1. SUMMARY

1.1 This report seeks permission to conduct a tender exercise to commission specialist refuge services for people affected by domestic violence and abuse (DV), and in doing so deliver a key part of the Council’s Violence Against Women and Girls (VAWG) Strategy.

1.2 In addition, this report seeks permission to refocus the targeted specialist DV refuges provision towards non-culturally specific provision but retaining provision to support women at threat of forced marriage.

1.3 The proposals set out in this paper have been developed through a pilot of the Council’s new approach to commissioning services which is led by the new Service Design Hub function.

2. RECOMMENDATIONS

2.1 For the reasons set out in this report, Cabinet is recommended to agree the tender exercise to re-commission specialist refuge services to support victims of domestic violence and their children with
delegated authority for award of contract to the Deputy Chief Executive Families.

2.2 Approve the refocussing of refuge services towards non-culturally specific provision for victims and children who are assessed as high risk.

2.3 Approve the re-commissioning of a specialist refuge service for women at risk of forced marriage.

2.4 The proposed contract period is 3 years with an option to extend for 2 years but is subject to available funding and contracts awarded will have break clauses subject to funding.

3. PROPOSALS

3.1 Domestic violence is a crime that affects a large number of people from all backgrounds nationally and locally. The 2013 Crime Survey of England and Wales (CSEW) estimated that 30% of women and 16% of men will experience domestic violence in their lifetime, although it remains a widely under reported crime.

3.2 Waltham Forest had the 5th highest rate of DV crimes reported per 1,000 population when compared to other Metropolitan Police Service boroughs in 2010/11. In addition, domestic violence is the most cited risk factor in Waltham Forest’s Children Social Care risk assessments and is a leading cause of child protection proceedings and children being taken into care.

3.3 Alongside other statutory and community services, DV Support Services play an important role in improving the safety and wellbeing of victims of DV and their children, along with reducing the damage caused by perpetrators. In 2014, the Council reiterated its commitment to end violence against women and girls in its VAWG Strategy, a key component of which is the re-commissioning and continued provision of DV Support Services.

3.4 The Council currently commissions:

- 2 contracts specialist refuge provision for Asian women with children and single Asian, Turkish and Iranian women
- 1 contract for specialist refuge services for women fleeing forced marriage

Further details about current provision are provided in Appendix 2.

3.5 The contracts for the current provision are due to expire on 30 September 2015. There is therefore an opportunity to redesign these services to deliver the VAWG Strategy. The proposed contracts would be for 3 years with an option to extend for 2 years but would be subject to available funding. New contracts would commence in December 2015 requiring an extension of the current contracts by 2 months.
Cabinet approved the tender exercise to re-commission these specialist refuge services in March 2014. Since then, the Service Design Hub and Community Safety Team have reviewed this approach to consider wider synergies with the DV support services re-commissioning project.

**Development of proposals through new commissioning process**

Led by officers from the Service Design Hub working with Community Safety service leads, the project to re-commission DV services was one of three pilots to test and refine the Council’s new approach to commissioning. The other two pilots were the projects to re-commission sexual health and substance misuse services. These pilots have informed the development of the Council’s Commissioning Framework which was received by Cabinet in January.

The new approach to commissioning places an emphasis on an outcomes focused approach, with a structured and evidenced based process for designing and appraising options for service delivery. This emerging approach was followed by the project team in the development of these proposals. The key steps taken in developing and appraising options for service delivery are summarised below:

**3.8.1 Needs Assessment (Appendix 1)** – The Needs Assessment conducted by the Resident Insight unit utilised existing national and local data to assess the level and characteristics of future demand for DV refuge services in the borough. This analysis concluded that increased capacity is required to support victims from a wide variety of ethnic and cultural backgrounds.

From the needs assessment, it is recognised that there is a sufficient level of need to justify the continued commissioning of specialist refuges to support victims of domestic violence and their children who are assessed as being at high risk. However, evidence from a survey by UK Refuges Online (UKROL) for London Councils indicates that more than half of national refuge bed spaces were occupied by Black, Asian, Minority Ethnic (BAME) women during the period from October 2013 to June 2014. Moreover, BAME women were more likely to be successful in gaining a bed space than their white counterparts. The needs assessment also suggests a diverse range of community needs for refuge provision. The supply analysis has indicated that there is other refuge provision for Asian victims of domestic violence including in neighbouring boroughs Enfield and Redbridge.

**3.8.3 Defining the outcomes** – The Council’s new approach to commissioning has a focus on outcomes at its heart. The new DV Support Services including the refuges will be focused on improving the safety and wellbeing of victims and their children, reducing future offending in perpetrators and providing a sustainable platform for the Council to deliver the VAWG Strategy in the context of significantly reduced resources. The outcomes are set out in detail in the DV support service report.
3.8.4 Analysis of good practice and innovation (Appendix 2) – Officers conducted extensive research, including visiting other Councils and reviewing international literature on DV, to inform the design of the service. This suggested that the Council pilot a move towards an innovative “whole family approach” to improving outcomes for families affected by domestic violence where this is safe to do so.

3.8.5 Market engagement and analysis (Appendix 3) – This included a market engagement event in June 2014, in which a wide range of service providers were consulted on the Council’s emerging proposals. The market engagement and analysis concluded that providers are not currently willing or able to provide services integrated around the whole family and this has informed the development of the preferred option.

3.8.6 Options appraisal – The final stage involved using information from the previous stages to develop and appraise a range of options for providing DV support services in the future.

3.9 New Model for Specialist refuge services

From the needs and supply analysis, it is recommended that the 2 refuge contracts for single women and women and children should be tendered as non-specific staffed refuges where victims can access support from community-based provision tailored to their needs.

