


London Borough of Hammersmith & Fulham CABINET 7 DECEMBER 2015		
APPROVAL TO MAKE A DIRECT AWARD OF A CONTRACT FOR THE PROVISION OF DOMESTIC VIOLENCE REFUGE ACCOMMODATION		
Report of the Cabinet Member for Health and Adult Social Care: Councillor Vivienne Lukey and the Cabinet Member for Social Inclusion: Sue Fennimore		
Open Report A separate report on the exempt part of the Cabinet agenda provides exempt financial information.		
Classification - For Decision Key Decision: Yes		
Wards Affected: All		
Accountable Executive Director: Liz Bruce - Executive Director of Adult Social Care and Health		
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1. EXECUTIVE SUMMARY

- 1.1 On 15 October 2015 the Cabinet Member for Social Inclusion and the Leader approved a waiver of the Council's Contract Standing Orders (CSO's) of the requirement to seek competitive bids to enable the Council to directly award a contract to the recommended organisation identified in the exempt report for domestic violence refuge services. The justification for the prior waiver is set out in 3.1 of this report.
- 1.2 This report requests the Cabinet to approve the direct award of a contract to the recommended organisation identified in the exempt report for the period 1 April 2016 to 31 March 2018 as set out in the exempt report. The recommended organisation currently provides 14 units of short term refuge accommodation. The current contract expires on 31 March 2016 and there are no further provisions to extend the contract; hence the requirement for a prior approval to waive the Contract Standing Orders to award a direct contract.

- 1.3 A review of the services has indicated the contract is delivering strategically important accommodation and support services to women and children experiencing domestic abuse.
- 1.4 The direct award of a contract to the recommended organisation for the period 1 April 2016 to 31 March 2018 in LB Hammersmith & Fulham will ensure stability and continuity in local services while officers determine the future procurement and commissioning options to strengthen refuge services in LB Hammersmith & Fulham and deliver better value for money for the Council.

2. RECOMMENDATIONS

- 2.1 That approval be given to a direct award of a contract to the provider named in the exempt report for the period 1 April 2016 to 31 March 2018, as set out in the exempt report.

3. REASONS FOR DECISION

- 3.1 It is in the Council's best interest to have waived the Contract Standing Orders of the requirement to seek competitive bids because the direct award of a contract to the recommended organisation identified in the exempt report will allow officers time to review the implementation and progress of the new shared Violence Against Women and Girls service across Hammersmith & Fulham, WCC and RBK&C.
- 3.2 This review will enable the Council to determine the optimum future commissioning arrangements for Hammersmith & Fulham refuge services.

4. BACKGROUND

- 4.1 In 2009/10, following a strategic review of local domestic violence services, the Council carried out a restricted tender to commission the future refuge services in Hammersmith & Fulham. Six organisations were successfully shortlisted and were invited to tender for the refuge contract to provide 14 bed spaces of accommodation for women and children experiencing domestic abuse.
- 4.2 Four organisations submitted a tender; the recommended organisation was the Most Economically Advantageous Tender and was awarded a three year contract with the option to extend for two 12 month periods. The contract commenced on 1 April 2011; both extension periods have been utilised.
- 4.3 Due to the nature of refuge services, referrals into refuges in the borough come from women living outside of the borough. Residents living in Hammersmith & Fulham who need refuge accommodation can access refuges in other London boroughs and outside of London. Apart from in the City of London at 31 March 2015 there were refuge places in all other London boroughs with a total 836 bed spaces.¹

¹ UKROL Report to London Councils Oct 2013-March 2015

- 4.4 A review of the recommended organisation refuge contract in 2014-15 and ongoing contract monitoring indicates the services are good quality and valued by residents and stakeholders.
- 4.5 In July 2015, a new shared Violence against Women and Girls (VAWG) Integrated Support Service was commissioned across LB Hammersmith & Fulham, WCC and RBK&C: refuge services were not included in this new contract however; there are considerable interconnections between the new VAWG service and the existing refuge services in LB Hammersmith & Fulham.

