

Item No.	Classification: Open	Date: 24 October 2022	Meeting Name: Strategic Director of Finance and Governance
Report title:		Gateway 3 – Variation Decision Domestic Abuse Services.	
Ward(s) or groups affected:		All	
From:		Director of Communities	

RECOMMENDATION(S)

1. That the Strategic Director of Finance and Governance approves the extension of the current contract with Refuge, providing supported housing for a period of 15 months from 1 April 2023 to 30 June 2024, at a cost of £155,789
2. That the Strategic Director of Finance and Governance further approves the variation of the existing contract (as above), to be extended to include additional domestic abuse services currently provided by Solace Women's Aid at a cost of £1,042,612 for a period of 18 months from 1 January 2023 to 30 June 2024. The total cost of the contract extension is £1,198,401 (including supported housing element in paragraph 1.).
3. Approval of recommendations 1 and 2 is given subject to completion of a performance management framework agreed by the Strategic Director of Environment and Leisure, to be submitted by the 17 October 2022.

BACKGROUND INFORMATION

Refuge supported housing accommodation contract

4. In 2011, the council awarded a contract to Refuge for the provision of a 'Single Women and Women with Children at Risk of Domestic Abuse' accommodation based service for a period of three years commencing on 1 November 2011 for an annual contract value of £130,650. The contract was procured via a 'call off' from the Supporting People Framework Agreement 2010-2014.
5. A number of variations have been approved since 2014 in order to provide for an extension of the contract and continuity of the service offer. A reduction in the contract value was also agreed and the annual value is now £124,631. The most recent variation was approved by the Strategic Director of Environment and Leisure in March 2022 which made provision for an eleven months and 24 days extension from 8 April 2022 to 31 March 2023. This variation increased the overall value of the contract (including previous variations) to £1,442,559.

Current domestic abuse service arrangements with Solace Women's Aid

6. With the exception of the Refuge supported housing contract all other council commissioned domestic abuse services are currently provided by Solace Woman's Aid:
 - Survivor Advocacy and Support Service
 - Sanctuary Scheme
 - Perpetrator Programme
 - Child Therapeutic Programme
 - Adult Survivors Counselling Programme
 - Training programme
 - Service User Group work programme
 - Iris Programme
 - Housing Independent Domestic Violence Advocacy (IDVA) Service
 - Rough Sleepers Initiative – supported housing
 - Rhea Project – supported housing

7. In March 2015, following a competitive tender process, the Cabinet Member for Environment, Recycling, Community Safety and Volunteering approved the award of a domestic abuse service contract to Solace Women's Aid. The maximum annual value of the contract was £574,960 per annum commencing on 8 July 2015, for a period of three years with an option to extend for a further period or periods of up to two years, making a total maximum contract value of £2,875,000. The contract was awarded on the basis of 100% payment by results (PBR).

8. In February 2018, approval was given to extend the contract until 7 October 2019. A further extension was approved in September 2019, with a new contract end date of 7 April 2022.

9. In addition to the contract arrangement outlined above, Solace are commissioned on an annual basis by the council to deliver grant-funded services, funded by the Mayor's Office of Policing And Crime, London Crime Prevention Fund. For financial year 2022/23 this includes:
 - Adult counselling programme
 - Survivor service user group programme
 - Iris Programme (GP domestic abuse referral programme)

10. They also received annual grant funding from the Housing Solutions Service Department for Levelling Up, Housing and Communities (DLUHC) grant allocation to deliver:
 - Housing IDVA service
 - Rough Sleepers Initiative (supported housing for domestic abuse victims sleeping rough)
 - Rhea Project (supported housing for domestic abuse victims)

Ending the domestic abuse service contract with Solace women's aid

11. Following the outcome of a process which commenced in January 2022, a decision taken by the Strategic Director of Environment and Leisure to end all arrangements in place with Solace Women's Aid for the delivery of domestic abuse services. This was to be undertaken in an orderly manner with the overriding priority being maintaining the delivery of services and support for service users.