It is recommended to proceed with the re-commissioning of the specialist refuge contract for women at risk of forced marriage due to their specialist cultural needs.

Through the tendering process and on-going contract management the Service Design Hub will ensure that the service that is being delivered will meet the diverse range of need of the clients that are referred to it, including on-going support to the Asian community.

4. OPTIONS & ALTERNATIVES CONSIDERED

4.1 Decommission services – Despite the financial pressures on the Council, this option was ruled out because it would result in worse outcomes for victims of domestic violence and their children, in contravention of the Council’s agreed priorities and VAWG Strategy.

4.2 Collaboration with another London borough – Officers explored the potential for joint procurement of DV Refuge Services with neighbouring boroughs. Despite the potential financial benefits, this option was ruled out because it would cause a significant delay to the timescale for putting new services in place.

5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

5.1 The recommendation in this report will enable the Council to deliver its core duty to protect vulnerable children and adults. The
recommendation will meet the strategic requirements in the Council’s VAWG Strategy to protect and provide support for victims of DV.

6. CONSULTATION

6.1 Officers consulted and involved a wide range of stakeholders, including statutory partners, local and regional voluntary sector groups and community representatives, when developing and launching the VAWG Strategy.

6.2 Furthermore, officers consulted very widely on the proposed objectives of the new service and the outcomes to be achieved. This involved consultation with specialist stakeholders in the DV refuges field.

6.3 The consultation undertaken has included consultation with current providers of specialist refuges. A summary of concerns raised by current refuge providers is as follows:-

- Impact on provider leading to reduction of funding could lead to cessation of their service
- Potential closure of organisation would have further impact such as loss of other complimentary services in the borough such as advisory and preventative service
- Delivering a refuge only provision could mean providers will not be able to provide a general DV service
- Tendering under the new model would require review of constitutional arrangements for some providers
- Lack of culturally specific provision means a lack of language support and other cultural barriers
- Under represented women would be competing for refuge spaces which limits the help they can access and ability to understand their rights in the UK
- Concerns raised over sensitive issues/dynamics that could be created by refuges housing multi-religions, issues regarding food preparation e.g. Halal food being cooked in communal areas/sharing utensils, alcohol consumption if permitted
- Sensitivity around current media and residents perceptions of other religions
- Staffing skills and knowledge of cultural factors, language means they are able to deal with such issues with a clear understanding and ability to challenge resulting in users feeling their needs have been met and understood, which enables trust to develop and increased likelihood of engagement with the service and concern that a generic service, even with a BME element will not be able to provide this
6.4 Officers have taken into account the concerns outlined above and have addressed what steps can be taken to address those as set out in the Equality Impact Assessment (Appendix 4). Mitigation measures include the requirements in the specification, staff training and contract monitoring. It is not possible to mitigate all of these concerns in the proposed model of commissioning unless the Council seeks to commission the same type of service provision it currently has which is not the recommendation in this report.

7. IMPLICATIONS

7.1 Finance, Value for Money and Risk

7.1.1 The refuge contracts in Supporting People in Adult Social Care have current annual values totalling £288,000. This is the existing budget for supported living services without a growth element. These figures do not include any inflationary increases that may be awarded during the contract and are subject to available funding.

7.1.2 The Council will look to add sufficient break-clauses into the contracts with providers to account for any potential loss of grant income in the event that a successor to the current MOPAC funding is not put in place from 2017/18 onwards.

7.1.3 In 2013 Domestic Violence was a significant factor in the households of Children’s social care cases. It is difficult to determine a cost benefit of specialist DV services due to entrenched nature of domestic abuse. It is assumed that specialist domestic violence services prevent and/or reduce demand on Children and Families services by reducing the period of statutory intervention required in cases where DV is an issue.

7.2 Legal

7.2.1 The Council has a range of specific powers and duties in relation to reducing domestic violence and supporting both the victims and perpetrators of such violence, including powers and duties under the Crime and Disorder Act 1998, the Domestic Violence, Crime and Victims Act 2004 and the Anti-Social Behaviour Crime and Policing Act 2014. In addition to these specific powers and duties, the Council has a power of general competence under Section 1 of the Localism Act 2011. These powers and duties enable the Council to commission and provide the services outlined in this report.

7.2.2 The proposal to commission services differently from the current arrangements will have an impact on the service provision currently commissioned by the council, and upon some service users from BME groups. The impact identified includes the potential outcome of existing culturally specific provisions ceasing to continue to provide their services. The Council must take into account its wider Public Sector Equality Duty (PSED) under s.149 of the Equality Act 2010.
when making its decision. Members are referred to Appendix 4, (the Equality Analysis) that sets out the nature of the duty. The Equalities Analysis sets out how the Council will comply with its equality duty and what mitigating steps it will take to reduce this identified impact.

7.2.3 The proposed procurement route suggested in the recommendations will ensure compliance with the Council's Contract Procedure Rules and those provisions of Public Contracts Regulations 2006 and EU Procurement Directives, which are relevant to domestic violence support and services.

7.3 Equality and diversity
7.3.1 An Equality Analysis based on the latest available data has been completed. This describes implications of the proposed service model on different groups as well as suggested mitigation action where relevant (see Appendix 5).

7.4 Sustainability (including climate change, health, crime and disorder)
7.4.1 The proposal will support improvements in the health of victims of domestic violence and their children by improving their physical safety and mental health through a range of interventions.
7.4.2 The proposal aims to reduce crime through supporting perpetrators of domestic violence to reduce harmful behaviour.

7.5 Council Infrastructure (e.g. Human Resources, Accommodation or IT issues)
7.5.1 This report has no direct effect on Council Infrastructure.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)
There are no background documents.