


<p style="text-align: center;"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p style="text-align: center;"><b>CABINET</b></p> <p style="text-align: center;"><b>6 MARCH 2017</b></p>	
<p><b>APPOINTMENT OF CONTRACTOR TO DELIVER IMPACT PROJECT INDEPENDENT DOMESTIC VIOLENCE ADVOCACY</b></p>	
<p><b>Report of the Deputy Leader of the Council</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b> <b>Key Decision: Yes</b></p>	
<p><b>Consultation</b> Shepherds Bush Housing Group, LBHF Procurement Division, Shared Legal Services, H&amp;F Police, Angelou Partnership</p>	
<p><b>Wards Affected: All</b></p>	
<p><b>Accountable Director: David Page, Director for Safer Neighbourhoods</b></p>	
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## 1. EXECUTIVE SUMMARY

- 1.1. The Impact project provides services to improve criminal justice outcomes for victims of domestic abuse and their families. The current agreements to provide services for the project expire on 31<sup>st</sup> March 2017.
- 1.2. The services under the current arrangements are for independent domestic violence advocacy, case progression, and project management and specialist legal advice. Until March 2017 the project is being jointly funded by Shepherds Bush Housing Group (SBHG) and the council's Safer Neighbourhoods Division (SND). The SND's contribution is via the Mayor's Office for Policing & Crime (MOPAC) London Crime Prevention Fund (LCPF).
- 1.3. SBHG are withdrawing their portion of the funding from March 2017. This was used to fund the project management of the service. For the service to continue the council are now proposing to manage the project. The independent domestic violence advocacy (IDVA) services and case progression services will be funded by the LCPF under separate agreements.

- 1.4. The funding to maintain the current level of IDVA service is £75,000 per annum.

## **2. RECOMMENDATIONS**

- 2.1. That Cabinet approves a waiver under the H&F Contract Standing Orders (CSO 3.1) from the requirements to obtain three tenders under CSO 11.2.
- 2.2. That Cabinet approves the direct award of a contract to Advance Advocacy Project to deliver the IDVA services for one year from 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018, with an option to extend for a further 12 months up to 31<sup>st</sup> March 2019.
- 2.3. That Cabinet agrees to delegate the decision to extend the contract for a further 12 months to 31<sup>st</sup> March 2019 to the Director for Safer Neighbourhoods, in consultation with the Deputy Leader.

## **3. REASONS FOR DECISION**

- 3.1. The waiver of CSOs is being requested for two reasons. Firstly, it is required because insufficient notice of future funding was provided by MOPAC, and, secondly because of the nature of the services being provided.
- 3.2. The council funds its share of the project via a grant from the Mayor's Office for Policing and Crime (MOPAC) London Crime Prevention Fund (LCPF). The council was informed of its LCPF allocation for 2017-19 on 11<sup>th</sup> November 2016. As such, this did not allow adequate time for the services to be redesigned and retendered.
- 3.3. The service is performing well (see Table 2, section 5.2) and officers feel it provides value for money.
- 3.4. The project's IDVA function is particularly successful due to the IDVA workers being co-located within the police's community safety unit. This unit deals with cases of domestic abuse, sex offending, and child sexual exploitation and, consequently, any non-police staff working there must be comprehensively vetted. If a new contractor were to be appointed, there would not be enough time to vet the IDVA workers before contract commencement.
- 3.5. The provision for such a waiver can be requested for approval under section 3.1 of the council's CSOs. As the value of the contract is potentially up to £150,000 normally the decision to agree the waiver is taken by the appropriate Cabinet Member and the Leader of the Council.
- 3.6. As the potential value of the contract is up to £150,000 officers are asking Cabinet to approve both the waiver and the award.

## 4. PROPOSAL AND ISSUES

- 4.1 In June 2016 SBHG notified the council that they would not continue funding the Impact project beyond March 2017. The future of the service became, therefore, dependant on the level of LCPF grant awarded by MOPAC. Notification of this grant was received on 11<sup>th</sup> November 2016.
- 4.2 Officers are recommending the IDVA contract is awarded for one year with an option to extend for one further year.
- 4.3 The recommended award tenure is linked to the future of the wider VAWG Integrated Support Service (ISS) which is shared with WCC and RBKC. Officers are currently seeking permission to extend the ISS contract to March 2018, however the future of the contract beyond that time is not yet known. Should the shared service not continue beyond 2018, a new sovereign service will be designed and this may incorporate the Impact project. If, on the other hand, the ISS is extended beyond March 2018 the Impact project can continue as a stand-alone service by exercising the one-year extension.
- 4.4 Table 1 shows how the elements of the Impact project are funded.

Table 1

	SBHG	LBHF	Total
1. Project management and legal advice	£78,000	£0	£78,000
2. IDVA function	£0	£75,000	£75,000
3. Case progression analysis	£10,000	£15,000	£25,000
Total	£88,000	£90,000	£178,000

1. Service provided by officer from SBHG
2. Service provided by Advance
3. Service provided by Standing Together Against Domestic Violence (STADV)

To protect front line service delivery, officers propose that the project management function is integrated into the council's Safer Neighbourhoods Division and the IDVA and case progression functions are funded under separate agreements via the LCPF.

