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<b>Decision Maker:</b>	<b>PORTFOLIO HOLDER FOR CHILDREN, EDUCATION AND FAMILIES</b>		
<b>Date:</b>	<b>For Pre-Decision Scrutiny by the Children, Education and Families Portfolio Holder on 13 September 2022</b>		
<b>Decision Type:</b>	Non-Urgent	Executive	Key
<b>Title:</b>	<b>PROCEEDING TO PROCUREMENT: DOMESTIC ABUSE SERVICES FOR VICTIM SURVIVORS</b>		
<b>Contact Officer:</b>	Rachel Dunley, Head of Service for Early Intervention and Family Support E-mail: Rachel.Dunley@bromley.gov.uk		
<b>Chief Officer:</b>	Richard Baldwin, Director of Children's Services E-mail: Richard.Baldwin@bromley.gov.uk		
<b>Ward:</b>	All Wards		

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## 1. REASON FOR REPORT

- 1.1 The Council holds a contract with Bromley and Croydon Women's Aid for the delivery of a range of support services to women and girls at risk of, or who have suffered, domestic abuse ('DA'). The contract is funded by core budget and additional grant funding.
- 1.2 The existing contract with Bromley and Croydon Women's Aid has been varied and extended within the terms of the previous procurement exercise and the final extension has been used to fulfil service delivery for 2022/23.
- 1.3 On 1<sup>st</sup> April 2022, funding for 2022/25 was confirmed by MOPAC (the Mayor's Office for Police and Crime) under the London Councils Police and Crime Fund for three years, to 31 March 2025. The element of this grant allocated for victim survivor services is a fixed annual value of £150K. In addition to this, the Local Authority has committed a further £50K. The proposed contract value is therefore £200K pa.
- 1.4 This report seeks authorisation from the Portfolio Holder for Children Education and Families to proceed to tender for this service at an estimated cost of £200k per annum for a total potential period of up to four years on a 2+2 model with a total cost of £968K.
- 1.5 At this time, it is unclear whether MOPAC will continue to fund the DRIVE programme (as further explained in part 3 of this report), included within the current service. Delivery of this service will be included as an option within the contract, to be agreed on an annual basis after receiving confirmation of the total funding to be received from MOPAC for DRIVE. This element has a value of £42k per annum, and therefore would reduce the whole life contract value by £42k for every year it is not funded (a maximum of £168K over the four years).
- 1.6 As per the council's procurement rules any tender over £500K but below £1M needs to be authorised by the Portfolio Holder following scrutiny at PDS.

- 1.7 The proposed commissioning cycle does not match with the existing PDS meeting schedule. The service has taken advice from both Procurement and Democratic Services about the most appropriate way to progress to Award should this paper, seeking permission to proceed to procure, be approved. In accordance with the Executive Procedure Rules, in the Constitution, as described on p.101-106, and follow the standalone Portfolio Holder decision route outside the standard PDS process. PDS members will receive the Award Paper by email, have 5 days to comment by email, before the Portfolio Holder makes a decision; call-in procedures apply.
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## **2. RECOMMENDATION(S)**

- 2.1 The CEF Portfolio Holder is recommended to approve proceeding to a competitive tender for the provision of the Domestic Abuse services for victim survivors. The proposed tender would be for a total of four years (2+2) at an estimated cost of £242K per annum with a total proposed value of £968K. This period has been chosen to align to the anticipated grant funding arrangements and is subject to confirmation of the supporting grant.
- 2.2 The CEF Portfolio Holder and PDS Committee are recommended to note the arrangements proposed in paragraph 1.7 of this report.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Responding to domestic abuse is a complex and multi-faceted issue that touches many people's lives in many different ways. Domestic abuse is like no other crime insofar as the perpetrator has intimate and constant access to the victim. Domestic abuse is experienced by adults and children from all backgrounds, and many domestic incidents remain unreported and often result in devastating consequences for long term mental and physical health.
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## Corporate Policy

1. Policy Status: Existing Policy
  2. MBEB Priority: Children and Young People Supporting Independence Healthy Bromley
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## Financial

1. Cost of proposal: Estimated Cost: £200,000pa without DRIVE, £242,000pa with DRIVE included
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: 132569
  4. Total current budget for this head: £256K
  5. Source of funding: MOPAC (LCPF) Grant (£206K) & Core Budget (£50K), & MOPAC (DRIVE) Grant if continued.
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## Personnel

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: Statutory Requirement: The Crime and Disorder Act 1998 places a statutory duty on local authorities and the police to monitor and work together with other agencies to tackle domestic abuse at a local level through the provision of a Community Safety Strategy.
  2. Call-in: Applicable: Portfolio Holder Decision
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## Procurement

1. Summary of Procurement Implications: Authorisation is sought to proceed to procurement for the DA Service for an duration of 2+2 years, at a whole life value of up to £968k.
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There were 4,315 recorded domestic abuse incidents and crimes across Bromley between May 2021 and May 2022.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

**3.1** Responding to domestic abuse is a complex and multi-faceted issue that touches many people's lives in many different ways. Domestic abuse is like no other crime insofar as the perpetrator has intimate and constant access to the victim. Domestic abuse is experienced by adults and children from all backgrounds, and many domestic incidents remain unreported and often result in devastating consequences for long term mental and physical health.

