing staff as the Transformation Fund is a new funding source for a new service to be delivered.

8.0 Public Services (Social Value) Act 2012

- 8.1 The Council has a duty pursuant to the Public Services (Social Value) Act 2012 to consider how the service being procured might improve the economic, social and environmental well-being of Brent and how it might act with a view to securing that improvement during the procurement.
- 8.2 The service being procured is clearly aimed at improving, in particular, the social well-being of residents in Brent. In procuring the service, officers will also explore introducing specific measures to improve the economic, social and environmental well-being of the Brent area and social value will be one of the evaluation criteria used to encourage bids to address such issues.

Contact Officers

Karina Wane
Head of Community Protection
Regeneration and Environment
karina.wane@brent.gov.uk
0208 937 5067