

**HEALTH AND WELLBEING BOARD COMMISSIONING SUB-COMMITTEE -
July 2015**

Title of paper:	Approval for Crime and Drugs Partnership to tender Domestic and Sexual Violence Services	
Director(s)/ Corporate Director(s):	Alison Michalska - Corporate Director Children and Adults Candida Brudenell - Strategic Director Early Intervention	Wards affected: All
Report author(s) and contact details:	Clare Fox – Strategy and Commissioning Manager 0115 8765656 clare.fox@nottinghamcity.gov.uk Christine Oliver – Head of Service CDP 0115 8765725 Christine.oliver@nottinghamcity.gov.uk	
Other colleagues who have provided input:	Dee Fretwell – Finance Analyst – Children and Adults Dawn Cafferty – Procurement Category Manager Naomi Vass - Senior Solicitor, Contracts and Commercial	
Date of consultation with Portfolio Holder(s) (if relevant)	Cllr Norris 25/06/2015	
Total value of the decision:	£3.9m	

Relevant Council Plan Strategic Priority:

Cutting unemployment by a quarter	<input type="checkbox"/>
Cut crime and anti-social behaviour	<input checked="" type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City	<input type="checkbox"/>
Your neighbourhood as clean as the City Centre	<input type="checkbox"/>
Help keep your energy bills down	<input type="checkbox"/>
Good access to public transport	<input type="checkbox"/>
Nottingham has a good mix of housing	<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs	<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events	<input type="checkbox"/>
Support early intervention activities	<input checked="" type="checkbox"/>
Deliver effective, value for money services to our citizens	<input checked="" type="checkbox"/>

Relevant Health and Wellbeing Strategy Priority:

Healthy Nottingham: Preventing alcohol misuse	<input type="checkbox"/>
Integrated care: Supporting older people	<input type="checkbox"/>
Early Intervention: Improving Mental Health	<input type="checkbox"/>
Changing culture and systems: Priority Families	<input type="checkbox"/>

Summary of issues (including benefits to citizens/service users and contribution to improving health & wellbeing and reducing inequalities):

The purpose of this report is to seek delegated authority to implement commissioning recommendations for Domestic and Sexual Violence (DSV).

A review of domestic and sexual violence services was undertaken as part of the Safe From Harm Review. Recommendations from the Safe from Harm review were to maintain levels of funding for domestic and sexual violence and the need for a more joined up approach to commissioning. The

CDP has lead a joint commissioning approach that involves the transfer of budgets and contracts from other commissioning partners to the CDP to be managed in one place, making it less onerous in terms of reporting for providers and therefore more effective for service users. A joint commissioning group has been set up and is developing more effective ways of commissioning DSV services. Subject to agreement of the committee there will be a programme of re-tendering during 2015 with the view for new domestic violence, sexual violence and prevention pathways to be in place for April 2016.

The report seeks delegated authority to the Strategic Director for Early Intervention for agreement to transfer of budget from PCC and CCG approval to tendering of DV and SV services, award contracts and to secure best value for Nottingham Citizens.

Recommendation(s):

1	To agree the transfer and spend of PCC and CCG additional funding for additional projects (Appendix 1)
2	To authorise the procurement of new domestic and sexual violence contracts (Appendix 2, table 2.A)
3	To agree 5 year contracts for new Domestic and Sexual Violence contracts (Appendix 2, table 2.A)
4	To delegate authority to the Strategic Director for Early Intervention to approve the outcome of tenders and award contracts to secure best value for Nottingham’s citizens. (Appendix 2)
5	To delegate authority to the Strategic Director of Early Intervention to sign contracts arising from the tender processes once the tender outcomes are agreed (Appendix 2)
6	To approve dispensation from financial regulations 3.29 under corporate contract procurement rule 5.1.2 in respect of those contracts identified in exempt appendix 1 (table 1A) and exempt appendix 2 (table 2b)
	<p>How will these recommendations champion mental health and wellbeing in line with the Health and Wellbeing Board aspiration to give equal value to mental health and physical health (‘parity of esteem’):</p> <p>These recommendations will enable the provision of services that address and champion the mental health and wellbeing needs of survivors of domestic and sexual violence in line with Public Health, Clinical Commissioning Group and City Council responsibilities. A joint commissioning approach will support the aspiration of parity of esteem.</p>

1. REASONS FOR RECOMMENDATIONS

- 1.1 To implement recommendations from the Safe from Harm review regarding a joint approach to commissioning domestic and sexual violence services therefore making it less onerous for providers and easier navigation for service users. A joint commissioning approach where all the funding and contract management is in one place ensures best value and best practice in commissioning.
- 1.2 Five year contracts would offer stability for providers and potentially make the tenders more attractive to potential providers.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The 2013 Safe from Harm review recommendations included the need for a more joined up approach to commissioning and understanding of the impact of commissioning decisions for DSV specialist services within Nottingham City.

