

 the low tax borough	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>3 MARCH 2014</b>
<b>APPOINTMENT OF SERVICE PROVIDER TO DELIVER THE “IMPACT PROJECT – ZERO TOLERANCE OF DOMESTIC VIOLENCE” IN HAMMERSMITH &amp; FULHAM</b>	
<b>Report of the Cabinet Member for Environment, Leisure and Residents Services – Councillor Greg Smith</b>	
<b>Open Report</b>	
<b>Classification - For Decision</b> <b>Key Decision: Yes</b>	
<b>Wards Affected: All</b>	
<b>Accountable Executive Director:</b> Lyn Carpenter, Executive Director – Environment, Leisure & Residents Services	
<b>Report Author:</b> Chris Reynolds, Community Safety Manager	<b>Contact Details:</b> Tel: 020 753 2459 E-mail: <a href="mailto:chris.reynolds@lbhf.gov.uk">chris.reynolds@lbhf.gov.uk</a>

## 1. EXECUTIVE SUMMARY

- 1.1. For the financial year 2012/13, the Mayor’s Office for Policing and Crime (MOPAC) advertised a number of Community Safety related funding streams to London Boroughs, this included the London Crime Prevention Fund (LCPF).
- 1.2. Guidance published in February 2013 by MOPAC (Appendix 2) highlighted the process by which London Boroughs could bid for funds through the LCPF, requesting that Local Authorities identified projects that would be locally effective in the prevention of crime and reduction of reoffending. One of the project areas related to violence against women and girls.
- 1.3. In March 2013 the Council, in conjunction with Shepherds Bush Housing Group (SBHG) and ADVANCE (Advocacy Project) made an application to the LCPF for funds to deliver the Impact Project.
- 1.4. The project’s key outcomes are to reduce re-offending, increase conviction rates, reduce the total number of cases being lost or failing at court and increase the number of cases taken forward even where the victim is afraid to give evidence.

- 1.5. The decision to award this service to SBHG and ADVANCE in exception of Council procurement rules is requested for three reasons:
  - 1.5.1. The projects specification was written by the existing service providers (SBHG and ADVANCE), as part of a targeted bid to MOPACs LCPF in order to deliver specific provisions to LBHF victims of domestic violence in accordance with Mayoral priority to reduce violence against women and girls. The council submitted the bid to MOPAC on behalf of the service providers, as per MOPAC guidance (Appendix 2).
  - 1.5.2. The project delivers specialised services to LBHF victims of domestic violence engaged in the criminal justice process. Without targeted recruitment to a dedicated Specialist Domestic Violence Prosecutor position (who is now in post), recruited from the Crown Prosecution Service (CPS), there would be no other provider locally (or nationally) that could deliver this function/project.
  - 1.5.3. The bid is based on a significant proportion of match funding from the service provider (£98,000 from SBHG). SBHG would not have made funding available to deliver the project had they not been awarded LCPF funding. It is unlikely that MOPAC would have allocated the funding to the scheme without a guarantee of match funding as this was a key criteria for bids.

## **2. RECOMMENDATIONS**

- 2.1. That approval be given to the appointment of SBHG and ADVANCE to deliver the Impact Project in Hammersmith & Fulham from 2013/14 to 2016/17 at a year one cost of £188k (£752k over 4 years), all of which is to be funded from external sources.

## **3. REASONS FOR DECISION**

- 3.1. The project is a specialist service, delivering specialist provisions to victims of domestic violence engaged in the criminal justice process. LBHF are not aware of any local/national providers capable of delivering this service.
- 3.2. The service providers are incumbent within the role and are providing match funding without which the project could not be delivered.

## **4. FUNDING BACKGROUND**

- 4.1. A significant proportion (£90k) of the year one funding for the Impact Project comes from the MOPAC London Crime Prevention Fund. This is a new funding stream that came online for the financial year 2013/14. The

remaining £98k is being funded by Shepherds Bush Housing Group (£78k) and Standing Together Against Domestic Violence (£20k).

- 4.2. The timeframes from funding launch (February 2013) to project launch (April 2013) were very short, and prevented LBHF from following normal procurement timetables. MOPAC demanded projects be in place from the start of the new financial year (2013/14) and these restrictions would not have allowed for a full procurement exercise to be undertaken. Formal grant agreements were not received from MOPAC until October 2013.