## 5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The options are:
- Option 1: To discontinue the Impact project.
  - Option 2: To integrate the Impact project within the Shared VAWG Integrated Support Service.
  - Option 3: To tender the Impact project via open invitation.
  - Option 4: To continue the Impact project through direct award to the current providers.
- 5.2 Option 1: Officers consider that the service is vital in improving criminal justice outcomes for victims of domestic abuse and therefore propose the service should continue. Its success is outlined in the Table 2.

Table 2 (April-September 2016)

	LBHF	Comparison Borough
Cases	33	38
Convictions	57.6%	44.7%
Early guilty pleas	51.5%	28.9%
DV history provided	93.9%	76.3%
MG2 for special measures	75.8%	39.5%
Information on restraining order	57.6%	36.8%
Full victim personal statement	12.1%	5.3%
% of finalized cases in which restraining order imposed	24.2%	10.5%

8 cases still ongoing in LBHF, 4 in the comparison borough  
 MG2 is a police form for witness assessment

- 5.2. Option 2 – Officers considered integrating the Impact IDVA service with the VAWG ISS contract and consulted with the council’s legal department. Based on the Legal advice received this option was dismissed.
- 5.3. Option 3 – For those reasons established in section 3 of the report this option was dismissed.
- 5.4. Option 4 - **The recommended option** is to ask for a waiver of Contract Standing Orders to continue the front line elements of the service.

## 6. CONSULTATION

- 6.1. Consultation has been carried out with SBHG, LBHF Procurement Division, and Shared Legal Services

## 7. EQUALITY IMPLICATIONS

- 7.1. The project is particularly relevant to women and their children of all protected characteristics. Delivery of the project improves understanding of the needs of women who are experiencing domestic abuse.
- 7.2. The project records the protected characteristics of service users and tracks them to ensure that they are receiving appropriate outcomes. If they are not steps are taken to address this.

## 8. LEGAL IMPLICATIONS

- 8.1. The recommendation is to award a contract without advertising in accordance with the Council’s Contract Standing Orders (“the Orders”). The contract is below the EU threshold under the Public Contracts Regulations (2015) (“the Regulations”) and do not need to be advertised in accordance with the Regulations as it is not subject to EU procurement rules.

- 8.2. A waiver from the Orders is required for non-compliance with the paragraph 11.2 with regards to the process that should be followed and advertising of the contract prior to award.
- 8.3. *Implications verified/completed by: Sharon Cudjoe, solicitor, Tel: 020 7361 2993*

## **9. FINANCIAL IMPLICATIONS**

- 9.1. On 11<sup>th</sup> November 2016 the LCPF grant allocation to the London Borough of Hammersmith & Fulham from MOPAC was confirmed as £887,919 over the next two financial years 2017/18 and 2018/19.
- 9.2. Subsequent to this allocation decision, bids for specific projects have been submitted totalling £886,152 over this two-year period.
- 9.3. Whilst we are still awaiting formal agreement, MOPAC have indicated that all projects recommended for funding under the award will be approved, and the IDVA function has historically been funded from this grant. Given the success of the Impact Project to date, it is highly unlikely that funding would be refused to cover the project going forward, including £75,000 for the IDVA function.
- 9.4. *Implications verified/completed by: Lucy Varenne, Finance Manager, telephone: 020 7361 5777.*

## **10. IMPLICATIONS FOR BUSINESS**

- 10.1. This paper proposes that Cabinet waive procurement standing orders and award the contract for managing and delivering services to victims of domestic abuse and their families to advance advocacy Project. Advance Advocacy Project is a Hammersmith based charity and therefore local procurement and the opportunity for local jobs and employment gains remain within the borough.
- 10.2. *Implications verified by Antonia Hollingsworth, Principal Business Investment Officer, HRD, Telephone 020 8753 1698*

## **11. COMMERCIAL IMPLICATIONS**

### **Procurement**

- 11.1. Although the contract proposed does not need to be advertised and is not subject to the full extent of EU procurement rules the requirement to conduct procurements in a transparent, fair, and proportionate manner remains. The proposal for a direct award of the contract is in part mitigated by the proposed contract having a short duration to allow for a full appraisal of future service design (as described in paragraph 4.3 of this report).

- 11.2. There has been no service or performance concerns during the contract period and the contract has achieved value for money (as detailed in the report at 5.2). Ensuring that services are governed by appropriate contractual arrangements is critical to reducing compliance risk. As such the recommendation to award a contract to the incumbent service provider is preferential.
- 11.3. *Implications completed by: Joanna Angelides, Procurement Consultant, Tel No. 0208 753 2586.*

## **12. OTHER IMPLICATIONS PARAGRAPHS**

### Risk Management

- 12.1 Violence against women and girls (VAWG) are serious crimes. These crimes have a huge impact on the local economy, health services, and the criminal justice system. Protecting women and girls from violence, and supporting victims and survivors of sexual violence, remains a risk management priority of this Council. Delivery of the case progression services is a fundamental support mechanism. As a consequence of the short notice of available funds and given the nature of the services being provided and the urgency with which the appointment to carry out the services must be made, the waiver of CSOs is advised to mitigate the risk of service interruption, risk number 6 on the Council's Risk Register.
- 12.2 *Risk Management Implications verified by Michael Sloniowski, Shared Services Risk Manager, telephone 020 8753 2587.*

## **13. BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

- 13.1 None

### **LIST OF APPENDICES:**

**None**