Agreement has been made to transfer all City Council DSV specialist DSV budgets and contracts to the CDP for contract management from April 2015. The Office of the Police and Crime Commissioner (OPCC) has also agreed to transfer their domestic violence grant funding and contracts to the CDP mid-year 2015. It has been agreed sexual violence budgets and contracts will remain with the OPCC and Nottingham City Clinical Commissioning Group (CCG) until April 2016 to ensure no further disruption to these services during the county tendering process.

A Memorandum of Understanding has been drafted to identify roles and responsibilities of all partners, the commitment to a joint commissioning approach and the pooling and alignment of resources and budgets.

The commissioning intentions are to re-commission sexual violence services (excluding recently tendered contracts, refuges and children's workers, specialist nurse posts and the helpline), sexual violence services and prevention services for April 2016.

Consultation will be undertaken on options for a sexual violence pathway in July as this will be completely new for the city. A co-production event is planned with providers and stakeholders and will be facilitated by an external facilitator to help ensure engagement from all.

The timescales for tendering will be advertisement October 2015, awards to be made January 2016 and new services in place April 2016. Consultation, market development specification design and ITT development will be undertaken between now and September 2015.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Domestic and Sexual Violence work is funded through PCC, NCC and CCG budgets other options are to continue separate commissioning. This was rejected through the Safe from Harm Review.
- 3.2 Shorter contracts have been considered but 5 year contracts are the preferred option with suitable break clauses.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 A joint approach to DSV commissioning enables best value for money as there will be no duplication across delivery, contracts will be more manageable for providers and for contract managers and with fewer contracts there will be less management costs, therefore maximising spend on service delivery and achieving desired outcomes.
- 4.2 A finance paper was presented to the board of the CDP in June 2015. This details the budgets to be pooled to deliver Domestic and Sexual Violence Services.
- 4.3 The value of the contracts included in this report, including the extension periods is £3.93m, further detail of the profile of this spend is included in the **Exempt Appendices 1 and 2.**

- 4.4 Dispensation from financial regulations is required for the contracts set out in **Exempt Appendices 1 and 2**
- 4.5 Commissioning of the contracts in this report will ensure value for money is being achieved for services and the requirements of the MTFP are achieved. Before the contracts are awarded a review will need to be undertaken by Commissioning to ensure that the final award value aligns with the values in the **Exempt Appendices**.

Dee Fretwell
Finance Analyst Childrens & Adults

5. LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES AND, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

Legal Comments

- 5.1 Subject to the MOU being in place prior to the entering into of any contracts with providers there are no significant legal concerns with the proposals set out in this report.
- 5.2 The dispensations being sought are in respect of low value contracts, each below £50,000 and therefore do not present a concern in respect of EU tendering requirements under the Public Contracts Regulations 2015. These are currently discreet individual contracts that would not be subject to aggregation.
- 5.3 Legal representation is being provided as part of the project team for the commissioning of the DSV contracts and the wider joint procurement approach to be adopted under the MOU.

Naomi Vass
Senior Solicitor, Contracts and Commercial

Procurement Implications

- 5.4 There are no significant procurement concerns with this decision. The Procurement Team is providing full support for tendering of requirements in compliance with the Public Contracts Regulations 2015 and Contract Procedure Rules. This will ensure a fair and transparent process and best value for money services for citizens.
- 5.5 With regard to the Dispensations requested, these are supported for the operational reasons set out:
- The Emergency Department and Safeguarding Domestic Violence nurses must be embedded within existing wider healthcare services and can therefore only practically be provided by current providers. These are clearly separate requirements from the main services to be procured and are valued below the relevant EU procurement threshold.
 - The Male IDVA service is low value (less than 20% of the overall value of Domestic Violence services to be procured), and requires a specialist role with only part-time hours supported. Incorporating this element into the overall tender for Domestic Violence services would not be expected to generate any additional value for money and may be detrimental to service delivery.

Dawn Cafferty, Procurement Category Manager, 2nd July 2015

6. EQUALITY IMPACT ASSESSMENT

Has the equality impact been assessed? This will be undertaken as part of the development of models.

Not needed (report does not contain proposals or financial decisions)

No

Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in the EIA.

7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

None