#### **3.2 VICTIM SURVIVOR PROFILES**

**3.2.1** Domestic abuse is considered a gendered crime. We focus on the needs of women and girls due to the disproportionate impact of domestic abuse crimes on women and girls.

**3.2.2** There are no reliable prevalence data on domestic abuse, but the Crime Survey of England and Wales (CSEW) offers the best data available. The latest available domestic abuse data from the Crime Survey for England and Wales (CSEW) are for the year ending March 2020. These showed that an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse in the year ending March 2020: a prevalence rate of approximately 5 in 100 adults.

**3.2.3** Women are more likely to experience higher rates of repeated victimisation and are more likely to be seriously hurt or killed than male victims of domestic abuse (ONS 2019). They are also more likely to be subjected to coercive and controlling behaviours and experience higher levels of fear. In the year ending March 2019, the majority of defendants in domestic abuse-related prosecutions were men (92%) and the majority of victims were female (75%).

**3.2.4** According to data for the year ending March 2020, an estimated 1.6 million women aged 16 to 74 years experienced domestic abuse in the last year (ONS, 2020). However, it is important to note that the data does not take into account important context and impact information, such as whether the violence caused fear, who the repeat victims were and who experienced violence in a context of power and control. When these factors are taken into account the gendered nature of domestic abuse becomes much more apparent.

#### **3.3 REPORTED DOMESTIC ABUSE CRIME STATISTICS**

**3.3.1** Nationally, the Police recorded a total of 1,316,800 domestic abuse related incidents and crimes in the year ending March 2019. 746,219 of these were recorded as domestic abuse related crimes which is an increase of 24% from the previous year.

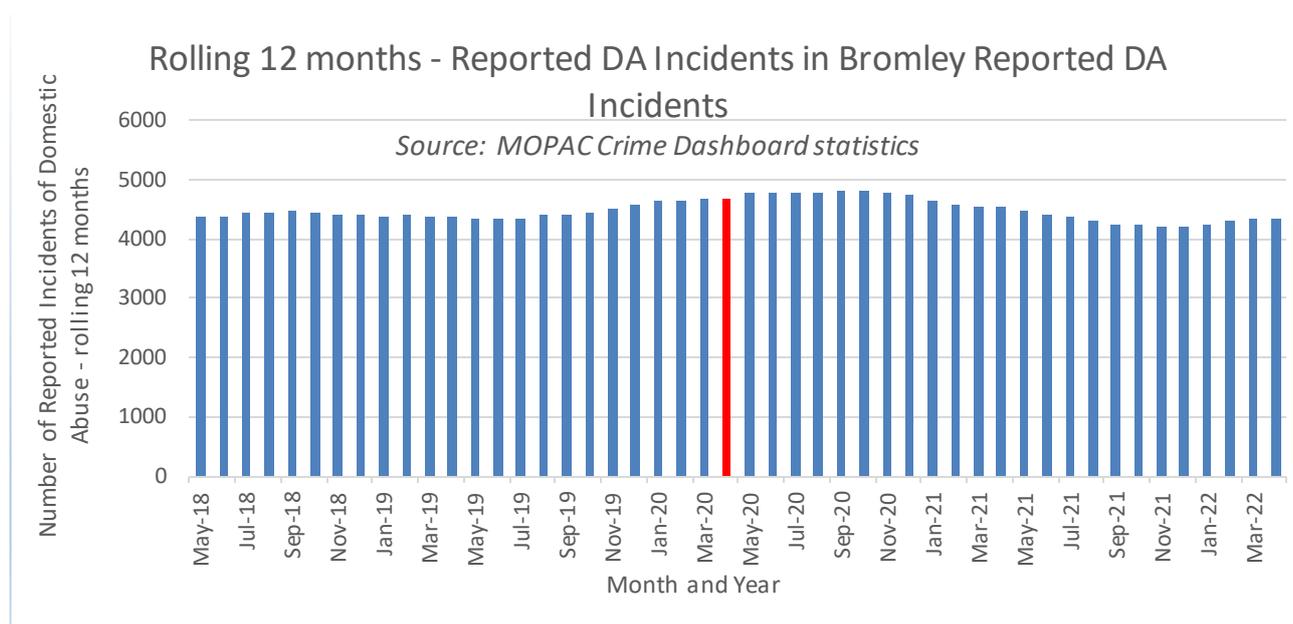
**3.3.2** The police recorded a total of 1,459,663 domestic abuse-related incidents and crimes in England and Wales in the year ending March 2021. The number of police recorded domestic abuse-related crimes in England and Wales rose 6% in the year ending March 2021 to 845,734 and represents 18% of all offences recorded by police; this follows increases seen in previous years and may reflect improved recording by the police alongside increased reporting by victims however, according to CSEW data for the year ending March 2018, only 18% of women who had experienced partner abuse in the last 12 months reported the abuse to the police. Therefore, we know domestic abuse is vastly underreported.

