

Item No.	Classification: Open	Date: 23 January 2023	Meeting Name: Strategic Director of Environment and Leisure
Report title:		Combined Gateway 1 – Procurement Strategy Approval and Gateway 2 - Contract Award Approval Domestic Abuse Service (Short term contract)	
Ward(s) or groups affected:		All	
From:		Director of Communities	

RECOMMENDATIONS

1. That the Strategic Director of Environment and Leisure formalises her previous decision to approve the procurement strategy for the domestic abuse prevention services contract by way of a single supplier negotiation.
2. That the Strategic Director of Environment and Leisure formalises her previous decision to approve the award of the domestic abuse prevention services contract to Solace Women’s Aid for a maximum period of nine months and 29 days, commencing on the 8 April 2022 the date following the expiration of the previous contract (7 April 2022) and ending on the date of transition to the new service provider (5 February 2023). At a cost of £629,157.

BACKGROUND INFORMATION

3. In March 2015, following a competitive tender process, the then Cabinet Member for Environment, Recycling, Community Safety and Volunteering approved the award of a domestic abuse service contract to Solace Women’s Aid at a maximum annual value of £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).
4. 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.
5. In January 2022 inconsistencies were identified in the quarterly performance data provided by Solace in relation to the main survivor advocacy service. A Southwark Council internal audit process was initiated alongside a Solace investigation. The outcome of which was the 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.

6. Direction was given to identify a replacement provider for which Refuge an existing council domestic abuse service provider was identified. Following a due diligence process, Refuge has been appointed extending their provision of services to include the elements currently delivered by Solace Women's Aid.
7. The previous contract with Solace Women's Aid expired on 7 April 2022, however they have continued to deliver domestic abuse services since that time to provide continuity for vulnerable service users. Due to the active and complex discussions required over a number of months in identifying and procuring a new service provider this has led to a longer time period than originally anticipated for the service transition. .
8. A transfer period of 12 weeks has been agreed with both providers. The proposed contract arrangement with Solace will end on 5 February 2023 at which time Refuge will commence delivery of the services under the varied contract arrangement outlined in a separate Gateway 3 report.

The Services

9. The approach underpinning the transition period has been to ensure the continuation of as many of the individual service elements as possible currently provided by Solace. Key services like the survivor advocacy support will continue to be delivered, providing continued support for existing survivors and support for new referrals, vital to maintaining and ensuring the safety of survivors of domestic abuse in Southwark.
10. Due to the nature of some of the more specialist services such as one to one counselling support these will be ended when the existing service users have completed their support programmes, with no new users accepted as due to the relationships developed it is not appropriate to transfer the service users to a new provider.
11. The services to continue with no change are:
 - Caseworkers who provide safety planning and advocacy for medium and standard risk clients, up to 12 weeks support.
 - Independent Sexual Violence Advocates (ISVAs)/Independent Domestic Abuse Advocates (IDVAs) advocacy and safety planning for high risk clients. IDVAs work to reduce risk over a concentrated time period. They carry out full risk and needs assessments and agree a safety and support plan for each client. They make supported referrals to external services (e.g. drugs and alcohol, mental health, immigration solicitors, housing) and to internal services (family legal service, immigration casework, counselling service and the Women's Resilience Awareness Programme,

(WRAP)). Once risk is reduced, cases are referred to the caseworkers.

- Sanctuary Scheme A 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 (please see paragraph 13 below).
- Iris Programme advocacy and support to victims of domestic abuse referred by general practitioners together with domestic abuse training for clinical and administrative staff in GP surgeries. Only the survivor advocacy support element will be delivered during the transition.

12. In relation to the Rough Sleepers Initiative Support service this grant-funded service continues to be delivered by Solace, commissioned by the Housing Solutions Service within the council. Discussions are currently taking place between housing colleagues and Solace as to the future of this service, and as a result won't be included in this contractual arrangement. This will instead be subject to a separate IDM decision-making process once discussions have concluded.

