

## Commissioning and Procurement Sub-Committee – 15<sup>th</sup> September 2020

<b>Subject:</b>	Procurement of Domestic Violence and Abuse Prevention Service		
<b>Corporate Director(s)/ Director(s):</b>	Hugh White Corporate Director Commercial and Operations and Strategy and Resources Andrew Errington, Director of Community Protection		
<b>Portfolio Holder(s):</b>	Cllr. Neghat Khan		
<b>Report author and contact details:</b>	Bethan Hopcraft, Strategy and Commissioning Officer, 0115 876 5073, Bethan.hopcraft@nottinghamcity.gov.uk		
<b>Other colleagues who have provided input:</b>	Jane Lewis, Community Safety Strategy Manager		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Subject to call-in</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b> <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Total value of the decision:</b> £1,343,619 (£376,119 NCC Funding)			
<b>Wards affected:</b> All	<b>Date of consultation with Portfolio Holder(s):</b>		
<b>Relevant Council Plan Key Theme:</b>			
Nottingham People			<input checked="" type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input checked="" type="checkbox"/>
Serving Nottingham Better			<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>			
<p>This report provides an update on work to procure a domestic violence and abuse prevention service. The aim of this service will be to produce and deliver a range of training, workshops and resources for the overall aim of preventing domestic violence and the harm caused to survivors, their families and the citizens of Nottingham City (further details of the service are outlined in the service specification in Appendix 1).</p> <p>The report seeks authority to:</p> <ul style="list-style-type: none"> <li>• Commence a competitive tender process for the domestic violence prevention service.</li> <li>• Delegate authority to the Head of Contracting and Procurement to approve and sign off the outcome of the tender process and to award of the contract to successful bidder.</li> <li>• Delegate authority to the Head of Contracting and Procurement to sign all contracts.</li> </ul> <p>For the purpose of this report, 'Domestic Violence' and 'Domestic Abuse' are interchangeable, and while 'survivor' is used throughout, they may be referred to as 'victims' in other documentation.</p>			
<b>Exempt information:</b> None			
<b>Recommendation(s):</b>			
<b>1 Approve</b> to commence a tender process for the domestic violence prevention service for an initial contract period of three years, for a value of <b>£447,873</b> (NCC investment of £125,373), with the option of extending for three further two-year periods (+2+2+2) for a total potential contractual value of <b>£1,343,619</b> (NCC investment of <b>£376,119</b> ).			
<b>2 Approve</b> the spend associated with this decision (add value) for a potential contract period of nine years.			
<b>3 Delegate</b> authority to the Head of Contracting and Procurement to approve and sign off the outcome of the tender process for the domestic violence prevention service and to award a			

contract to the successful bidder.

**4 Delegate** authority to the Head of Contracting and Procurement to sign all contract documents arising under the recommendations of this report, including any extensions of the proposed contracts.

## **1 Reasons for recommendations**

- 1.1 Approval is sought to procure a prevention service for domestic violence. This will ensure compliance with the Council's Financial Regulations and Contract Procedure Rules as the current contract is due to expire on 31<sup>st</sup> March 2021 with no option to extend further. It will deliver value for money due to a competitive process being undertaken as well as a requirement within the service specification for the provider to ensure resilience by sourcing external funding throughout the life of the contract.
- 1.2 Approval is sought to advertise, tender, and award a contract for a period of three years with the option to extend for three further two-year periods (3+2+2+2). The contract will be awarded with a six-month break-clause. The contract length is proposed to complement the rest of the sector's contract lengths (nine years) and provides stability to a provider which will need to establish its brand within the City. The proposed contract length was decided by the Domestic and Sexual Violence Joint Commissioning Group as the most viable option when compared with other options in the options appraisal.

## **2 Background (including outcomes of consultation)**

- 2.1 The contract for the domestic violence prevention service is due to expire on the 31<sup>st</sup> of March 2021 and require procurement to ensure compliance with financial and contract procedure rules, as there is no option to extend the contract further.
- 2.2 The project currently aligns with, and complements statutory Relationships and Sex Education in schools, NICE Guidelines on Domestic Abuse, and the Violence Against Women and Girls (VAWG) Strategy; alignment with the strategy is listed as a pledge under the Council Plan 2019-2023. The provider who will deliver the new contract is required to work to these same standards.
- 2.3 The current provision established in the City delivered 74 projects in schools to 6,260 pupils in 2018/19<sup>1</sup>, and 47 training sessions, briefings and seminars to 1,213 professionals in the same time period. It is expected that the successful bidder will deliver this level of provision under the new contract. All interventions work towards a shared goal of all domestic and sexual violence and abuse services (DSVA); to identify and support survivors and to reduce the harms caused by DSVA. The service allows for professionals, and young people alike, to identify signs of domestic abuse and unhealthy behaviours within relationships and to make referrals, signpost, or seek support, as necessary.
- 2.4 During the Covid-19 pandemic, the service has acted as a single point of contact for signposting survivors by distributing literature to venues such as pharmacies and GP surgeries, and have developed social media posts that promote domestic violence support services. In addition to this, the service has transformed their training packages to allow for virtual training for professionals, and has continued to be a key element in offering advice to professionals. This has been pertinent throughout lockdown, as there has been an increase in reported domestic violence incidents.

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<sup>1</sup> This is the latest full year of data due to the Covid-19 pandemic resulting in school closures and a change to the way in which training is delivered.

