

Appendix Legacy Approval Decisions: Commissioning and Procurement Executive Committee: July 2023

Current Approvals

Service required	Source of funding	Proposed Annual Funding DATES 2023-2028	Proposed total funding length of contract	Proposed Provider	Start and end of contract dates	Rationale	Procurement and Legal position (refer to Notes at bottom of Appendix for detailed provisions of references)
<p>Multi Agency Risk Assessment Conference (MARAC)</p> <p>Independent Domestic Violence Advisor service (IDVA)</p>	<p>Office of the Police and Crime Commissioner (OPCC)</p> <p>Partnership Agreement with Nottingham City Council</p>	<p>78,012</p>	<p>390,060</p> <p>(Five years of contract remaining)</p>	<p>Juno Womens Aid</p>	<p>2019 – 2028</p>	<p>The female DVA service was tendered in 2019 for 9 years.</p> <p>OPCC did not include this element as part of the main contract at the time as it was a different funding stream.</p> <p>This element has been paid by OPCC as an integral part of that contract since then.</p> <p>The IDVA team delivered by Juno are a core part of the multi-agency partnership response to high risk DVA.</p> <p>NCC has not commissioned separate IDVA's as operationally this cohort of survivors is high risk and requires a joined-up service.</p> <p>IDVA's are a specific role, with a qualification and different pay scale.</p>	<p>Permissible amendment to contract in accordance with the Contract Procedure Rules ("CPR") 18.99 as considered to be compliant with Regulation 72 (1b) of the Public Contract Regulations ("PCR") 2015.</p>

IOM IDVA service	OPCC Partnership Agreement with Nottingham City Council	30,000	30,000 (contract ends March 2024)	Juno Womens Aid	2019 – 2024	See above A funding review has taken place by OPCC as there are national changes to Integrated Offender Management (IOM) and we are awaiting the outcome.	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b &/or 1e) of the PCR 2015.
ED IDVA service	NCC Public Health Partnership Agreement between OPCC and Nottingham City Council	36,000	180,000 (Five years of contract remaining)	Juno Womens Aid	2020 – 2028	This was previously a role paid directly to NUH. In 2020 they reviewed the service & recommended it be delivered by Juno WA as part of their IDVA team to resolve the vulnerability of one nurse providing this service, which had become a single point of failure. A Contract Variation was completed at the time as this is now part of the DVA female service. However, approval was not sought.	Permissible amendment to contract in accordance with CPR 18.99 and considered to be compliant with Regulation 72 (1b &/or 1e) of the PCR 2015.
Trauma Informed Project / Knife Crime service	OPCC Partnership Agreement with Nottingham City Council	40,000	40,000 Contract ends March 2024	Juno Womens Aid	2023/24	The Violence Reduction Partnership funded by the OPCC have allocated this funding to Juno since 2019 as part of a pilot. This is the final year, and it will end in March 24	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b &/or 1e) of the PCR 2015.

Perpetrator Programme Support Worker	OPCC Partnership Agreement with Nottingham City Council	18,243	18,243 Contract ends Sept 2023	Juno Womens Aid	2023	OPCC have allocated this to Juno for 6 months until Sept 2023 This service was initially funded by the Home Office through the OPCC and assumed to be short term in 2020. Due to the pandemic, it has been extended every 6 months. The whole service has now been procured by the OPCC in partnership with NCC. The outcome has not been published.	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b) of the PCR 2015.
Moj uplift IDVA female	OPCC Partnership Agreement with Nottingham City Council	123,300	123,300 Contract ends March 2024	Juno Womens Aid	2023/24	Ministry of Justice (MoJ) funding towards IDVA's is a national funding stream that emerged from covid due to an increase in domestic abuse and delays in the courts. It was tendered by MoJ and allocated by OPCC has been extended annually. It will end 2024. A DDM was undertaken in 2020 for this service. An exemption from CPR was approved in 2022. OPCC have allocated this to Juno until March 2024	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b &/or 1e) of the PCR 2015.
Moj uplift Family Court IDVA	OPCC Partnership Agreement with Nottingham City Council	48,060	48,060 Contract ends March 2024	Juno Womens Aid	2023/24	As above	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b

							&/or 1e) of the PCR 2015.
MoJ uplift Mens Service IDVA	OPCC Partnership Agreement with Nottingham City Council	33,900	33,900 Contract ends March 2024	Equation	2023/24	As above OPCC have allocated this to Equation until March 2024	Permissible amendment to contract in accordance with CPR 18.99 as considered to be compliant with Regulation 72 (1b &/or 1e) of the PCR 2015.
Total		407,515	863,563				

