

Cabinet – 9 February 2022

Award of contracts for provision of Domestic Abuse Emergency Accommodation, and Independent Domestic Violence Advocacy

Portfolio: Councillor Andrew – Deputy Leader, Regeneration
Councillor Wilson – Children’s Services

Related portfolios: Councillor Pedley – Adult Social Care
Councillor Perry – Deputy Leader, Resilient Communities

Service: Customer Engagement

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

To ensure we deliver our new duties outlined in the Domestic Abuse Act 2021 (“the Act”), which requires the commissioning of:

- Sufficient and effective safe accommodation to victims of Domestic Abuse (DA)
- Effective support to victims of domestic abuse and their children

2. Summary

2.1 The Act became law on 29 April 2021 and places clear duties on the Local Authority to strengthen the support for victims of DA. The Council currently commissions two contracts for:

- Emergency Accommodation - predominantly a block DA refuge, with a small number of dispersed units.
- Independent Domestic Violence Advocacy - the provision of support to victims with children who are impacted by Domestic Abuse and as a result meet the threshold for a multi-agency Early Help plan or Social Care Plan.

2.2 In order to meet the requirements of the Act, the Council has carried out consultation on its existing DA services. As a result, and in line with the Council’s Domestic Abuse Strategy and Needs Assessment, the future service provision requirements for emergency accommodation and victim and children’s support have been restructured, which has subsequently seen two services put out to tender:

- Emergency Accommodation - a hybrid model of a smaller block refuge (up to 12 units), and increased numbers of dispersed units (a minimum 15) with floating support, to provide increased options and improved outcomes for victims.
- Independent Domestic Violence Advocacy - Children's Services support to victims of Domestic Abuse (including adults and Children) – The service which will be delivered through an integrated delivery model within our Children's Services provision.

2.3 A public advertisement was placed on the Council's e-tendering portal 'Intend' and published on Contracts Finder and on the Find a Tender Service, on 10 November 2021 and closed on 13 December 2021. An Open Procedure Procurement Process was used to invite tenders.

2.4 This Cabinet report should be read and considered in conjunction with the 'Award of contracts for the provision of Domestic Abuse Emergency Accommodation and Independent Domestic Violence Advocacy services' Private Session Agenda Cabinet Report.

2.5 This is a key decision because it exceeds the threshold for significant expenditure and affects more than 2 wards.

3. Recommendations

3.1 That following consideration of the confidential report in the private session of the agenda, Cabinet approves the award of the contracts:

- For the period 16 May 2022 to 15 May 2024 with an option to extend for 2 x up to 12 months to 15 May 2026 with an anticipated lifetime value of £1,184,739 (including all option periods) to GreenSquareAccord Limited for the provision of Domestic Abuse Accommodation.
- For the period 01 April 2022 to 31 March 2024 with an option to extend for 2 x up to 12 months to 31 March 2026 with an anticipated lifetime value of £1,527,772 (including all option periods) to Black County Women's Aid for the provision of the Independent Domestic Violence Advocacy Service.

3.2 That Cabinet delegates authority to the Executive Director of Children's Services, to enter into a new contract/s to deliver the 'Domestic Abuse Emergency Accommodation, and Independent Domestic Violence Advocacy services' and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services including the optional extension periods.

3.3 That Cabinet delegates authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Regeneration, or Portfolio Holder for Children's Services, to authorise any variations to the contractual arrangements or other related documents for the services identified above, should this be required at any time during the contract term, in line with Public Contracts Regulations 2015 and the Council's Contract Rules.

4. Report detail - know

Context

- 4.1 The Act places a new legal duty on local authorities to assess the need for and commission support for victims and their children within safe accommodation. The new duty covers the provision of support to victims and their children residing in some/all of the following:
- refuge accommodation;
 - specialist safe accommodation;
 - dispersed accommodation;
 - sanctuary schemes; and
 - move-on or second stage accommodation.