Identifying a new domestic abuse provider

12. Following discussions with Legal and Procurement within the council, it was proposed that in order to ensure a timely transition of services with the least disruption to service users, that council officers first consider existing providers commissioned by the council with experience of domestic abuse service delivery, as a replacement provider. Two providers were approached and expressed initial interest. Following further discussion one provider withdrew leaving Refuge remaining.

13. In order to assess the suitability and competency for services to be transferred and delivered by Refuge they were invited to submit a service proposal which was subject to a panel assessed due diligence process.

14. The submission met the required standard with the panel recommending that Refuge be appointed and contract extended, to deliver the domestic abuse service elements currently delivered by Solace Women's Aid.

15. It is proposed that all current services provided by Solace Women's Aid with the exception of the Rhea Project and Rough Sleepers Initiative which are currently subject to further discussion, will be transferred and be delivered by Refuge for an 18 months period from 1 January 2023 until 30 June 2024. Please see table one below for services to be transferred.

Table 1.

Service description	Currently provided by Solace	Proposed Transfer to Refuge
Domestic and Sexual Abuse Survivor advocacy services	√	√
Domestic Abuse Perpetrator Programme	√	√
Iris Programme - Training and advocacy in Primary Care	√	√
Domestic Abuse Child Therapeutic Programme	√	√
Domestic Abuse Training and Awareness Raising programme	√	√

Domestic Abuse Survivor Group Work Programme	√	√
Adult Domestic Abuse Counselling Programme	√	√
Sanctuary Scheme - scheme to install safety measures and allow people who experience domestic abuse to remain safely in their homes.	√	√
Housing IDVA - specialist IDVA providing advocacy and support to clients with complex housing needs, co-located with Housing Solutions Service	√	√
Rough Sleepers Initiative - support to vulnerable women housed in the rough sleepers hub	√	X
Rhea Project - temporary housing with tailored support for women fleeing domestic support	√	X

16. Solace will continue to deliver all current domestic abuse services until the 31 December 2022 to ensure continuity of provision and support. The current contract with Solace has expired therefore a transition arrangement will be put in place subject to a separate Gateway (GW) 1/2 report.

Development of a new VAWG service

17. Violence Against Women and Girls (VAWG) including domestic abuse has been a priority of the council for a number of years. In 2015 Southwark developed a five year Domestic Abuse (DA) Strategy. In 2019 this was replaced with a five year VAWG Strategy in recognition of the need to deliver a partnership response to all areas of gender based violence, not only domestic abuse. These include harmful practices such as female genital mutilation (FGM) and honour based violence as well as sexual harassment and stalking.

18. Since the development of the VAWG strategy, the landscape has changed significantly. The COVID 19 pandemic saw significant increases in demand and risk. Although demand levels seem to have returned to pre-pandemic levels, the way that survivors seek support and how we now deliver VAWG services has changed significantly.

19. The new Domestic Abuse Act 2021 has introduced new statutory responsibilities for responding to domestic abuse and delivering support. The Act now defines children as victims of domestic abuse in their own right. The Act also places a new duty on Tier 1 local authorities (the Greater London Authority (GLA) in London) to provide support to domestic abuse victims in safe accommodation.

20. The council needs to ensure that we procure services that are future proofed and flexible to enable us to adapt and respond to changes in the VAWG landscape. Plans to develop and procure a new transformational VAWG service are underway with an expected contract start date of 1 July 2024 for the new service(s).

21. The proposed variation to the Refuge contract will enable continued service delivery supporting vulnerable individuals experiencing domestic abuse, whilst we a new VAWG service is developed and procured to be in place for July 2024.

KEY ISSUES FOR CONSIDERATION

Key Aspects of Proposed Variation

22. The nature of the proposed variation is twofold:

- to extend the existing contract with Refuge for refuge supported accommodation for a period of 15 months from 1 April 2023 to 30 June 2024.
- to extend the provision of the contract to include additional domestic abuse services previously delivered by Solace Women's Aid for a period of 18 months from 1 January 2023 to 30 June 2024.