Retrospective Approval

Service required	Source of funding	Proposed Annual Funding	Proposed total funding length of contract	Proposed Provider	Start and end of contract dates	Rationale	Procurement and Legal position is set out in the report

Multi Agency Risk Assessment Conference (MARAC) Independent Domestic Violence Advisor service (IDVA)	Office of the Police and Crime Commissioner (OPCC) Partnership Agreement	78,012	312,048 2019 – 2023	Juno Womens Aid	2019 – 2028	<p>The female DVA service was tendered in 2019 for 9 years.</p> <p>OPCC did not include this element as part of the funding for the main contract at the time as it was a different funding stream.</p> <p>This has been paid by OPCC as an integral part of that contract since then.</p> <p>The IDVA team delivered by Juno are a core part of the partnership response to high risk DVA.</p> <p>NCC has not commissioned separate IDVA's as this cohort of survivors is high risk and requires a joined up service.</p> <p>IDVA's are a specific role, with a qualification and different pay scale.</p>	Procured
IOM IDVA service	OPCC Partnership Agreement	30,000	120,000 2019 – 2023	Juno Womens Aid	2019 – 2024	<p>See above</p> <p>A funding review has taken place by OPCC as there are national changes to Integrated Offender Management (IOM) and we are awaiting the outcome.</p>	Procured
ED IDVA service	NCC Public Health Partnership Agreement	36,000	72,000 2021 - 2023	Juno Womens Aid	2020 – 2028	<p>This was previously a role paid directly to NUH. In 2020 they reviewed the service & recommended it be delivered by Juno WA as part of their IDVA team to resolve the vulnerability of one nurse providing this service, which had become a single point of failure.</p>	Procured

						A Contract Variation was completed as this is now part of the DVA female service. However, approval was not sought.	
Trauma Informed Project / Knife Crime service	OPCC Partnership Agreement	40,000	160,000 2019 – 2023	Juno Womens Aid	2023/24	Violence Reduction Partnership paid by the OPCC have allocated this funding to Juno since 2019 as part of a pilot. This is the final year, the project ends in March 24	
Perpetrator Programme Support Worker	OPCC Partnership Agreement	36,486	72,972 2021 - 2023	Juno Womens Aid	2021 - 2023	OPCC have allocated this to Juno for 6 months until Sept 2023 This service was initially assumed to be short term in 2020 and due to the pandemic, it has been extended every 6 months. The whole service has now been procured by the OPCC in partnership with NCC. The outcome has not been published.	
MoJ uplift IDVA female	OPCC Partnership Agreement	123,300	246,600 2021 - 2023	Juno Womens Aid	2021 - 2023/24	MoJ funding towards IDVA's is a national funding stream that emerged from covid, due to an increase in domestic abuse and delays in the courts. It was tendered by MoJ and allocated by OPCC has been extended annually. It will end 2024. A DDM was undertaken in 2020 for this service. An exemption from CPR was approved in 2022 for this service.	Procured

						OPCC have allocated this to Juno until March 2024	
MoJ uplift Family Court IDVA	OPCC Partnership Agreement	40,050	80,100 2021 - 2023	Juno Womens Aid	2021 - 2023/24	As above	Procured
MoJ uplift Mens Service IDVA	OPCC Partnership Agreement	33,900	67,800 2021 - 2023	Equation	2021 - 2023/24	As above OPCC have allocated this to Equation until March 2024	Procured
Total		417,748	1,131,520				

Notes

* 18.99 of the Contract Procedure Rules of the Council's Constitution provides that an official order or formal contract may be extended to include requirements relating to the scope of that scheme provided the extension/variations complies with the requirements of the Public Contracts Regulations 2015 (and any re-enactment of them)

** Regulation 72 (1)(b) of the Public Contract Regulations 2015 provides that variations are permitted without a new procurement procedure being undertaken to accommodate additional works, services or supplies by the original Contractor, which have become necessary but were not included in the initial procurement, where a change of Contractor both:

- Cannot be made for economic or technical reasons
- Would cause significant inconvenience or substantial duplication of costs for the contracting authority

Any increase in price must not exceed 50% of the value of the original contract (subject to indexation)

*** Regulation 72 (1)(e) of the Public Contract Regulations 2015 provides that a variation that is otherwise not substantial, irrespective of its value, is permitted without a new procurement procedure being undertaken. A substantial variation is defined under regulation 72(8) as one satisfying one or more condition:

- The variation renders the contract **materially** different from the one initially concluded
- The variation introduces conditions which, had they been part of the initial procurement, would have allowed for the admission of other candidates
- The variation changes the economic balance of the contract in a way not provided for in the initial contract
- The variation extends the scope of the contract **considerably**
- The variation replaces a contractor in cases other than those provided for that allow substitution