**3.3.3** Of the total number of domestic abuse-related incidents and crimes, 613,929 (42%) were incidents not subsequently recorded as a crime. The remaining 845,734 (58%) were recorded as domestic abuse-related crimes. (ONS November 2021). Each London borough deals, on average, with over 2,000 domestic abuse offences and 4,000 domestic abuse incidents on an annual basis.

**3.3.4** Published records in the MOPAC Domestic Abuse Dashboard demonstrates growth in the recorded number of domestic abuse incidents and crimes across London; with 141,165 in March 2018 peaking in December 2020 at 155,822, and has sustained this increased post COVID level at 155,326 in May 2022.

**3.3.5** The same MOPAC data set demonstrates Bromley saw growth during COVID. The recorded number of domestic abuse incidents and crimes across Bromley was 4,383 in March 2018 peaking in September 2020 at 4,821 and has since returned to pre-COVID levels at 4,315 in May 2022, placing

Bromley 'above average' in the recorded domestic abuse incidents and crime data for London (see 3.3.3) <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/domestic-and-sexual-violence-dashboard>



Red column in table signifies the start of COVID, (April 2020).

### 3.4 DEMAND ON SERVICES

- 3.4.1 Nationally, demand on domestic abuse helplines increased in the year ending March 2021 with a 22% increase in people supported by the National Domestic Abuse Helpline in England; this is not necessarily indicative of an increase in the number of victims, but perhaps an increase in the severity of abuse being experienced, and a lack of available coping mechanisms. There is currently no way to identify if one victim survivor has accessed multiple support services.
- 3.4.2 Support providers have advised that the forms of domestic abuse have widened. The growth of emotional, financial, and coercive abuse is a growing issue, as well as repeat victimisation. Advances in technology have resulted in new and emerging methods of abuse. This also includes the use of digital technology for offenders to track victims and the installation of CCTV and video equipment in the home. There has also been an increase in the emergence of abuse in same-sex relationships and more family related abuse, where offenders are family members of victims rather than current or ex-partners.
- 3.4.3 Community-based services are provided to people outside of a residential setting and include for example specialist advocacy support, welfare and immigration advice and mental health support. The scale and prevalence of domestic abuse, as well as the impact of the Covid-19 pandemic means that the demand for services still far outstrips provision of the most tailored, holistic forms of support to victims and survivors, hence why this service is still needed and well used in Bromley.
- 3.4.4 SafeLives report 'A Cry for Health' (2016) stated that a failure to invest in these services can lead to further long-term costs for the government. Research shows that eighty-five per cent of victims of domestic abuse seek help five times on average before they get effective support. [http://www.safelives.org.uk/sites/default/files/resources/SAFJ4993\\_Themis\\_report\\_WEBcorrect.pdf](http://www.safelives.org.uk/sites/default/files/resources/SAFJ4993_Themis_report_WEBcorrect.pdf)
- 3.4.5 The Impact of the Covid-19 pandemic on the demand for domestic abuse services since the start of the Covid-19 pandemic, has seen a significant increase in the number of people reaching out to domestic abuse services for support, and in the severity and complexity of the abuse suffered. While Covid-19 has not in itself caused domestic abuse, what the very necessary public health measures have done is to create a conducive context for it to happen. SafeLives report from their Practitioner Survey (2021)

that for many, this period has led to an escalation of violence and abuse, closed routes for people to escape safely and made it more challenging to bring perpetrators to justice. Ninety per cent of specialist services reported increased demand since the Covid-19 Pandemic.

3.4.6 In Bromley our data shows an increase in the use of the services covered by this contract. In the year 2021/22 we have seen:

- Use of the One-Stop-Shop services increased from 358 in both 2019/20 and 358 in 2020/21 to 500 in 2021/22.
- Support Groups moved on-line, and we have seen a poor retention rate for these sessions, linked to many complicating factors, but 145 victim survivors did complete the support groups of the 257 supported.
- The number of victim survivors referred into the IDVA Service slightly decreased from 943 in 2020/21 to 922 in 2021/22. This was however a dramatic rise from previous static levels; 466 in 2019/20.