23. The total estimated value of the proposed variation is **£1,198,401**. The value of this proposed variation to the contract as a percentage of the total contract value (£2,640,960) is 45%.

24. The new annual contract value is £832,466. Total contract value for the life of the contract is £2,640,960

Reasons for Variation

25. Following the decision to end the council's relationship with Solace, a replacement service provider needed to be commissioned to ensure that the council continues to discharge its obligations, with no disruption in access to domestic abuse service provision for some of the borough's most vulnerable residents.

26. The extension and variation of the contract with Refuge will enable a full procurement process to be undertaken for a new transformational VAWG service to be in place from 1 July 2024, that effectively responds to the priorities set out in the VAWG strategy, the Domestic Abuse Act provisions and the implications of the Covid 19 pandemic. This future service will be contracted for a longer time period necessitating the need for future contract extensions.

27. In order to meet both of these requirements a variation to the Refuge contractual arrangement is required to increase both the length and scope of provision.

Transfer of domestic abuse service provision to Refuge

28. A transfer period of 12 weeks has been agreed with both providers which will commence as soon as the formal decision making process has concluded.

29. The additional services which Refuge will deliver under the new extended contract arrangement are outlined in table 1 (paragraph 16). With the exception of the Rhea and Rough Sleepers Initiative supported accommodation.

30. It is important to note Refuge is a different organisation to Solace Women's Aid with a different organisational approach and structure. To minimise service

disruption for existing service users we have endeavoured to keep the different service elements as much as we can to their current configuration, however there will be some changes for some areas. For example for the Training and Service User Group work programmes Refuge will be delivering their own copyrighted training programme, which will be slightly different from that delivered by Solace Women’s Aid. The Child Therapeutic and Adult Survivor Counselling Programmes will be sub-contracted to another local domestic abuse provider Bede House who have experience of delivery in this area.

Future Proposals for this Service

31. A recommissioning process is currently underway to develop and procure a new transformational VAWG service to be in place by 1 July 2024. Consideration will be given to the most appropriate future model of provision for the borough that will seek to prevent and reduce the prevalence of domestic abuse and associated VAWG in Southwark, through an early intervention approach whilst actively reducing risk for those experiencing domestic abuse. Due consideration will be given to supporting the priorities as set out in the VAWG Strategy:

- *Priority 1: Partnership*; Development of a coordinated agency and community response
- *Priority 2: Prevention and Early Intervention*; Identification of individuals and families
- *Priority 3: Protecting Victims*; Reduce harm and impact of VAWG on individual and families
- *Priority 4: Perpetrators*; Provide support to change behaviour, tackling attitudes that support VAWG, and enforcement

32. Comprehensive details on the future proposals for provision will be the subject of a separate GW 1 report. This will include a procurement project plan, for which a draft outline plan is detailed below which sets out the anticipated timescales to ensure that a new service is in place by 1 July 2024.

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	December 2022
Draft GW1 ready for circulation	March 2023
Receive legal, procurement, finance and other comments on GW1	March/April 2023
Complete soft market engagement	May 2023
Present to SLT	June 2023
Community Engagement: Stakeholder, Community, and Service Users	July and August 2023
CCRB & DCRB	September 2023
Commissioning and Procurement	October 2023 – March 2024

Activity	Complete by:
Service transition to new provider	April – June 2024

Alternative Options Considered

33. Cease delivery of council domestic abuse services: There is a risk of serious harm and potentially death if we were to cease to deliver domestic abuse support in the borough for any period of time. The risk of harm to existing service users if we withdraw their support is extremely high. It is important that we ensure service continuity to manage risk for vulnerable individuals. There would also be a significant impact on new survivors seeking support for the first time if no local services were available.

