

21 January 2015**Agenda Item: 5**

REPORT OF THE DIRECTOR OF PUBLIC HEALTH DOMESTIC ABUSE SERVICES PROCUREMENT

Purpose of the Report

1. To update Members on progress with domestic abuse services procurement and the commissioning intentions that have emerged from the consultation and market testing exercises that have been conducted.

Information and Advice

2. Approval was given at NCC Public Health Committee of 11th September 2014 to conduct a joint open procurement process with the Police and Crime Commissioner (PCC). NCC will act as the lead commissioner and hold the contract.
3. Since that date, officers from the Council and the PCC have conducted a market testing exercise and a consultation process to harness ideas and experience from across the county and beyond to inform the procurement process, the service specification and the new contracts.
4. These commissioning intentions have been developed in response to feedback from stakeholders, partners and service users:

Outcomes and Quality Standards

5. There is widespread support for the proposal to commission for outcomes. This type of commissioning invites providers to take responsibility for providing services for a given population for a defined period of time under a contractual arrangement. Providers are then held accountable to work within pre-agreed quality standards and for achieving a set of pre-agreed quality outcomes within a given budget or expenditure target. The given population in this case would be adults and children requiring services as a result of their experience of domestic abuse and the risks associated with domestic abuse. The pre-agreed quality standards and outcomes follow national models where possible to allow for benchmarking with other areas and projects.
6. The online consultation with key stakeholders about outcomes and quality standards attracted strong support for the specified outcomes. The majority of respondents agreed with the outcomes relating to Safety, Children and Young People and Health. In addition to this 100% of the respondents agreed with the outcomes relating to stability, resilience and autonomy and 100% of respondents agreeing with the identified quality standards. No

further suggestions were made by respondents about the chosen quality standards indicating commissioners have stipulated appropriate outcomes and quality standards to focus on.

7. In 2013-14 the PCC conducted a comprehensive review of services in preparation for Commissioning in 2015. This review included agencies and service users. The findings of the PCC Review and the recent consultation are being incorporated into the domestic abuse procurement plans and service specification. A number of issues for vulnerable groups with specific needs or risks linked to domestic abuse were raised, and these have been included in an Equality Impact Assessment see para19.

Helpline Service

8. The Helpline Service is within the scope of the current procurement. The Nottinghamshire 24 Hour Freephone Domestic and Sexual Violence Helpline is currently provided by Women's Aid Integrated Services (WAIS). This service offer is an important component of the system we would wish to have in place. All the recent reviews and consultation have revealed high satisfaction from the survivors and partner agencies that use this service. The Helpline covers both City and County and WAIS owns the telephone number which is well-known across the County. The Helpline has always relied on the support of a number of funders to meet the considerable costs of delivery (currently £268,000 pa). Comparisons with other similar services have shown this Helpline to be cost effective. County survivors and practitioners account for approximately 30% of all usage although the current NCC contribution of £25,024 (through Grant Aid arrangements with the cost being met by PH grant) represents less than 10% of the total cost.
9. The PCC has already committed to funding the WAIS Helpline until March 2019 along with the City Council. NCC has considered its position regarding the Helpline (in terms of continuing the WAIS offering or including it as part of this procurement). The advantages of continuing the funding are a continued common approach across Nottingham from funders; the success of the Helpline and the well-established number marketed across Nottingham. On this basis, NCC will join PCC in continuing to support this service (and together with the PCC) commissioners have devised a way to ensure this work is integrated with the new services that are being commissioned. The proposal is that this service contract is novated into the new specialist domestic abuse service contract(s) as of 1st October 2015 (when new arrangements will be in place). New provider(s) would be required to passport this identified Helpline funding directly to WAIS and manage the contract accordingly. The novated contract would end in 2019.
10. A key element in commissioning the Helpline until 2019 is that it will be 'jointly' commissioned by NCC and PCC. Consequently the contract will be transacted via a Direct Award. Procuring via a Direct Award carries the risk of legal challenge although in this case the risk is deemed to be low.
11. A change from a NCC Grant Aid Agreement to a Service Contract is required with effect from the 1st April 2015 to support this approach. To support this, it would be sensible to establish the contract value at a level that better represents the County's level of usage. This additional cost of up to a further 20% will be met from PH reserves.

Refuge provision

12. There are currently four women's refuges in Nottinghamshire, Bassetlaw, Mansfield, Broxtowe and Newark). These are owned by two Registered Social Landlords (RSLs). The cost to any individual using this accommodation is met through housing related benefits, so is outside the scope of this procurement.
13. Despite this position re accommodation, the successful provider will be expected to provide DVA services to survivors and their children who may be residing in the refuge accommodation (in other words this is just one of a number of settings within which providers will be expected to deliver services). Providers will be expected to liaise with the RSLs in order to ensure this element of the specification can be met.
14. A recent development has been the announcement by the Department of Communities and Local Government of a fund to support refuges for survivors of domestic abuse. This fund is open to housing authorities only, so NCC has been working with our District colleagues to put forward a bid for this fund to support the long term survival of refuge provision in Nottinghamshire. NCC, PCC and the Districts are working with the RSLs who own the four refuges to see if this injection of funds can offer all four Nottinghamshire refuges a sustainable future.

Contracting arrangements

15. Feedback from the soft market testing and the PCC led consultation indicates the optimal contract length is three years plus an optional addition of one or two years. This timescale compares well with other similar contracts held by NCC Public Health.
16. The DA Procurement is being conducted jointly by NCC and PCC with NCC as the lead partner. This indicates that NCC will hold the contract(s) with the provider(s) and that there is an additional partnership agreement with the PCC to cover financial and governance arrangements in relation to the contract(s).

Financial Implications

17. In order to sustain County Helpline provision, Commissioners intend to increase funding to meet the proportion of County Helpline usage. This will be an increase in funding of up to 20% of the cost of the Helpline. The funding for this shall come from Public Health reserves.

Reasons for Recommendation

18. Significant engagement has been undertaken to ensure the plans that have been developed are in accordance with the requirements of the PCC and in line with best practice and the views of local stakeholders.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications

are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Public Sector Equality Duty implications

20. Members should note that the funding source for the domestic abuse services changed in April 2014. This means that the current contracts (which are a mix of service and grant agreements) cannot continue in their current form. This information has been made available to existing contractors who have been kept informed about the NCC/PCC commissioning plans. Due to the lack of grant funding, domestic abuse services will now be funded by public health through service contracts. As part of this process, an Equality Impact Assessment has been written about the domestic abuse procurement plans and this has revealed:

- a positive impact in relation to age and gender with additional support services for teenagers and for male survivors.
- a neutral impact on the other protected characteristics of disability, gender re-assignment, pregnancy and maternity, race, religion, sexual orientation, marriage and civil partnership.

21. The Assessment cites a number of improvements to contract management and data collection in the plans that will monitor the impact on vulnerable groups when the contract is in place. The majority (80%) of those responding to the online consultation agreed that the domestic abuse procurement plans have no negative impact on people with protected characteristics.

RECOMMENDATION/S

Members are asked to:

- Note the progress made to date regarding the procurement of domestic abuse services.
- Support the commissioning intentions outlined in the report.
- Note the proposed increase in funding for the Helpline as of the 1st April 2015.

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Constitutional Comments (AK 12/1/2015)

22. The Public Health Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (KAS 13/01/15)

23. The financial implications are contained within paragraph 17 of the report.

Background Papers and Published Documents

- Equality Impact Assessment has been completed and is available on request from the report's author
- Papers from agenda item 5 from 11th September 2014

Electoral Divisions and Members Affected

- All