### **3.5 MAYOR OF LONDON; Police and Crime Plan and Violence Against Women and Girls Strategy**

3.5.1 The Mayor of London has refreshed his Violence Against Women and Girls Strategy for London (June 2022). <https://www.london.gov.uk/mopac-publications-0/mayors-violence-against-women-and-girls-strategy>

3.5.2 The Strategy - published after extensive consultation with Londoners, victims of crime, partner agencies and community and voluntary groups - champions a public health approach and encourages everyone in London to play their part in ending the epidemic of violence against women and girls by:

- Placing a stronger emphasis on partnership working, prevention and education across a wide range of services in London
- Targeting the behaviour and actions of perpetrators of abuse and violence and making sure they are the focus for change
- Investing an additional £17.7m for support services—including a specialised response to support all victims
- Recognising that violence starts with words, and we all have a responsibility to challenge the behaviour that can lead to violence and making women feel unsafe
- Taking action to rebuild confidence and trust in the police and criminal justice system to ensure victims are supported and empowered to get the justice they deserve

3.5.3 The Mayor of London through his Police and Crime Plan and Violence Against Women and Girls Strategy is tackling domestic abuse. The Strategy acknowledges that men and boys similarly experience domestic abuse and violence and that their specific needs are recognised in both his Police and Crime Plan and in the services he commissions. However, he has also highlighted that as women and girls are so disproportionately affected by domestic abuse, a specific strategy is needed to address them. It is recognised by professionals in the field that the work of Independent Domestic Violence Advisors (IDVA), and other specialist provision is essential alongside support for low-medium risk victims who are missing out on receiving support as they do not meet the threshold of being referred to a MARAC (multiagency risk assessment conference) or IDVA services.

3.5.4 There are many reasons victims do not report domestic abuse. These include victims thinking that the incident was “too trivial/not worth reporting”, was a private family matter, was embarrassing, or the victim did not believe the police could help. Domestic abuse is placing a high demand on the Met. The Met has a range of powers available to help prevent domestic abuse; Domestic Violence Prevention Orders, Domestic Violence Protection Notices and ‘Clare’s Law’.

### **3.6 COST OF DOMESTIC ABUSE**

3.6.1 According to Davina James-Hanman, Domestic violence advisor to Trust for London and Henry Smith Charity <https://www.trustforlondon.org.uk/news/domestic-violence-costs-55bn-year-england/> domestic abuse costs £5.5billion a year in England plus an additional £26million per day in the human and emotional costs in England alone. Their research suggests the costs were highest in the London region at £918m (of the £5.5bn). The cost was further broken down as follows; £1.6bn for physical and mental health costs,

£1.2bn in criminal justice costs, £268m in social services costs, £185.7m in housing and refuge costs, £366.7m in civil legal costs, and £1.8bn in lost economic output.

3.6.2 Domestic abuse has a significant impact on a wide range of services including housing, criminal justice, and social service provision. Nationally, violent crime figures show that despite a long downward trend in violent crime, domestic abuse remains a widespread problem. The Home Office’s ‘The Economic and Social Costs of Domestic Abuse’ Research Report dated January 2019 suggests (p.6) that the total cost of domestic abuse in England and Wales for 2016/17 including economic and social costs, reached a staggering £66bn with a unit cost of £34,015. The report further suggests that whilst the £66bn cost appears large, it is most likely an under-estimate.

3.6.3 These costs are estimated by the Home Office to be around £74 billion in today’s prices. The biggest component of the estimated cost was the physical and emotional harms incurred by victims (£47 billion), particularly the emotional harms (the fear, anxiety and depression experienced by victims as a result of domestic abuse), which account for the overwhelming majority of the overall costs. The cost to the economy is also considerable, with an estimated £14 billion arising from lost output due to time off work and reduced productivity as a consequence of domestic abuse. Some of the cost will be borne directly by Government, including the costs to health services (£2.3 billion) and the police (£1.3 billion). Some of the cost of victim services will also fall to Government, including housing costs totalling £550 million, which includes housing benefit spend on temporary housing, homelessness services and repairs and maintenance. The estimated cost for a single victim of domestic abuse is £34,015. While this represents an average, there are a range of different types of violent and sexual offences that victims of domestic abuse can experience. Most extreme is the cost of domestic homicide, which has an estimated unit cost of £2.2 million arising from the cost of harms, health services and lost output.

3.6.4 Analysis conducted by SafeLives in preparation for the HMT Spending Review 2021, examined the economic, human, and emotional cost of domestic abuse for children, indicating the significant cashable savings that could be made through more thoughtful, integrated intervention, at the earliest opportunity. It is estimated that 27% of children who develop a mental health condition do so as a result of primarily being exposed to domestic abuse. Given that the unit cost per child experiencing a mental health problem per year is £32,000 (based on the average duration of domestic abuse and mental health consequences) SafeLives have assessed the economic impact of domestic abuse is calculated to be £373 million per year. Similarly, 22% of children who develop physical aggression have been exposed to domestic abuse. Given that the unit costs per child demonstrating physical aggression is calculated at £28,000 (based on school dropout rate which has a lifetime economic cost of £186,000), this costs the government £296 million per year. SafeLives research estimates that the median average length of abuse before MARAC referral is three years. Taking into account the costs of mental health support, police referrals, youth crime costs, children social care and education disruption ahead of this three-year point, their research estimated the potential of a £508 million cashable saving if early, effective interventions are put in place.