34. The council has detailed its commitment to tackling violence against women and girls in the five year strategy approved by cabinet in July 2019. The main vehicle for delivering our current response to VAWG is our commissioned domestic abuse services. There is a risk that the council will not be able to demonstrate this commitment if domestic abuse services cease to be commissioned. The Covid 19 pandemic saw a significant rise in domestic abuse and support to survivors and their children is essential to prevent the most serious harm and for longer term health and wellbeing.

35. Enter in to a competitive tender process – this is not a feasible option given timescales involved. A competitive tender process would take a minimum of six to nine months to complete, therefore not sufficient time to put in place. Also there is a potential for lack of interest as a short-term arrangement. The best option therefore is to put an interim arrangement in place whilst a longer-term service arrangement is procured.

36. Continue with Solace – in line with the Strategic Director for Environment and Leisure’s decision to end our working relationship with Solace, this is not a viable option.

Identified risks for the Variation

37. The table below details the risks and how they will be managed:

Risk no.	Risk identified	Level of risk	Mitigation
1.	Capacity of the organisation to deliver the service	Low	<p>Refuge is a relatively large well established domestic abuse service provider. A thorough due diligence process has taken place; council officers are confident that Refuge have the capacity to deliver the service.</p> <p>Weekly monitoring meetings will be put in place for the first three months of the contract to monitor service delivery.</p>

2.	The service does not meet performance targets and outcomes or demonstrate value for money during the period of contract extension.	Low	A robust contract management process as detailed in the contract monitoring and management section of this GW3 report will be utilised through the duration of extension.
3.	Funding is not available from all funding streams for the duration of the contract extension.	Medium	<p>The funding for the contract is provided from:</p> <ul style="list-style-type: none"> • Council (Community Safety Service) core budget • London Crime Prevention Fund • ICS Grant Funding • Homeless Prevention Grant <p>The current contract includes a termination clause allowing the council to terminate the agreement at any time with three months written notice should budget constraints require.</p>
4.	Staff turnover results in the provider having difficulty delivering the service levels as defined in the contract	Medium	There is a risk that the provider will face difficulties with the recruitment and retention of staff within the extension period. The sector is currently experiencing a shortage of available trained staff and this could impact our local service offer. Should this arise we will work closely with the provider to consider options that have the least impact on the overall service to survivors.
5.	Risks associated with transfer of a service	Medium	There are a number of risks associated with the transfer of a service from one provider to another. These will all be detailed in the mobilisation plan and be subject to a risk management strategy to ensure effective mitigation of any risks that arise.
6.	Risk of challenge for not carrying out a full procurement exercise.	Low	Regulation 72 of the Public Contracts Regulations 2015 will be relied upon for this variation.
7.	Risk of future service procurement not being delivered on time.	Low	The development of a future service has already been started, which is currently on schedule to be completed for a new service to be in place from July 2024.
8.	Financial risk to the provider to deliver due to high inflationary pressures.	Low	The service provider has submitted a detailed pricing schedule which has been evaluated by council officers and deemed viable. Close financial monitoring will be put in place for the duration to the contract with the ability to adapt service delivery between areas in response to any financial pressures.