The DA support element of the duty includes:

- Advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers);
 - Domestic abuse-prevention advice – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation;
 - Specialist support for victims with relevant protected characteristics and / or complex needs, for example, interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice;
 - Children’s support – including play therapy and child advocacy;
 - Housing-related support – providing housing-related advice and support, for example, securing a permanent home and advice on how to live safely and independently; and
 - Counselling and therapy for both victims and children.
- 4.2 The procurement of these two new services has taken account of both the requirements of the Act, and the principles of Walsall’s Domestic Abuse Strategy adopted by this Council in October 2021. This includes a vision ‘for Walsall to become one of the safest places in the West Midlands where domestic abuse is not tolerated whether at home or on the streets of Walsall’. This is supported by a number of key actions including ‘Ensuring our support Provision are tailored and survivor led to meet the individual needs of every victims/survivor’. The Council’s Money Home Job and Children’s Services have worked together to jointly commission two new services which will work in partnership and develop integrated pathways where possible to deliver part of this vision. This will complement a range of other services, provided internally and by a number of partners, that will be in place to meet the vision
- 4.3 Consultation was also carried out with service users and other stakeholders, as detailed within para 4.30. The results directly influenced the new service provision being procured, with:
- A preference for a move towards a more dispersed unit DA emergency accommodation, but retaining some block refuge service
 - A need to:
 - Increase support and access to services for adult and children victims
 - Create easier access to quality support by streamlining pathways to services and aligning support with localities where possible

- 4.4 Currently Money Home Job and Children's Services commission two contracts as detailed in table 1 below.

Table 1: Current Domestic Abuse Services contracts:

MHJ contract	Current provider	Start Date	Total projected spend including all option periods	Contract end date (including all potential extensions)
Provision of Domestic Abuse Emergency Accommodation Support Service	Accord	April 2017	£1,046,593.50	30 June 2022
Independent Domestic Violence Advocacy	Black Country Womens Aid	October 2018	£775,583.50	30 April 2022

- 4.5 A public advertisement was placed on the Council's e-tendering portal 'Intend' and published on Contracts Finder and on the Find a Tender Service, on 10 November 2021 and closed on 13 December 2021. An Open Procedure Procurement Process was used to invite tenders.

There were 15 expressions of interest and 2 tender submissions received for the new DA Emergency Accommodation service. The anticipated contract commencement date is 16 May 2022. There were 17 expressions of interest and 2 tender submissions received for the new Independent Domestic Violence Advocacy service. The anticipated contract commencement date is 1 April 2022. Both new contracts are for a two year period, with the option to extend by two additional periods of up to 12 months each at the sole discretion of Walsall Metropolitan Borough Council.

The tenders were both evaluated using 90% quality and 10% price split due to the limited budgets available.

The tenderers were:

DA Emergency Accommodation

Tenderer	Location – Registered Office
GreenSquareAccord Limited	West Bromwich, B70 6QS
WMHC Limited	Birmingham B11 3RS

Independent Domestic Violence Advocacy Service

Tenderer	Location – Registered Office
Black Country Women's Aid	West Bromwich B70 8HY
The Haven Wolverhampton	Wolverhampton WV1 4BL

4.6 The new DA Emergency Accommodation service will:

- Provide for up to 12 women-only (for those with or without children) safe refuge accommodation at confidential location/s across Walsall for those fleeing domestic abuse
- Provide a minimum of 15 safe dispersed accommodation throughout the borough for any eligible person/s, including males and those households with older male children
- Provide a trauma-informed positive physical and emotional environment that promotes healing and recovery and archives outcomes for service users.
- Respond flexibly and promptly to referrals for refuge space including assessment, transport to accommodation, and induction to accommodation and ensuring an excellent customer experience every time.
- Work in an integrated and co-ordinated manner with other local and national specialist and universal service providers to meet the needs of those accommodated
- Assist parents and carers to meet the physical and emotional needs of their children whilst living in refuge accommodation and within dispersed units.
- Improve the knowledge, skills and confidence of local practitioners and the local community, so that they can respond appropriately to domestic abuse.
- Forge partnerships with third sector, statutory and non-statutory services and actively incorporate service user feedback within service delivery.