3.6.5 The table below shows information taken from the Local Government Association report “The cost of Domestic Abuse: the financial cost to Local Government (2019)” gives an estimate of the cost of domestic abuse across three local government services. The unit cost is taken from the New Economy Foundation Unit Cost Calculator and is calculated as a cost per incident. When we look at the Reported Incidents in the MOPAC Dashboard for the rolling 12 months to March 2022 the following cost is estimated. This is only for ‘reported incidents’ and therefore is an under-estimation as all incidents of domestic abuse, reported or otherwise, carry a financial cost to services.

Fiscal cost to Bromley	Unit Cost (2016/2017) £	Recorded Incidents (Year 2021/22)*	Total cost estimate for 21/22 based on 2016/17 unit cost £
Children’s Social Care	193	4,338	837,000
Adult Social Care	193		837,000
Housing	110		477,000
		Total	£2,151,000

(Source: MOPAC Dashboard)\*

## **3.7 LEGISLATION**

- 3.7.1 Domestic abuse sits within an increasing body of legislation, policy and guidance that is applicable to victims, perpetrators and children. The Crime and Disorder Act 1998 places a statutory duty on local authorities and the police to monitor and work together with other agencies to tackle this horrendous crime at a local level through the provision of a Community Safety Strategy that should include domestic abuse. The police are key partners in multi-agency domestic abuse groups that have been established in most areas to develop inter-agency responses to domestic abuse and improve service provision across agencies such as health services, specialist domestic abuse services (refuges and outreach services), housing authorities and many other statutory and voluntary sector agencies.
- 3.7.2 In April 2021, the long-awaited Domestic Abuse Bill received royal assent and is now legislation as the Domestic Abuse Act 2021. The 2021 Act aims to:
- Protect and support victims – to enhance the safety of victims and the support they receive
  - Transform the justice process – to provide support to victims throughout the justice process and an effective response to perpetrators to end the cycle of abuse
  - Improve performance – to drive consistency and better performance in the response to domestic abuse
  - Promote awareness – put domestic abuse at the top of everybody's agenda.

## **3.8 BACKGROUND**

- 3.8.1 Domestic Abuse services were commissioned and approved by the Children Education and Families ('CEF') Portfolio Holder on 31 January 2022 (CEF PH 22003) following scrutiny by the CEF PDS on 25 January 2022 (CEF 22012). The current contract ends on the 31<sup>st</sup> of March 2023. These services are funded by the Mayor's Office for Police and Crime (MOPAC) as part of the London Crime Prevention Fund (LCPF). The LCPF also fund projects across Community Safety.
- 3.8.2 In March 2021, Bromley signed a collaborative agreement relating to 'DRIVE', an intervention to challenge and support perpetrators of domestic abuse sponsored by the Home Office in partnership with the MET South 'BCU' alongside the boroughs of Croydon and Sutton. The DRIVE programme is designed to tackle high harm perpetrators of domestic abuse. This is funded via a different MOPAC funding stream to the LCPF however, the one element of this funding which comes into the local authority is to be used to enhance the IDVA provision to support the DRIVE programme. MOPAC ringfenced funding for DRIVE has currently only been confirmed until 31 March 2023. If this grant funding is extended to match the LCPF funding cycle i.e., until 31 March 2027, this will need to be embedded within this contract.

## **3.9 SUMMARY**

- 3.9.1 Preventative services and the evidence summarised in this paper, makes a strong financial case for the need to continue to invest in specialist support services in order to reduce the extent of domestic abuse. Reducing funding to specialist services should not be seen as necessary or unavoidable cost saving. The evidence of independent reports shows this would be a false economy, not just in terms of the quality of the service and support that is offered to our local communities, but also in financial cost to the London Borough of Bromley.
- 3.9.2 This will ultimately reduce the pressure on, and costs to, statutory public services. If support services are reduced and domestic abuse continues to increase the demand for services such as housing, adult and children's social care increase in direct proportion.

## **3.10 ----- TENDER PROPOSAL**

- 3.10.1 Domestic abuse impacts on the entire community, individuals of all genders, the young and old, and families with and without children. This contract will support all victims of domestic abuse through direct support or signposting to specialist providers where required.

3.10.2 The existing contract ceases on 31 March 2023, and a new procurement exercise is required to competitively tender for the provision of this service. There is no further option to extend under the existing contract.

3.10.3 The requirements of this contract are fixed by the terms of the grant funding. Following a successful bid to MOPAC under the LCPF for funding to deliver DA services to victim survivors the grant stipulation is that we must provide the following services;

#### 3.10.4 **Independent Domestic Violence Advisor Service ('IDVA')**

3.10.4.1 Independent Domestic Abuse Advisors (IDVAs) addressing all forms of domestic abuse and wider VAWG issues

3.10.4.2 Provision for specialisms within the IDVA team to support our Young People, Elderly residents, residents with complex additional needs. The team is part of our MASH front door to improve access via a single point of contact.

3.10.4.3 Signposting to dedicated services for male victims and any other specialist support services where there is insufficient expertise within the knowledge base of the successful supplier.