Policy framework implications

38. The new Domestic Abuse Act came in to force in 2021. Key measures include:
- A new statutory definition of domestic abuse which includes economic abuse and coercive control and defines children as victims
 - Strengthened responses to perpetrators through the introduction of new civil orders
 - Establishment of a Domestic Abuse Commissioner in Law
 - A duty on Tier 1 Local Authorities (the GLA in London) to provide support to domestic abuse survivors in safe accommodation.
39. In July 2021, the government published The Tackling Violence against Women and Girls Strategy. The strategy reiterated the framework of prevention, provision of services, partnership working and perpetrators as the model to tackle VAWG.
40. In 2018, The Mayor's Office for Policing and Crime (MOPAC) published its strategic vision in "A Safer City for Woman and Girls". The London Tackling Violence against Woman and Girls Strategy, 2018 – 2021 which detailed a framework for London to be at the global forefront of tackling VAWG. The consultation process for the new Strategy from 2022 onwards is currently underway.
41. Southwark's five year VAWG strategy was approved by cabinet in July 2019. An associated five year delivery plan is being implemented which includes a commitment to review and redesign our local VAWG service officer.
42. In December 2021, the government commenced the Delivering Justice for Victims Consultation, which informed the development of the Draft Victims' Bill, published on 25 May 2022 for pre-legislative scrutiny. The draft bill includes the following relevant clauses:
- It places a duty on specified authorities (including local authorities, Police and Crime Commissioners and Integrated Care Boards) to collaborate with each other when commissioning victim support services in order to facilitate more holistic and better coordinated victim support services
 - It defines Independent Sexual Violence Advisors (ISVAs) and Independent Domestic Violence Advisors (IDVAs), introduces guidance setting out recommended minimum standards and best practice for ISVAs and IDVAs, and place a duty on ISVAs, IDVAs and other persons whose functions relate to victims of criminal conduct, or any aspect of the criminal justice system, to have due regard to this guidance, and how this relates to their role.
43. The Police, Crime, Sentencing and Courts Act 2022 contains a Serious Violence Duty on public bodies. It requires specified authorities to work together to prevent and reduce serious violence, including identifying the kinds of serious violence that occur in the area, the causes of that violence (so far as it is possible to do so), and to prepare and implement a strategy for preventing and reducing serious violence in the area. The Duty also requires the specified authorities to consult educational, prison and youth custody authorities for the area in the preparation of their strategy.

Contract management and monitoring

44. The Safer Communities Team in the Community Safety and Partnerships Service is responsible for the management and monitoring of the contract.
45. A robust contract monitoring process is already in place to ensure the effective management of the contract. This includes formal quarterly monitoring meetings in addition to day to day contact with the provider, ensuring monitoring oversight and a proactive approach to service development. The provider has an established case management system and a culture of continuous improvement.
46. During the service transition period, weekly meetings, chaired by the Safer Communities Team Manager will take place with both outgoing and incoming providers present. To include the following:
- *Data management* – focus on inputs and outputs. Number of new clients entering system, numbers of clients exiting system, current total caseload. Number of perpetrators being worked with (and successfully completing), number of children in therapeutic service.
 - *Safeguarding* – any concerns issues and interventions
 - *Partnership work* – what has been done to link with statutory and voluntary services including active outreach to community groups
 - *Equalities, Inclusion, and Diversity* – what has been done to demonstrate equity of this provision
 - *Health and Safety* – what has been done to ensure safety of staff and service users
47. This will ensure an effective transition to the new provider with minimal disruption to service users. During the first few months of the new contract, weekly meetings will continue to take place with the new provider to effectively monitor the implementation of the new service(s).
48. A set of new key performance indicators is being developed to ensure that the full range of services to be delivered are effectively monitored for quality and outcomes.
49. The current contract is formally reviewed on a quarterly basis through the submission of monitoring reports and provider meeting. This process will be enhanced taking into consideration the additional new service delivery requirements.
50. The provider will be required to submit comprehensive monitoring reports (including technical and financial information) to the council ahead of the formal review, which will be scrutinised by officers and any areas of clarification investigated prior to the meeting. Collaborative working is promoted although the risk lies with the provider.
51. Where performance concerns arise, an enhanced improvement programme will be enacted and a schedule of increased monitoring and review underpinned by robust action plans adopted.

52. An annual service audit will be developed and put in place. This will include dip sampling of data to enable verification of the accuracy of data being reported.
53. The contract will be subject to an annual performance report in line with the councils Contract Standing Orders.
54. Service demand and VAWG provision is discussed at the VAWG Strategic Group which reports to the Community Safety Partnership Group.

