

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4210

Author:

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Department:

Finance and Resources

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Subject:

Contract for the Provision of a Domestic Abuse Perpetrator Intervention Programme

Total Value:

£46,750 (Type: Revenue)

Decision Being Taken:

All parts of this decision are retrospective. 1) To approve the receipt of grant funding from the Home Office for the provision of the domestic abuse (DA) perpetrator intervention pilot.
2) To approve the expenditure of the £46,750 grant for a period of a one-year pilot project.
3) To note that Contract Procedure Rule 4.1.1 was dispensed with for operational reasons, in accordance with Financial Regulation 3.29, to directly award a contract for the DA perpetrator intervention pilot to the existing provider for domestic abuse prevention.

Reasons for the Decision(s) Nottingham and Nottinghamshire maintain an extensive scheme of provision for the survivors of Domestic Violence and Abuse (DVA). These provisions cover the range of needs from training for professionals to specialist accommodation-based provision. High-risk offenders are managed through specific DVA provision within Nottinghamshire Police's Integrated Offender Management (IOM) regime, in conjunction with the Force's Public Protection Unit (PPU). Whilst specific provision for non-high-risk offenders has featured in the landscape of provision, historically, the limited funds available to the City and County's partnerships has meant that in recent years local funding has been prioritised according to risk and has, therefore, been focussed on services for survivors. DVA remains a key priority for the Community Safety Partnerships in both the City and the County, as well as for the Police and Crime Commissioner (PCC). The recent overview of DVA has identified a continued need to manage high-risk perpetrators, as well as the need to consider a wider approach to perpetrators in the community. The Home Office has made funds available to local partners to trial perpetrator interventions that the Office for the PCC and partners have successfully bid for and represents an opportunity to trial and evaluate new approaches locally. The funding was granted with the condition of it being allocated to a service within a short timeframe. In order to ensure an effective evaluation could be completed, it was necessary for the funding to be allocated immediately upon receipt. For this reason, this request for approval is retrospective, as the provision is being delivered currently. The market for services with this sort of specialist knowledge in the City is limited, which lead to the decision of directly awarding the contract to the current provider for DVA prevention (Equation), which was tasked in setting up and starting the pilot. The aim of the project is to develop a local pilot intervention for Nottingham and Nottinghamshire to address the beliefs and behaviours of perpetrators, to reduce their risk of reoffending. The service will work with known perpetrators identified by the PPU. The pilot is due to run for one year from October 2020 to September 2021. If the funding is reallocated for the following year, a full competitive commissioning process will be undertaken.

Other Options Considered:

- 1) To do nothing: this would result in the City having to give much needed funding back to the Home Office. In light of the increase in need for services relating to domestic and sexual violence throughout the pandemic, and the financial needs of the City, rejecting funding is not a viable option.
- 2) To go out to tender. Due to the short timescales set by the Home Office for delivery and evaluation, a tender exercise would not be possible and would negatively impact on service users. In addition, the recent reduction in the number of officers within Procurement and Commissioning, a tender process may take longer than normal, which would reduce the time left for the delivery of the pilot.

Background Papers: PCC Position Statement - 'Improving the response to domestic violence and abuse in Nottinghamshire'

Unpublished background papers: Improving the Response to Domestic Violence and Abuse In Nottinghamshire.doc

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests:

None

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

Domestic violence and sexual violence are key priorities within the Strategic Assessment and Partnership Plan, as well as in the PCC's Plan. The Crime and Drugs Partnership is required to produce an annual Strategic Assessment and Partnership Plan to consider crime, anti-social behaviour, substance misuse and reoffending in the City signed off by full Council.

Equality:

EIA not required. Reasons: The decision does not represent proposals for a new or changing policy, service or function.

Social Value Considerations:

Not applicable.

Decision Type:

Portfolio Holder

Subject to Call In:

No
The call-in procedure does not apply to the decision because it has been taken retrospectively.

Person Consulted: Not applicable
Consultation Date: 26/04/2021
The decision is retrospective.

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

A dispensation from the need to conduct a procurement process may be granted for operational reasons. This report is requesting a dispensation be granted in order to directly award a contract to Equation, an existing provider to the Council under which they provide domestic violence related services. The reasons for the need for the dispensation have been set out within the report but include short timescales and this being a pilot project.

Given the specialist nature of the services within a very limited market, and the recent tendering activity with Equation, it is likely that such an award provides the Council with value for money. As with the comments of Procurement, however, in the event that the pilot is successful and further funding becomes available for this type of service, a procurement process should be carried out supported by the corporate Procurement team.

In the meantime, appropriate contract provisions need to be in place with Equation for this service, which includes appropriate monitoring to meet any funding requirements.

Advice provided by Naomi Vass (Senior Solicitor) on 12/04/2021.

Finance Advice:

This decision seeks approval to accept and spend a one-off grant from the Home Office on the provision of a domestic abuse perpetrator intervention programme. The decision also seeks dispensation from Contract Procedure Rule 4.1.1 in accordance with Financial Regulation 3.29 to directly award a contract to the existing provider for domestic abuse prevention, Equation.

The grant, amounting to £46,750, is to be spent in financial year 2021/22 and must be spent in accordance with any grant terms and conditions. The service should monitor spend to ensure only the amount available is spent and to ensure no financial pressure occurs.

As outlined in the Legal and Procurement comments, the short timescales involved resulted in allocation of funds without a full tender exercise. Due to this, approval is sought for dispensation from Contract Procedure Rule 4.1.1 in accordance with Financial Regulation 3.29 to award grant funding to the existing provider of the service, Equation. It should be noted that if further funding is allocated following the pilot a full competitive procurement process should be undertaken along with the appropriate approvals to ensure full value for money is being evidenced and obtained.

Advice provided by Philip Gretton (Finance Analyst) on 20/04/2021.

Procurement Advice:

Dispensation from Contract Procedure Rule 4.1.1 in accordance with Financial Regulation 3.29 (operational issues) is supported from a Procurement perspective in order to direct award a contract for the provision of a domestic abuse perpetrator intervention programme to Equation for the reasons set out in the decision. The proposal falls below the European Union procurement threshold. It should be ensured that there are appropriate contractual arrangements in place with the provider. The pilot will run from October 2020 to September 2021, and it is noted that if further funding is allocated for the following year, a competitive procurement process should be undertaken.

Advice provided by Julie Herrod (Procurement Officer) on 07/04/2021.

Signatures

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| Neghat Khan (PH Neighbourhoods, Safety and Inclusion) |
| SIGNED and Dated: 10/05/2021 |
| Andrew Errington (Director of Community Protection) |
| SIGNED and Dated: 13/05/2021 |