3.10.4.4 In the event that further funding is identified to further extend the DRIVE programme, the funding for an additional DRIVE specific IDVA will be included in this contract as the successful provider will be required to host this post.

#### 3.10.5 **Community Domestic Abuse Projects**

3.10.5.1 **The One Stop Shop** is a free and confidential service for victim survivors of domestic abuse offering a wide range of services both physically and digitally to improve access in a single point of contact model.

3.10.5.2 **Victim/survivor support groups** which follow an evidence based, nationally recognised model of appropriate support over a number of sessions e.g., the Pat Craven Freedom Programme, with the overarching aim to help women who have experienced domestic abuse make sense of and understand what has happened to them and to recognise potential future abusers. At least 9 Victim/Survivor approved support groups to run out of Bromley's Children and Family Centres, 3 per term, in addition to providing on-line options.

### 3.11 **SUMMARY OF THE BUSINESS CASE**

- I. The contract will be funded by MOPAC's LCPF grant, core budget, and MOPAC Drive funding. The usual MOPAC funding model has been a four year award cycle split into two blocks of two years. The local authority would normally bid for this funding outlining the full proposal for the four years. At the end of Year 2, the local authority would normally submit an updated bid in order to release the final two years of the ear-marked funding.
- II. Last year, MOPAC changed the model and issued a 3-year funding settlement (01 April 2022 to 31 March 2025). This change was due to the exceptional circumstances of the COVID19 Pandemic. We have not been formally advised what the new model of funding will be for 01 April 2025 onwards but there are indications that it will return to a 4-year settlement in line with the GLA London Mayoral Elections, but this cannot be guaranteed.
- III. The DRIVE programme is separately funded by MOPAC until 31 March 2023. There has not yet been clarity about the grant settlement for DRIVE from 1 April 2023. In the event that MOPAC do not continue to fund this, Bromley will be required, under the statutory duties outlined in the Domestic Abuse Act 2021 to provide a perpetrator intervention. This could be either to fund the continuation of DRIVE or commission an alternative perpetrator intervention. To ensure that there is scope to provide a perpetrator intervention in the event that MOPAC cease to fund DRIVE, the element of the MOPAC LCPF grant previously used to commission a perpetrator provision will be held and a separate

procurement exercise undertaken. It is unlikely that MOPAC's decision will be communicated in time to embed, if required, within this proposed contract.

- IV. If the DRIVE programme receives continuation funding, this will be included in this contract on an annual basis at a value of £42K pa. We anticipate the contract value being approximately £42,000 pa. This would add an additional £168K to the contract value for the period 2023/24 - 2026/27. The funding held from the LCPF grant for working with perpetrators will be used to support the wider DA agenda across the borough in keeping with the restrictions of the LCPF grant criteria.
- V. This paper is therefore written based on the conditions outlined in line with the MOPAC LCPF grant criteria, and in case of further funding from MOPAC to extend the DRIVE programme beyond 31 March 2023. The current grant conditions enable Bromley to deliver services to support victims in light of the new statutory duties outlined in the new Domestic Abuse Act 2021.
- VI. It is proposed to tender this contract for two years with the option to extend for a further period of two years in line with the anticipated MOPAC funding award structure at an estimated whole life cost of £800,000; £200,000 in 2023/24, £200,000 in 2024/25, and then £200,000 in 2025/26 and £200,000 in 2026/27, with a start date of 1<sup>st</sup> April 2023. This length of contract has been decided due to the service being part grant funded. The current funding settlement runs until 31<sup>st</sup> March 2025, hence seeking permission for a 2+2 model.
- VII. It is proposed, in the event that MOPAC confirm that DRIVE will be further funded, to include the funding for the additional IDVA post at approximately £42,000 pa, due to the uncertainty of continuation funding. If this is required, the estimated whole life cost of the contract would be £968K; £242,000 in 2023/24, £242,000 in 2024/25, and then £242,000 in 2025/26 and £242,000 in 2026/27.

### **3.12 SERVICE PROFILE / DATA ANALYSIS**

**3.13** The total money from the MOPAC LCPF assigned to the Domestic Abuse services until 31<sup>st</sup> March 2025 is £205,840 per annum, and the Local Authority has supplemented this with a further £50,000 from core budget, bringing the total budget to £255,840. It is proposed the Domestic Abuse service will cost £200,000 which would leave £24,840 to put towards the DA VAWG Strategic Lead Officer post and approximately £31,000 to be held for a perpetrator programme should the MOPAC funded DRIVE South BCU programme not be renewed post 31 March 2023.

**3.14** During the COVID Pandemic there has been an increase in the number of victims and survivors reaching out for support. Likewise, there has been an increase in the number of reported incidents and offences as described in this report.

### **3.15 Options Appraisal**

**3.16** Doing nothing is not an option as the Domestic Abuse services will stop on 31<sup>st</sup> March 2023 which will mean we will no longer be providing a support and preventative service around domestic abuse and violence against women and girls, and we will fail in our statutory duties under legislation.