4.7 The new Children's Independent Domestic Violence Advocacy support will include:

- Provide and deliver a consistent and high quality DA specialist support in MASH to ensure effective identification of need, decision making and timely support at the point of referral.
- The integration of DA specialist victim support (parent and child) as part of Walsall Right for children locality model to effectively engage and meet the need of the diverse communities. This part will include therapeutic support to children in safe accommodation.
- Provide DA advice, guidance and training to a wide range of professionals in the localities to maximise on opportunities to provide early and sustainable support.
- Development of effective pathways of support closely linked to other key support services or programmes - this service including perpetrator, Operation encompass.
- Deliver regular high quality advice and guidance on best practice and national evidence programme to future proof our support to children and families affected by domestic abuse.

Council Corporate Plan priorities

4.8 The DA services will contribute to the Council's priorities as follows:

- Economic growth for all people, communities and businesses – homelessness and lack of access to settled and supported housing remains a key barrier to accessing employment, and so the proposed Service can help increase employment prospects.

- People have increased independence, improved health and can positively contribute to their communities – preventing homelessness, and advice and support in maintaining a tenancy and address trauma experienced through DA can promote independence and can improve mental and physical health and wellbeing.
- Communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion – ensuring that victims of DA have the right housing to meet their needs, and that they are able to remain in these homes or be suitably rehoused, sustain tenancies and be part of their community.
- DA is an Adverse Childhood Experience – Children who have experienced domestic abuse are significantly more likely to experience abuse in their own adult relationships, to misuse drugs or alcohol, and to have lower levels of wellbeing. The impact on children and young people’s mental health can also be profound. [Research](#) shows that receiving the right help at the right time from specialist children’s services reduces the impact of domestic abuse on these children and improves children’s safety and health outcomes.

Risk management

- 4.9 There is a risk that there will be delays in new service implementation. This risk is low given that both successful tenderers are also the current providers of the existing services.
- 4.10 There is a risk that there will be delays in the DA safe accommodation provider being able to provide all of the 27 units of accommodation required for the new service. This will be mitigated by working with the provider to prioritise this element during the implementation period, and regular and frequent contract management meetings from the contract commencement date. Clarifications during the procurement process guided that the block refuge building is to be available by contract commencement date, and allows a staggered approach to providing all of the dispersed units by December 2022. The provider will be required to provide a risk assessment and mitigation plan in relation to the property provision element of the contract.
- 4.11 There is a risk that the DA Emergency Accommodation and Independent Domestic Violence Advocacy support providers will not work closely together to ensure the best outcomes for the victims and their children. This will be mitigated by the adoption of a structured joint implementation approach of both contracts by MHJ and Children’s Services.
- 4.12 The risk of challenge to the award of the Contracts is low, given that it has been procured in accordance with the Council’s Financial and Contract Rules and the Public Contract Regulations 2015 (PCR 2015).

Financial implications

- 4.13 Government has allocated New Burdens funding to local authorities for 21/22, of which £690,000 has been allocated to Walsall, to cover the costs of this new duty. It is expected that these allocations will continue in future years however, the amount is yet to be confirmed.

- 4.14 Of the £690k allocated to Walsall, c£457k is committed to DA contracts annually as per Table 2 below. These services are statutory obligations. Therefore, if funding received in future years is less than the £457k committed, additional funding will be requested through the Council's medium term financial plan and in year mitigating actions identified. To note, the remainder of the £690k New Burdens funding is committed to funding other Council services supporting the DA strategy not relating to the remit of this report.
- 4.15 The Domestic Violence Emergency Accommodation has an anticipated lifetime value of £1,184,739 (including all option periods). The value for the first 2 years is £588,546 as shown in Table 1 below. It is proposed that this will be fully funded from New Burdens Funding.
- 4.16 The Independent Domestic Violence Advocacy Service has an anticipated lifetime value of £1,527,772 (including all option periods). The value for the first 2 years is £763,886 as shown in Table 1 below. It is proposed that this will be part funded from Public Health Grant in line with current DA contract arrangements and the remainder funded from New Burden's funding.