5. PROPOSAL AND ISSUES

- 5.1 It is proposed that the Cabinet approves the direct award of a contract to the recommended organisation for the period 1 April 2016 to 31 March 2018. The extension of the recommended organisation's contract for the above period will provide stability and continuity of service while officers review the future procurement and commissioning options for refuge services.
- 5.2 Over the next 12 months officers will monitor and review the impact of the new shared VAWG service to understand the potential options and benefits of greater integration of future refuge services. The learning from this review will help inform the future procurement and commissioning options for refuge services in LB Hammersmith & Fulham. Officers consider that an immediate procurement would not benefit from the learning of the VAWG service with the associated risk of not achieving the optimum service configuration or best value for money in the future. The VAWG service only commenced on 1 July 2015 and therefore to date there has not been any opportunity to learn from the implementation of the new shared service.
- 5.3 The timetable for the future procurement of the refuge services will be as follows:

Task	Date
Monitor & review shared integrated VAWG service	April 2016 – March 2017
Refuge services relet strategy agreed	April 2017
Prepare ITT documents	June 2017
Issue ITT	Sept. 2017
Evaluation	Oct/Nov 2017
Governance	December 2017
Award	Jan. 2018
Implementation	Jan-March 2018

6. OPTIONS AND ANALYSIS

Do nothing

- 6.1 There is not an option to do nothing as the refuge services expire on 31 March 2016 and there will be a risk to vulnerable residents if the services end before alternative arrangements are in place. Therefore this option is not recommended.

Procure a new contract immediately using the West London Framework Agreement

- 6.2 The West London Housing Support Framework 2012-16 (the Framework) is available to call-off a contract for the future provision of refuge accommodation services. There are sixteen eligible provider organisations on the relevant lot of the Framework. The Framework has been the Council's preferred procurement method for purchasing housing support contracts since 2012 and a number of successful call-offs have been undertaken.
- 6.3 As set out above officers consider however, that it is important to monitor and review the recently commissioned shared VAWG service in order to develop the future service and contracting model for refuge services in LB Hammersmith & Fulham; the new VAWG service only commenced on 1 July 2015 and so the review will need to take place during 2016/17. Any immediate procurement of the future refuge services would not benefit from the learning of this review and therefore risk not achieving the optimum service configuration or best value for money. For these reasons this option is not recommended.

7. RISK

- 7.1 The Adult Social Care department identify and assess risk in accordance with the Shared Services Risk Management framework. Risks are regularly reviewed and discussed at the Senior Leadership Team, additionally risks relating to procurement are considered at Contracts and Commissioning Board meetings. Market testing is a strategic risk noted on the Council's risk register, risk number 4, achieving best value at best possible cost to the local taxpayer. Compliance with EU procurement guidance is also noted, risk number 8. The following risk is specifically associated with the recommendations in this report and in connection with risks 4 and 8:

Issue Identified	Risk	Potential Impact	Likelihood	Mitigating factors
Awarding direct contracts without competition	Risk of challenge from providers on West London Framework Agreement	Medium	Low	A competitive procurement exercise will be conducted in 2017 and a break clause will be exercised in the event of a challenge

- 7.2 Comments verified by Mike Sloniowski Shared Services Risk Manager 020 8753 2587

8. CONSULTATION

- 8.1 No formal consultation has been carried out in connection with the recommendations in this report.

9. EQUALITY IMPLICATIONS

- 9.1 There are no adverse equality implications for protected groups arising from the recommendations contained in this report. Overall the impact on women experiencing domestic abuse is adjudged as neutral or positive as service continuity and improvements will be secured.

10. PROCUREMENT IMPLICATIONS

- 10.1 A prior waiver of the requirement to seek competitive bids was approved on 15 October 2015 in accordance with Section 3 of the Contract Standing Orders which states that a prior approval has to be obtained and agreed by the appropriate persons. As the estimated Contract Value is over £100,000 the appropriate Cabinet Member and the Leader of the Council can approve a waiver if they are satisfied that a waiver is justified insofar as they relate to the Council's own competition rules governing quotes and tenders.
- 10.2 Approval to award the contract to Hestia will be a Cabinet decision as the value of the contract is over £100,000.
- 10.3 Procurement Comments by Rita Emesim (Procurement and Contracts Officer), 020 8753 5351 and verified by Joanna Angelides, Procurement Consultant, 020 8753 2586

11. MARKET IMPLICATIONS

- 11.1 Hestia has been delivering services to vulnerable people in LB Hammersmith & Fulham for over 35 years and is a key strategic partner of the Council. The recommendations in the report will enable the continued partnership between Hestia and the Council to deliver valuable services.

12. LEGAL IMPLICATIONS

- 12.1 As set out in the exempt report on the exempt Cabinet agenda.

13. FINANCIAL AND RESOURCES IMPLICATIONS

- 13.1 As set out in the exempt report on the exempt Cabinet agenda.

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of background papers	Name/ Ext of holder of file/copy	Department/ Location
1.	None		

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