13. The services which will be delivered only to existing clients and closed to new referrals are:

- Children's Service. 12-week one to one play and arts based therapeutic intervention to children (aged four and above), young people and their mothers to help them understand and support her child in the difficulties they are dealing with. All client support programmes had ended as of 15 August 2022.
- Perpetrator Intervention 26 week perpetrator programme, aimed at perpetrators who wish to address their abusive behaviour.
- Adult Survivor Counselling Service 16 week counselling programme for survivors of domestic abuse Rhea Project temporary housing with tailored support for women fleeing domestic support

14. The services which are no longer being delivered are:

- Community awareness training programmes
- Survivor group work programmes

Key matters for consideration

15. The short-term contract arrangement is proposed on the basis of a fixed price of £629,157. The contract previously in place with Solace was 100% PBR. However, due to the new contract being in place solely for the purposes of transition to a new provider, it is felt that a fixed price arrangement would be most appropriate. The total value of the new contract

(backdated to 8 April 2022) is £629,157. This figure was arrived at through detailed negotiations with Solace to achieve an appropriate contract amount agreed by both parties.

16. A set of service standards are included as quality control measures within the contract as opposed to a set of outcome-based key performance indicators. Again, this is considered most appropriate as a monitoring tool for the transition arrangement. The service standards are:

- Number of referrals received and sources
- Number of risk assessments completed
- Number of cases pending allocation (categorised by risk)
- Number receiving short term work and signposting
- Number of safety plans completed
- Number of safeguarding referrals made
- Number of MARAC referrals made
- Number of active cases (categorised by risk)
- Average caseload per caseworker
- Demographic data for survivors receiving a service
- Outcomes Report for cases closed in quarter including: reduction in risk from service user perspective, improvements in mental health and health and wellbeing
- Reduction in risk for closed cases

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

17. A number of procurement route options have been considered and discounted.

Do nothing

18. This option is not viable. It is vitally important that domestic abuse support continues to be provided to vulnerable people in Southwark and continuing service provision out of contract places the council at significant risk.

In-source

19. The option of bringing the services in house is not appropriate. These are specialist services with the necessary expertise, knowledge and skills not available within the council.

Existing frameworks

20. There are no existing framework agreements that could provide the scope of the services required.

Shared service delivery with other boroughs

21. This is not an appropriate option as the services are delivered within the boundaries of the borough.

External procurement, including voluntary / not for profit

22. The option of undertaking a competitive procurement exercise in line with contract standing orders is not appropriate as the purpose is simply to continue provision until services have transitioned to an alternative provider.

Direct award of contracts to existing provider

23. This is the only feasible option to achieve the desired result, which is to continue provision of services for a short period of transition.

24. This is the preferred procurement route for the service from 8 April 2022, ending 5 February 2023.

Description of procurement outcomes

25. It is recommended that a previous decision to award a new contract of nine months and 29 days duration (backdated to 8 April 2022) to the existing provider be formalised via this report. This will enable a smooth transition to the new service provider and ensure that vital advocacy and support services continue to be available for vulnerable victims of domestic abuse in the borough.

Key/Non Key decisions

26. This report deals with a key decision.

Policy implications

27. 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 Greater London Authority (GLA) in London) to provide support to domestic abuse survivors in safe accommodation.

28. In July 2021, the government published The Tackling Violence against Women and Girls (VAWG) Strategy. The strategy reiterated the framework

of prevention, provision of services, partnership working and perpetrators as the model to tackle VAWG.

29. 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.

30. Southwark’s new 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 offer.

31. 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.

32. 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.

Procurement project plan (Key Decision)

33.

Activity	Complete by:
Enter Gateway 1/2 decision on the Forward Plan	01/11/2022
Draft GW1/2 ready for circulation	12/12/2022

Activity	Complete by:
Receive legal, procurement, finance and other comments on GW1/2	22/12/2022
Receive director approval for DCRB submission	14/12/2022
Submit report for DCRB	22/12/2022
DCRB Review Gateway 1/2	04/01/2022
Brief relevant cabinet member (over £100k)	20/12/2022
Approval of Gateway 1/2	06/01/2023
Scrutiny Call-in period and notification of implementation of Gateway 1/2 decision	20/01/2023
Contract award	21/01/2023
Add to Contract Register	21/01/2023
Place award notice on Find a Tender Service	21/01/2023
Place award notice on Contracts Finder	21/01/2023
Contract completion date – (if extension(s) exercised)	05/02/2023

Plans for monitoring and management of the contract

34. The contract will be monitored using a set of service standards and inputs and outputs submitted to the Safer Communities Team Manager on a weekly basis. Weekly meetings will be put in place between Safer Communities Team Manager, Solace and Refuge (the new service provider), to ensure a smooth transition from the outgoing to incoming provider.