**3.17** Issuing a direct award under an exemption is another option but due to various providers in the market able to provide this service, it is not recommended.

**3.18** The final option would be to put the service out to a competitive tender to ensure best value and to identify new, innovate, successful cost saving but effective practices developed during the COVID pandemic

### **3.19 Preferred Option**

**3.20** As the current contract is coming to an end on 31<sup>st</sup> March 2023 the preferred option is to put the service out to a competitive tender (3.18 above).

- 3.21** The length of the contract is proposed to be two years with the option to extend for two years commencing on 1<sup>st</sup> April 2023 and ending on 31<sup>st</sup> March 2027.
- 3.22** The cost per annum of the new contract will be £200,000 with a total contract value of £800,000, and in the event that MOPAC confirm that DRIVE will be further funded, to include the funding for the additional IDVA post at approximately £42,000 pa on an annual model, due to the uncertainty of continuation funding. If this is required, the estimated whole life cost of the contract would be £968K; £242,000 in 2023/24, £242,000 in 2024/25, and then £242,000 in 2025/26 and £242,000 in 2026/27.

## **4. MARKET CONSIDERATIONS**

- 4.1** The data shows domestic abuse is a growing issue both in Bromley and nationally. The number of potential providers of services to support victims and challenge perpetrators of DA has grown in recent years expanding the market.
- 4.2** During the COVID Pandemic services across all sectors have looked at different delivery models. Many organisations have adapted and adopted new ways to deliver services such as online and via virtual platforms. Some of these have been effective and more efficient which have identified potential cost savings. Some services however were less effective and still require an in-person delivery model. We would anticipate a hybrid delivery model for this contract.
- 4.3** The proposed tender process will ask potential suppliers to demonstrate how their learning during the COVID pandemic has changed their service delivery models and look for innovation, improved service delivery, and savings ensuring the support provided to victims and survivors in Bromley is maintained or even improved.
- 4.4** In accordance with the procurement processes within Bromley, we will use the London Tenders Portal Pro-contract (LTPP). We will signpost any interested parties to LTPP, and this information will be shared in appropriate multiagency forums such as the Bromley Safeguarding Children Board, Bromley Safeguarding Adults Board, Safer Bromley Partnership and the Health and Wellbeing Board.

## **5. SOCIAL VALUE AND LOCAL / NATIONAL PRIORITIES**

- 5.1** The Domestic Abuse commissioned services have a positive and vital impact on those vulnerable adults and children who require support and engagement.
- 5.2** A service which supports these vulnerable people is required in the long term along with a tool to measure the outcomes and the positive impact the service has had.

## **6. STAKEHOLDER ENGAGEMENT**

- 6.1** The Director and Assistant Directors of Children Education and Families Services along with the Heads of Services across statutory Children's Social Care and Public Protection, as well as colleagues in Adult Social Care, Housing, and Public Health have been consulted with as part of drafting this report.
- 6.2** The contract plans were presented to the Procurement Board on 30 June 2022.
- 6.3** Feedback from the users of the current service has also been taken into account in helping shape the service moving forward.

## **7. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS**

- 7.1** **Estimated Value of Proposed Action: up to £968K**
- 7.2** **Other Associated Costs: *If DRIVE programme funding is not received the contract value will reduce by £42K per annum.***
- 7.3** **Proposed Contract Period: 01 April 2023 – 31 March 2027**

- 7.4 This report is seeking authorisation to put the service out to a competitive tender to run from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2027 at a cost of £200,000 per annum with a whole life contract value of £800,000. In the event that DRIVE continuation funding is received, the estimated whole life cost of the contract would be £968,000; £242,000 in 2023/24, £242,000 in 2024/25, and then £242,000 in 2025/26 and £242,000 in 2026/27.
- 7.5 The proposed evaluation approach for price/quality will be 60 % financial and 40% Quality submission in accordance with Procurement Procedure regulations. The evaluation will comprise of questions covering the key areas below:

<b>Proposed Headline Evaluation Criteria</b>		<b>Weighting</b>
1.	Financial Resources And Contract Affordability	10%
2.	Transition And Set Up	5%
3.	Service Delivery	15%
4.	Key Outcomes	15%
5.	Continuing Improvement	10%
6.	Management Of Service	10%
7.	Quality Assurance	10%
8.	GDPR	5%
9.	Assessment Of Ability	10%
10.	Performance Monitoring	10%

7.6 Authorisation is with the Portfolio Holder for Children and Families and the following procurement timetable is proposed:

Timescales planned are:-	
August TBC	CEF SLT dispatch and Meeting
13/09/2022	CEF PDS
27/09/2022	Tender commences
27/10/2022	Tender closes
Week commencing 31/10/2022	Evaluation of submitted tenders
Week commencing 14/11/2022	Clarification Interviews if required
Late November 2022	PDS emailed Award Paper
Early December 2022	PDS Comments
Early December 2022	PH Authorisation
December 2022	Call-in (5 days from published decision)
Before 22 December 2022	Notify Tenderers, standstill, sign contract, complete notices
Before 31 December 2022	If required, incumbent provider given notice of end of contract
Jan – March 2023	Mobilisation
01 April 2023	New Contract commences

## 8. IMPACT ASSESSMENTS

8.1 Domestic abuse is a complex and multi-faceted issue that touches many people's lives in many different ways. Domestic abuse is like no other crime insofar as the perpetrator has intimate and constant access to the victim. Domestic abuse is experienced by adults and children from all backgrounds, and many domestic incidents remain unreported and often result in devastating consequences for long term mental and physical health.