- 2.5 Nottingham Crime and Drugs Partnership is responsible for writing an upcoming domestic and sexual violence strategy, which will cite prevention as best practice, in line with the imminent DV Bill.
- 2.6 When the DSV Joint Commissioning Group were presented with an options appraisal, they identified that the best option going forward was to procure the service for a period of three years, for a value of £447,873 (£125,373 NCC investment), with option to extend for three further two-year periods (3+2+2+2) on a total contract value of £1,343,619 (£376,119 NCC investment). The majority (72%) of funds are allocated from the Police and Crime Commissioner (PCC) and the PCC will be issuing a Statement of Intent in terms of funding going forward. The contract includes a six-month break clause, which will enable a review of the contract in light of any issues arising with funding from within the commissioning partnership.
- 2.7 The rationale for this option is that it would deliver value for money by:
- i. Completing a competitive tendering process at a time when the capacity is stable within Nottingham City Council procurement, commissioning, strategic and contracting teams;
  - ii. Writing requirements within the service specification<sup>2</sup> for the provider to demonstrate resilience throughout the life of the contract by seeking external funding, which is likely to bring money into the City, and;
  - iii. Allowing flexibility for the successful provider to develop the provision in line with changing population needs and trends within the sector.
- 2.8 The contract would be awarded with a six-month break clause inbuilt in order to support any financial changes within Nottingham City Council. In addition, there is no uplift available throughout the nine-year contract, which effectively means a financial reduction throughout the contract period.
- 2.9 The current provision has proven to be well-received by Nottingham City citizens, professionals and survivors, and has delivered on expected outcomes; as a result, it has been decided to maintain the main aspects of the existing service specification. As the intended service specification remains largely unchanged from the existing provision and that the current provision has a high level of positive feedback and outcomes, it was deemed that public consultation was not necessary. An Equality Impact Assessment has been completed to ensure the service continues to fulfil the requirements of citizens.

### **3 Other options considered in making recommendations**

- 3.1 Five options were presented to the Domestic Violence Joint Commissioning Group. It was decided that the option above was the most effective use of resources, most beneficial for the successful bidder, and the best option for our citizens and survivors of domestic abuse.

### **4 Finance colleague comments (including implications and value for money/VAT)**

- 4.1 This report seeks approval to commence a tender process and award the contract for the domestic violence prevention service for an initial contract period of 3 years at a cost of £0.448m. An option of extending the contract for three further two-year periods (+2+2+2) is also sought for approval which would take the total cost of the contract over the 9 year period to £1.344m.

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<sup>2</sup> Attached for your reference as an exempt document

- 4.2 The funding of the total 9 year contract value is split between NCC MTFP base budget funding of £0.376m (held by the Crime and Drugs Partnership) and the Police and Crime Commissioner funding of £0.968m.

The initial 3 year contract value of £0.448m requires NCC funding of £0.125m and PCC funding of £0.323m.

The annualised amount over the full life of the contract equates to NCC funding of £0.042m and PCC funding of £0.108m each year.

- 4.3 Sufficient budget for the NCC element of this contract is accounted for within the NCC MTFP (held in the Crime and Drugs Partnership) and no financial pressure is expected as a result of awarding this contract. As the contract will be majoritively funded by the Police and Crime Commissioner there needs to be assurance regarding the permanence of this funding over the life of the contract with a break clause inbuilt into the contract should any financial changes occur over future years.
- 4.4 As with any awarding of contracts, it needs to be viewed and approved in the context of the financial situation of NCC and spend should be minimised where possible with the risk of any future years financial pressure assessed and minimised.
- 4.5 The contract and processes aims to deliver value for money due to the competitive process being undertaken as well as a requirement within the service specification for the provider to ensure resilience by sourcing external funding throughout the life of the contract. In addition, there is no uplift available throughout the 9-year contract, which effectively means a financial reduction throughout the contract period.
- 4.6 The contract should be reviewed at each extension period opportunity to ensure suitability, value for money and to reconsider NCC's financial position at that particular point in time.

Advice provide by Phil Gretton, Strategic Finance Business Partner 19 August 2020

## **5 Legal and Procurement colleague comments (including risk management issues, and including legal, Crime and Disorder Act and procurement implications)**

- 5.1 There are no significant legal issues arising from this report. It is proposed that a compliant tender process is undertaken in order to secure a provider of these services. Due to the potential longevity of the contract it is advised that prior to any extension period being confirmed that an appropriate review of the market is undertaken to ensure ongoing value for money.
- 5.2 The service will be substantially funded by the Office of the Police and Crime Commissioner and therefore the Council needs to ensure that appropriate measures are put in place with the OPCC to provide assurance regarding receipt of that funding and the agreement with the successful provider is capable of variation or termination in the event that funding is reduced or withdrawn during the contract period.

Advice Provided by Naomi Vass, Senior Solicitor 17 August 2020

- 5.3 The procurement of a Domestic Violence and Abuse Prevention Service proposed in this report will be undertaken by the Procurement Team in compliance with the requirements of EU and UK Procurement Regulations (Light Touch Regime) which require services of this type above the value of £1,343,619 to be advertised and procured in accordance with these rules.

Advice provided by Julie Herrod, Lead Procurement Officer 19 August 2020

## **6 Social value considerations**

- 6.1 Recommendations have been considered in line with the Public Services (Social Value) Act 2012. All services within this report aim to improve the social wellbeing of the client groups they target. This includes the completion of citizen engagement and feedback, utilisation of volunteers and adhering to the business charter within the new contract.

## **7 Regard to the NHS Constitution**

- 7.1 Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

## **8 Equality Impact Assessment (EIA)**

- 8.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:  
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix 1, and due regard will be given to any implications identified in it.

## **9 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

- 9.1 None

## **10 Published documents referred to in this report**

- 10.1 None