Identified risks for the new contract

35. The following risks have been identified:

R/N	Risk Identified	Risk Rating	Mitigation
R1	Staff turnover results in the provider having difficulty delivering the service levels as defined in the contract	Medium	The provider has already encountered issues with resignation of staff but has been managing to meet demand via agency staff and peripatetic staff deployed from elsewhere within the organisation. Members of the council's Safer Communities Team meeting the provider on a weekly basis to manage these risks and will continue to do so until the contract end date.
R2	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.
R3	Financial risks	Low	Weekly monitoring meetings will take place with the outgoing provider to ensure appropriate standards of service delivery during the transition period and that key performance indicators are being met.
R4	Covid 19 Pandemic	Low	The service has continued throughout the pandemic and has been flexible to deliver online and virtual support when required. A business continuity plan is in place should a future lockdown occur during the transition period.

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

Community impact statement

36. 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.

37. The proposed short-term contract arrangement will ensure individuals and families and communities affected by domestic abuse receive the appropriate level of support at the time that it is needed.

38. 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).

39. The contract includes 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 need to be addressed. This data will continue to be provided during the transition period.

40. All domestic abuse services within the contract are eligible to all as per their individual needs.

Equalities (including socio-economic) impact statement

41. 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

42. 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.

43. 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).

Health impact statement

44. 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.

45. Continuation of the current service provision for the transition period until 5 February 2022 will ensure vulnerable individuals are able to access vital support and with the outcomes of improved health and wellbeing.

Climate change implications

46. The service provision will have minimal impact on climate change. Where feasible and practical consideration will be given to using online means to meet with service users, reducing the need to travel and associated environmental impact.

Social Value considerations

47. 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 Gateway 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.

Economic considerations

48. The nature of the service requires delivery within the borough and this will provide opportunities for local labour, bringing local economic benefits.
49. The contract 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

50. 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.
51. Solace has reconfirmed their commitment to meet the council's London Living Wage (LLW) requirements by continuing to pay LLW to relevant staff.

Environmental/Sustainability considerations

52. The service provision will have minimal impact on the environment. Where feasible and practical consideration will be given to using online means to meet with service users, reducing the need to travel and associated environmental impact.

Financial implications

53. The services are funded by the Council's core budget, MOPAC London Crime Prevention Fund, South East London Integrated Care System Funding and Homeless Prevention Grant. A breakdown of the budget allocation is provided below:

<i>Funding Stream</i>	<i>Funding amount available (up until 31 March 2023)</i>	<i>Pro-rate amount available to cover contract period (8 April 2022 to 5 February 2023)</i>	<i>Service provider fixed price for period</i>
Council (Community Safety Service) core budget	£526,643	£438,628	Main domestic abuse service - £462,219
London Crime Prevention Fund Grant	£83,758	£69,760	Counselling - £19,263
Integrated Care Service Funding	£20,000	£16,657	IRIS GP Service - £21,410
Total	£630,481	£525,045	£502,892
Council (Housing) Temporary accommodation core budget	N/A	£99,241 (this is the actual cost of the Rhea Service which the Housing Solutions Service	Rhea programme - £99,241

		has confirmed able to meet	
Homeless Prevention Fund Grant	£42,000	£34,980	£27,024
Grand Total		£659,332	£629,157

Legal implications

54. Please see legal concurrent

Consultation

55. As a result of the issues that came to light with the existing contract for domestic abuse services, detailed discussions took place with Legal services, procurement, cabinet members and Chief Officers.

56. The decision taken by the Strategic Director of Environment and Leisure to end the contractual arrangement with Solace Women's Aid and seek to appoint a new provider to deliver domestic abuse services was taken following extensive discussion and consultation with relevant officers and cabinet members.

57. The recommendation to enter in to a new short term contract arrangement with Solace to manage the transition period to the new provider has also resulted from extensive discussion and consultation on the issues that have arisen.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (FIN1335 – JB)

58. The report requests approval of the procurement strategy and contract award to Solace Women's Aid for domestic abuse prevention services for a period between April 2022 and February 2023. Paragraphs 5 to 8 provide the context for the short-term contract request.

59. The table at paragraph 53 notes the overall cost of the contract award as £629,157, confirms this is fixed price and details the various funding sources for the services. Paragraph 53 also highlights elements of the contract are the responsibility of other service areas (Housing Solutions) and these service areas have confirmed funding availability.