## 9. POLICY CONSIDERATIONS

- 9.1 An Intergenerational Domestic Violence and Abuse Strategy for 2021-2024 Making Abuse Everyone's Business.
- 9.2 The Safer Bromley Partnership Strategic Assessment 2019-2023.
- 9.3 HM Government Ending Violence Against Women and Girls Strategy 2016-2020.
- 9.4 The Mayor of London has refreshed his Violence Against Women and Girls Strategy for London refreshed in June 2022.

## 10. IT AND GDPR CONSIDERATIONS

- 10.1 As there are no IT requirements or implications within this proposed contract – no comments needed from IT.
- 10.2 The Council, as part of its on-going commitment to sustaining a progressive approach to data protection and information management, requires the following be considered and evidenced:
- Privacy By design – the Council shall undertake a Data Protection Impact Assessment if there is a new provider or a significant change in contract activities should the current provider be reappointed.
  - The contract specifications will require all providers to demonstrate their adherence to the IT & GDPR legislation and the Council's requirements for these elements.
  - The Council must ensure that there is an appropriate exit strategy in relation to information retention requirements and transfer with the incumbent provider where necessary.

## 11. STRATEGIC PROPERTY

11.1 There are no property implications so no comments needed.

## 12. PROCUREMENT RULES

12.1 This report seeks authorisation to proceed to procurement for the DA Service for an estimated duration of 2+2 years, at a whole life value of up to £968k.

12.2 This is an above threshold contract, covered by Schedule 3 of the Public Contracts Regulations 2015. An open process will be used and a timetable is included above.

12.3 The Council's specific requirements for authorising proceeding to procurement are covered in Rules 1 and 5 of the Contract Procedure Rules with the need to obtain the formal Approval of the Portfolio Holder and the Agreement of the Chief Officer, Assistant Director Governance & Contracts, the Director of Corporate Services, and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

12.4 In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.

12.5 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

## 13. FINANCIAL CONSIDERATIONS

13.1 The income and expenditure streams are highlighted in the table below:-

<b>DA Services</b>	
<b>Income</b>	<b>£'000</b>
MOPAC Grant	-206
Core Council funding	-50
DRIVE Grant	-42
	<b>-298</b>
<b>Expenditure</b>	<b>£'000</b>
Main Contract	200
DRIVE	42
Perpetrator programme	31
DA VAWG Strategic Lead	25
	<b>298</b>

13.2 The report is seeking to put out to tender up to £242k per annum (Whole life value of £968k) in respect of Domestic Abuse services. £42k of this expenditure is dependent on confirmation of the continuation of the grant, which is yet to be confirmed.

13.3 There is sufficient funding (as can be seen above) to contain the estimated costs of the contracts going forward.

13.4 The remaining grant is used to support staff and other potential contracts as detailed in para 3.13.

## 14. PERSONNEL CONSIDERATIONS

14.1 There are no personnel implications.

## 15. LEGAL CONSIDERATIONS

- 15.1 The Council has a number of responsibilities in relation to reducing domestic violence and supporting the victims of such violence, including powers and duties under the Crime and Disorder Act 1998, the Domestic Violence, Crime and Victims Act 2004, the Anti-Social Behaviour Crime and Policing Act 2014 and the Domestic Abuse Act 2021. These powers and duties enable the Council to commission and provide the services outlined in this report.
- 15.2 This report recommends the Council proceed to procure a contract for the provision of domestic abuse services for victim survivors for a period of two plus two years at a total value of £968,000. A contract for the purchase of these services is a public contract under the 'light touch' category within the meaning of the Public Contracts Regulations 2015 (the "Regulations"). As this contract is above the current threshold of £663,540, it will need to be procured in accordance with the Regulations (specifically Regulations 74 to 76) under the 'light touch' regime.
- 15.3 For a contract of this value, in order to obtain authorisation to agree the commissioning and procurement strategy the Council's Contract Procurement Rules (CPR) at CPR 5.3 requires approval of the Portfolio Holder after discussion with the Relevant Officers in Legal, Finance, Human Resources, Property, Procurement and Information Technology, any service and cost implications arising from the proposals being considered.

<b>Non-Applicable Sections:</b>	Strategic, Property and Personnel Implications
Background Documents: (Access via Contact Officer)	[Title of document and date]