Table 2			
Contract	2022/23 Value	2023/24 Value	Funded from
DV Emergency Accommodation	£294,986	£293,560	Fully funded from New Burdens Funding
Independent DV Advocacy Service	£381,943	£381,943	£221k funded from Public Health Grant £162k funded from New Burdens Funding
Total	£676,929	£675,503	

Legal implications

- 4.17 The Directorate, in consultation with Legal, has elected to use the Council's standard long form contract for goods and services. This has been modified as required by Legal Services to fit the tender proposals and ensure the contract is sufficiently robust, as well as to promote best value and ensure the Council's best interests are fully protected. This is in accordance with the Council's Contract Rules and the Public Contracts Regulations 2015. No legal implications have been identified during the tender processes that are not already thoroughly addressed in the proposed forms of contract.
- 4.18 During the tender processes no tenderers raised queries about or requests for changes to the Council's preferred form of contract.
- 4.19 The Council has a legal duty to assess the need for and commission support for victims and their children within safe accommodation. This proposal is ensuring effective and efficient compliance with this duty set out under the Act.

Procurement Implications/Social Value

4.20 The Contracts have been tendered in compliance with the Council's Contract Rules and the PCR 2015 using an open tender process which enabled local providers to bid for the contracts.

4.21 The Social Value element resulted in measurable benefits for Walsall as part of contract delivery. These should be reviewed and monitored by the Directorate.

Property implications

4.22 There are no property implications for the Council.

Health and wellbeing implications

4.23 The principles and actions contained within this report are in full accordance with the Marmot objectives. The prevention of homelessness and support to households helps to ensure that individuals have the best environment to maximise their potential. The security of a roof over their head, and associated support, helps provide households with stability to engender a better environment for study, training or employment. Preventing and relieving homelessness contributes to the likelihood of a healthier environment for households to live in.

4.24 Providing children and adult victims with timely help and support with overcoming the trauma they have experienced as a result of Domestic Abuse provides them with the best start in life and maximises their capabilities and gain control over their lives.

Staffing implications

4.25 There are no direct staffing implications for the Council as all staff engaged in providing the relevant services currently are employed by, or will be employed by, GreensquareAccord Housing Association and Black Country Woman's Aid.

4.26 Both successful tenderers are also the existing service providers and as such there should be no TUPE implications.

Reducing Inequalities

4.27 The implications for reducing inequalities have been taken into account and assessed as set out in a detailed Equality Impact Assessment (EQIA) at Appendix A.

4.28 The EQIA highlighted some gaps in uptake of the DA services by certain ethnic minority groups. The new commissioned services will seek to address this through aligning with locality working to ensure closer relationship building with those key communities in these localities. The EQIA will also ensure further consultation captures key learning and will seek to develop procurement and service improvement through customer feedback across a range of protected characteristic groups.

Climate Change

4.29 There are no specific climate change implications contained within this report.

Consultation

4.30 The proposals are a direct response to the Safer Walsall Needs analysis and Domestic Abuse Strategy. In addition, consultation has been carried out:

- DA Emergency Accommodation:
 - A series of consultation activity took place in 2019/20 including, service user interviews, focus groups and sessions with staff, neighbouring authorities and engagement with the current refuge provider. A desktop review of a pilot dispersed scheme including service user feedback showed positive outcomes achieved by those in dispersed accommodation. The consultation concluded support for a more dispersed accommodation model at the time.
 - In 2021/22 further qualitative and quantitative consultation activity included, a series of focus group sessions with current service users, telephone and internet surveys for those who have left the service and those who were potential future service users. An Easy Read version of the survey for those who require additional support was also promoted. A sample of Victim Voice data was also collected mapping out experiences of those currently in refuge accommodation through qualitative interview questions promoted by Safe Lives. The consultation activity concluded support for a hybrid model which included elements of refuge and dispersed accommodation.
- Independent Domestic Violence Advocacy – this was informed by a review which included an in-depth needs analysis and consultation with key stakeholders.

5. Decide

5.1 A 'do nothing' option is not viable as the Council must comply with its statutory obligations contained within the Act.

5.2 It is proposed that Cabinet approve the contract award.

6. Respond

If approved, contracts will be entered into, and service implementation planning with the providers will commence.

7. Review

The outcomes of the services will be regularly monitored through:

- Walsall Right 4 Children Performance framework and
- Money Home Job Performance frameworks

The outcomes will also be reported back to the Safer Walsall Domestic Abuse partnership board and on a national level to Department for Levelling Up, Housing and Communities (DLUHC)

Background papers

Domestic Abuse Act 2021

Safer Walsall Domestic Abuse Strategy and Needs Assessment

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21st January 2022



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21st January 2022



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