Community, equalities (including socio-economic) and health impacts

Community impact statement

55. The council's VAWG strategy 2019–2024 clearly identifies a need for provision of domestic abuse services to meet the needs of residents in this regard.
56. The proposed contract extension will ensure individuals and families and communities affected by domestic abuse receive the appropriate level of support at the time that it is needed.
57. An Equality Impact Assessment was undertaken in 2019 in consideration of the development of the VAWG Strategy. This has been reviewed and updated (January 2022) as part of the developmental work for the recommissioning of VAWG services. The findings of the EQIA is attached as Appendix 1.
58. The existing contract has a robust equalities and diversity monitoring framework which is in line with the council plan priorities. The baseline data collected allows us to identify if there are any particular needs of any particular community group that needs to be addressed.
59. Eligibility for accommodation within the Refuge domestic abuse accommodation service is gender specific with only females and their female children (and male children up to the age of 13), able to be residents of the borough's refuges. There is a clear safety rationale for the eligibility criteria.
60. Eligibility for the perpetrator programme is gender specific with only males eligible for the group programme. However, provision of one to one work will be explored when a female perpetrator is referred. As above, there is a clear safety rationale for the eligibility criteria.
61. All other domestic abuse services within the contract are eligible to all as per their individual needs.

Equalities (including socio-economic) impact statement

62. Pursuant to section 149 of the Equality Act 2010, due regard has been given to the Council's decision making processes to the need to:
 - a) Eliminate discrimination, harassment, victimisation or other prohibited conduct.

- b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not.
- c) Foster good relations between those who share a relevant characteristic and those that do not share it

63. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The Public Sector Equality Duty also applies to marriage and civil partnership, but only in relation to (a) above.

64. Officers have taken steps to ensure compliance with the Public Sector Equality Duty imposed by the Equality Act 2010 as set out in the Community Impact Statement section above in particular:

- In 2016/17, a Joint Service Needs Assessment (JSNA) was undertaken by Public Health of the wider health needs of victims/survivors of domestic violence and abuse. Needs analysis was also conducted to inform the development of the VAWG Strategy 2019-2024.
- The consultation exercise, which took place as part of the original tender process in 2015, influenced and informed the drafting of the service specification (so that it covers the range of issues and needs identified by the needs assessment and the consultation) and;

65. An Equality Impact Assessment (EQIA) has been undertaken (January 2022). This decision has been judged to have no or a very small impact on the general population and local communities. The findings of the EQIA is attached as Appendix 1.

Health impact statement

66. Domestic abuse and other VAWG related crimes have an enormous impact on the physical and mental health and wellbeing of survivors and their children. Both current service provision and future proposals are focussed on providing trauma-informed support with the aim of reducing short, medium and long-term harm and aiding long-term recovery.

67. Continuation of the current service provision until 30 June 2024 to enable further development of the model prior to retendering will ensure that survivors continue to receive high quality support throughout with the corresponding improvements in health and wellbeing.

68. Health impact has been considered and included in the revised EQIA

Climate change implications

69. The service provider is mindful of the impact on the climate and environment and will take action to reduce carbon admissions where possible. I.e. using public transport to visit clients.

Social Value considerations

70. The Public Services (Social Value) Act 2012 requires that the council consider, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured. The social value considerations included in the tender (as outlined in the GW 1 report) are set out in the following paragraphs in relation to the tender responses, evaluation and commitments to be delivered under the proposed contract.

71. Domestic abuse services by their nature support social value. They are focused on the most vulnerable in our communities which through the support provided, improves the health and wellbeing of survivors, their children and perpetrators of abuse. This meets the council commitment to be a fair and just borough.

Economic considerations

72. The nature of the services requires delivery within the borough and this will provide opportunities for local labour, bringing local economic benefits.

73. The contracts will continue to deliver economic wellbeing outcomes (maximising and maintaining benefit claims, debt reduction, including rent arrears and support into work, training or education).

Social considerations

74. The services improve the life chances of individuals with domestic abuse issues reducing the negative impact of domestic abuse on themselves, their children and their families.