## 5. FUNDING SOUGHT AND OBTAINED

- 5.1. The table below demonstrates the annual costs of providing the Impact project and details the match funding contributed by the service provider and other borough organisations:

Post	Funding Obtained (and source)	MOPAC funding sought	Total post cost
Dedicated borough based prosecutor	£78,000 (SBHG)	-	£78,000
Project coordinator	-	£35,100	£35,100
Data analyst and case tracker	£20,000 (STADV)	£15,000	£35,100
Dedicated IDVA*	-	£40,000	£40,000
<b>TOTAL</b>	<b>£98,000</b>	<b>£90,100</b>	<b>£188,100</b>
*IDVA = Independent Domestic Violence Advocate			

*SBHG – Shepherds Bush Housing Group*

*STADV – Standing Together Against Domestic Violence*

- 5.2. The figures in the table above represent the costs of the project for one year. The duration of the project has been provisionally agreed with MOPAC until 2016/17 (four years), pending satisfactory performance and a continuation of match-funding.
- 5.3. Total MOPAC LCPF allocation between 2013/14 and 2016/17 (based on continued satisfactory performance) would equate to £360,400.

## 6. SERVICE OUTLINE AND OUTCOMES

- 6.1. The project contributes to the MOPAC objectives to support victims and witnesses, reduce violence against women and girls, increase the number of solved crimes and improve the efficiency of the court system.
- 6.2. The project's key outcomes are as follows:
- to reduce repeat incidents of domestic violence;

- to increase the number of reported domestic violence/family violence incidents;
- to increase repeat incidents of domestic violence entering the criminal justice system;
- to reduce domestic violence murders by co-location and collaboration between partners involved in the Impact Project.

## **7. SERVICE TARGETS**

- 7.1. The targets for the project over four years are set out in Appendix 1. they will be measured quarterly.

## **8. EQUALITY IMPLICATIONS**

- 8.1 The Impact Project is highly relevant to women and their children, and to all other protected characteristics (e.g. race groups, disability) and including women who are pregnant or who have just given birth. Delivery of this project will help to better understand the needs of women who are experiencing a violent relationship and who are going through the courts.
- 8.2 Measures have been drawn up to track the progress of this project for full evaluation. These include protected characteristics such as age, gender, race, disability and so on. If it is found that some groups of women are reaching different outcomes, steps will be taken to address this.
- 8.3 Implications verified/completed by: Carly Fry, Opportunities Manager, ext 3430

## **9. LEGAL IMPLICATIONS**

- 9.1. This report covers the commissioning of a new service using funding from the MOPC. Although these are Part B services under the Public Contracts Regulations 2006, and therefore are not subject to the full regime set out in the Regulations, the Council is still bound by general EU principles of transparency, equality of treatment and non-discrimination. Generally this requires the Council to undertake a competitive process. The reasons why this was not possible in this case are set out in the main body of the report.
- 9.2. Officers should ensure that they enter into a binding agreement with the providers which backs to backs any necessary obligations included with the terms of funding from the MOPC.
- 9.3. Implications verified/completed by: Cath Irvine, Senior Solicitor (Contracts), ext 2774

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1. The cost of this project is to be fully funded from external sources and therefore at zero cost to the council. Given that funding has been confirmed for the first year only, officers need to ensure that performance remains above the minimum standard required in order to secure funding for future years. If future year's funding is not confirmed prior to the start of the next financial year, the project will need to be wound down to ensure that the council is not exposed to any financial risk.
- 10.2. SBHG and ADVANCE are considered to be the only providers capable of delivering this service. As such, the decision to award this in exception to Council procurement rules does not present any financial issues as the market is not sufficiently developed.
- 10.3. Implications verified/completed by: Kellie Gooch, Head of Finance (ELRS), 020 8753 2203.

## **11. RISK MANAGEMENT**

- 11.1 See Section 10. No other risks are recognised.

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1. The services to be deliver under the Impact Project are classified as "Part B" under the Public Contracts Regulations 2006 and not subject to a mandatory regulated competition.
- 12.2. Under the Council's Contracts Standing Orders, a competitive exercise would normally be run before appointing SBHG and ADVANCE to deliver a project of this financial value on behalf of the Council. However, waivers are permitted under clause 3.2 of CSO where the reasons for an exemption or waiver are properly reported to Cabinet or the appropriate Cabinet Member, which is the case in section 1.6 of this report. In particular, that:
  - award of the MOPAC funding to deliver the Impact project was itself the outcome of a competitive exercise in which the Council, SBHG and ADVANCE submitted a partnership bid;
  - SBHG and ADVANCE co-wrote the Impact specification with the Council, which formed an integral part of the successful bid to MOPAC;
  - it is unlikely they MOPAC would have awarded the external funding of £90k to the Council in year 1, and a potential £360k over a 3-year period, if SBHG were not match-funding this sum.
- 12.3. Given these circumstances, and the positive outcomes that a successful Impact project should have on delivering important local priorities, the

Director of Procurement and IT Strategy supports the report's recommendation.

- 12.4. Implications completed by: John Francis, Principal Procurement Consultant, H&F Corporate Procurement 020-8753-2582.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	None		

**LIST OF APPENDICES:**

Appendix 1: Impact Project Performance Indicators

Appendix 2: MOPAC LCPF Guidance