Head of Procurement

60. This report seeks approval for award of contract to Solace Women's Aid for Domestic Abuse Prevention services for a period of nine months and 29 days, expiring on 05 February 2023, with an associated value of £629,157.

61. Headline risks associated with progression are contained at the end of paragraph 35, and note management of current resourcing and future

transition issues, with reference to address and mitigation of the latter in a corresponding mobilisation plan.

62. The report confirms that Solace Women's Aid will be required to pay the London Living Wage (LLW) at paragraph 51.

63. Proposed methodology for performance/contract monitoring is detailed within paragraph 34.

64. The Community, Equalities and Health Impact Statements are set out in paragraphs 36 – 45.

65. The Climate change, Social Value, Economic and Environmental / Sustainability statements are set out in paragraphs 46 – 52.

Director of Law and Governance

66. This report seeks approval of the procurement strategy for the domestic abuse prevention service and the award of a contract to Solace Women's Aid, as detailed within paragraph 2.

67. The services which comprise this contract are classed as "light touch" services within the Public Contracts Regulations 2015 and the estimated contract value is below the current prescribed financial threshold above which it is necessary to conduct a publicly advertised competitive tendering exercise. However, in determining the procurement route the council must comply with general principles of transparency, fairness and equality of treatment.

68. The council's Contract Standing Orders (CSOs) require that, for contracts having a value of £100,000 or more but less than the "light touch" threshold the Lead Contract Officer must take all reasonable steps to obtain at least five tenders. CSOs also permit a departure from that requirement in exceptional circumstances.

69. Paragraphs 5 to 8 of this report explain the circumstances in which it has become necessary to recommend and enter into single supplier negotiations with Solace Women's Aid for the purpose of ensuring service delivery until 5 February 2023. Officers have also conducted market research in order to be confident that there are no other suitably experienced and qualified providers of this service.

70. The decision to approve the recommendation in this report is one which is reserved to the Strategic Director of Environment and Leisure in line with the CSOs.

71. When making procurement decisions the council must consider and have due regard to any effects of the decision on the community at large and, in particular on people identified as possessing "protected characteristics", as defined in the Equality Act 2010. The report notes at paragraph 38 the equality impact assessment which has been undertaken (and subsequently

reviewed and revised) to assess the needs of service users, all of whom are considered to possess a protected characteristic. In conducting such an exercise, the council is able to demonstrate compliance with the Public Sector Equality Duty (PSED) contained in section 149 of the Act.

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 Caroline Bruce Date 23 January 2023

Designation Strategic Director Environment & Leisure

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
Not applicable.
4. ANY CONFLICT OF INTEREST DECLARED BY ANY CABINET MEMBER WHO IS CONSULTED BY THE OFFICER WHICH RELATES TO THIS DECISION
No

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.

No conflict of interest identified.

6. DECLARATION ON CONFLICTS OF INTERESTS

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

BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Gateway 3 Variation Decision Domestic Abuse Services (Refuge) G:\CS_P\Safer Communities\VAWG\REFUGE\Refuge GW3 Service extension August 2022\MASTER	Community Safety Partnership Service, 160 Tooley Street, SE1 2QH	Sharon Ogden, Safer Communities Team Manager
Gateway 3 Variation Decision – Domestic Abuse Service Contract Sept 2019 R:\Comm Saf Supp\CS_P\Safer Communities\VAWG\SASS service\Gateway reports\GW3 ext Oct 19 to Apr 22	Community Safety Partnership Service, 160 Tooley Street, SE1 2QH	Sharon Ogden, Safer Communities Team Manager
GW1 Domestic Abuse Services September 2014 R:\Comm Saf Supp\CS_P\Safer Communities\VAWG\Domestic Abuse Service Procurement 2014\Gateway 1	Community Safety Partnership Service, 160 Tooley Street, SE1 2QH	Sharon Ogden, Safer Communities Team Manager
GW2 Domestic Abuse Services, February 2015 R:\Comm Saf Supp\CS_P\Safer Communities\VAWG\SASS service\Gateway reports\2015 main contract award	Community Safety Partnership Service, 160 Tooley Street, SE1 2QH	Sharon Ogden, Safer Communities Team Manager

AUDIT TRAIL

Lead Officer	Stephen Douglass, Director of Communities	
Report Author	Sharon Ogden, Safer Communities Team Manager	
Version	Final	
Dated	10 January 2023	
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
Cabinet Member	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Date final report sent to Constitutional Team		23 January 2023