75. In addition, the contract includes a capacity-building element and training provision which will continue to benefit Southwark's residents and employees.

76. Refuge has confirmed their commitment to meet the council's London Living Wage (LLW) requirements by continuing to pay LLW to relevant staff.

Environmental/Sustainability considerations

77. Please see climate change section above (paragraph 69.)

Financial Implications

78. It is proposed that the maximum contract extension value of £1,198,401 will be allocated from Council Community Safety and Partnerships core funding together with a number of grant funding streams as follows:

<i>Funding Stream</i>	<i>Amount</i>	<i>Confirmed until</i>
Council (Community Safety Service) core budget	925,644	30 June 2024, end of contract

London Crime Prevention Fund	125,757	30 June 2024, end of contract
ICS Grant Funding	30,000	30 June 2024, end of contract
Homeless Prevention Grant	117,000	Annually from the 1 st April The Homeless Prevention Grant is allocated on an annual basis. If this grant does not continue beyond the current end date, we will seek to identify alternative grant funding and if not possible we will use the three month break clause to vary the contract and end this element of delivery.
Total	1,198,401	

Investment Implications (Housing Contracts only)

79. None applicable

Legal Implications

80. Please see legal concurrent from the Director of Law and Governance.

Consultation

81. Extensive consultation with partners and service users took place in the development of the councils VAWG Strategy. Further consultation will take place over the next 12 months in developing our new VAWG service.

Other implications or issues

82. None applicable

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (FIN1321 – JB)

83. The report requests the approval of the extension of the current supported housing service contract with Refuge for a period of 15 months from 1 April 2023 to 30 June 2024. The noted cost of the extension is £155,789 over the period.

84. The report also requests the contract with Refuge be expanded to include additional domestic abuse services currently provided by Solace Women's Aid, as noted in paragraph 2, for a period of 18 months from 1 January 2023 to 30 June 2024. The noted cost of the additional services is £1,042,612 over the period.

85. Paragraph 78 notes the sources of funding for the combined contract value of almost £1.2m until June 2024, predominantly existing service budgets but also confirmed grant funding. Where grant funding is not confirmed for the full period

the report notes the option of seeking alternative funding sources or utilising the three month break clause to end the affected service provision.

Head of Procurement

86. This report seeks approval from the Strategic Director of Finance and Governance to extend the refuge supported housing service contract with Refuge for a period of 15 months from 1 April 2023 to 30 June 2024 at a cost of £155,789. Include additional domestic abuse services (previously provided by Solace Women's Aid) for a period of 18 months' from 1 January 2023 to 30 June 2024 at a cost of £1,042,612.

87. The Strategic Director Finance and Governance notes the reasons for the variation are detailed in paragraphs 25 to 32, the risks are detailed in paragraphs 37, management and monitoring of the contract is detailed in paragraphs 44 to 54, the impact on equalities, health and climate change are detailed in paragraphs 62 to 69, confirmation of the payment of LLW is detailed in paragraph 76.

Director of Law and Governance

88. This report seeks approval to extend an existing refuge supported housing contract with Refuge for a period of 15 months from 1 April 2023 and to enable the inclusion of domestic abuse prevention services which had been delivered previously by Solace Women's Aid, for a period of 18 months from 1 January 2023.

89. As the contract does not contain express provision for further extension beyond its expiry a fresh procurement exercise would be required, unless it is possible to satisfy one or more of certain limited permitted grounds for "modification" under the Public Contracts Regulations 2015.

90. Regulation 72 (1) (c) permits modifications in cases where all of the following conditions are fulfilled:-

- the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- the modification does not alter the overall nature of the contract;
- any increase in price does not exceed 50% of the value of the original contract.

Where this ground is relied upon the council must also publish a modification notice on the UK Find-a-Tender service.

91. The report notes the steps which are to be taken to procure a new remodelled contract from July 2024 for the delivery of these services to reflect the council's five year VAWG strategy.

92. The recommended variation of these contracts is consistent with the council's statutory duties and powers and with corporate policy and priorities, in particular, the 2019-24 VAWG strategy. The report notes the steps that have been taken to ensure compliance with the Public Sector Equality Duty imposed by the Equality

Act 2010 – in particular, the production of an Equality Impact Assessment in January 2022.

93. The decision to approve the report recommendations is one which is reserved to the relevant chief officer (the Strategic Director of Finance and Governance) in line with the council's Contract Standing Orders.

Director of Exchequer (for housing contracts only)

94. None applicable

Director of Education (for schools contracts only)

95. None applicable

PART A – TO BE COMPLETED FOR ALL DELEGATED DECISIONS

Under the powers delegated to me in accordance with the council's Contract Standing Orders, I authorise action in accordance with the recommendation(s) contained in the above report (and as otherwise recorded in Part B below).

Signature Duncan Whitfield Date...19 October 2022

Designation Strategic Director of Finance and Governance.....

PART B – TO BE COMPLETED BY THE DECISION TAKER FOR:

- 1) All key decisions taken by officers
- 2) Any non-key decisions that are sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available (see 'FOR DELEGATED DECISIONS' section of the guidance).

1. DECISION(S)
As set out in the recommendations of the report.

2. REASONS FOR DECISION
As set out in the report.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED BY THE OFFICER WHEN MAKING THE DECISION

Points 34 to 37 in the report set out the alternative options considered namely:

- Cessation of delivery of council domestic abuse services:
- Enter into a competitive tender process
- Continue with Solace

4. ANY CONFLICT OF INTEREST DECLARED BY ANY CABINET MEMBER WHO IS CONSULTED BY THE OFFICER WHICH RELATES TO THIS DECISION *

None

* Contract standing order 6.6.1 states that for contract Variations with an Estimated Contract Value of £100,000 or more, the lead contract officer (LCO) must consult with the relevant cabinet member before the decision is implemented.

5. NOTE OF ANY DISPENSATION GRANTED BY THE MONITORING OFFICER, IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST

If a decision taker or cabinet member is unsure as to whether there is a conflict of interest they should contact the legal governance team for advice.

None

6. DECLARATION ON CONFLICTS OF INTERESTS

I declare that I was informed of no conflicts of interests.*

7. CONSIDERATION GIVEN TO WHETHER, AS A NON-KEY DECISION, THIS SHOULD BE FORWARDED TO THE CONSTITUTIONAL TEAM FOR PUBLICATION IN ACCORDANCE WITH REGULATION 13(4)*

The decision taker should consider whether although a non-key decision, the decision is sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available. Where there is any doubt, having considered the importance and/or sensitivity of a decision, it should be deemed that Regulation 13(4) would apply.

I consider that the decision be made available for publication under Regulation 13(4).*

or

~~**I do not consider that the decision be made available for publication under Regulation 13(4).***~~

(* - Please delete as appropriate)

* Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the council is required to put in place a scheme for recording and publishing some officer executive decisions. This process is sometimes referred to as "Regulation 13(4)".

BACKGROUND PAPERS

Background Papers	Held At	Contact
Gateway 3- Extension Approval – Single Women and Women with Children at Risk of Domestic Abuse Accommodation Based Services	Community Safety Partnership Service, 160 Tooley Street, SE1 2QH	Sharon Ogden 07946 631425
Link: R:\Comm Saf Supp\CS_P\Safer Communities\VAWG\REFUGE\Refuge contract extension GW3 and finance		

APPENDICES

No	Title
Appendix 1	Equality Impact Assessment

AUDIT TRAIL

Lead Officer	Stephen Douglass, Director of Communities	
Report Author	Sharon Ogden, Safer Communities Team Manager	
Version	Final	
Dated	22 September 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included

Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Director of Exchequer (for housing contracts only)	No	No
Cabinet Member	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional		21 October 2022