

## MUNICIPAL YEAR 2016/2017 REPORT NO. 219

**MEETING TITLE AND DATE:**  
**Cabinet – 15 March 2017**

**REPORT OF:**  
Executive Director of  
Health, Housing and Adult  
Social Care

**Agenda – Part: 1**

**Item: 9**

**Subject: Domestic Abuse Refuge  
Provision - Award of Service Contract  
Wards: All  
Key Decision No: 4409**

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### 1. EXECUTIVE SUMMARY

- 1.1. For the reasons detailed in this report, Cabinet is recommended to agree to the contract award of Domestic abuse refuge accommodation and support services.
- 1.2. Domestic abuse is a crime that affects a large number of people from all backgrounds nationally and locally. The Crime Survey of England and Wales (CSEW) 2016 estimated that 8.2% of women and 4.0% of men reported experiencing any type of domestic abuse in the last year (that is, partner/ex-partner abuse (non-sexual), family abuse (non-sexual) and sexual assault or stalking carried out by a current or former partner or other family member). This is equivalent to an estimated 1.3 million female victims and 600,000 male victims.
- 1.3. Enfield has the highest rate of referrals of all London Boroughs to the Multi Agency Risk Assessment Conference (MARAC). The MARAC is a panel that assesses and manages high risk cases. Enfield rates of referral to MARAC are 43 per every 10,000 of the population whereas the national average is 33 referrals per 10,000 of the population. In addition, domestic violence is the most cited risk factor in Enfield's Children Social Care risk assessment and is a leading cause of child protection proceedings and children being taken into care. Initial analysis of the Single Point of Entry referrals found that approximately 80% of cases included some form of domestic abuse.
- 1.4. Alongside other statutory and community service, Domestic Abuse support services play an important role in improving the safety and wellbeing of victims of domestic abuse and their children, along with reducing the damage caused by perpetrators.
- 1.5. Tackling domestic abuse remains a priority of Enfield Council as evidenced by Enfield Council's Cabinet commitment to sign the White Ribbon Pledge in November 2016. The aim of which is to promote education and awareness of violence against women, and to engage men in these issues.

- 1.6. Enfield currently commission Domestic abuse refuge provision and floating support services through two separate Contracts with one Provider. The Current Contract expired in October 2015 and a 6 (six) month extension was granted to enable the completion of a tender exercise.
- 1.7. At the start of the tender exercise the Enfield Procurement and Commissioning team engaged with other boroughs to gain insight into their Refuge provisions and current arrangements. As a result of these conversations it was decided to launch a multi-borough joint Procurement led by Enfield. It was agreed this would increase transparency within the limited Provider marketplace, facilitate joint-working between local authorities for example sharing of information regarding issues and trends in provision, and discussion of common issues in joint contract meetings with the successful Provider(s).
- 1.8. This report summarises the tender process and approach that has been undertaken to secure high quality refuge provision which is affordable and delivers value for money for the Council.
- 1.9. Information is provided on the current arrangements and any sensitive financial and contractual information appears in the accompanying Part 2 report.

## **2. RECOMMENDATIONS**

- 2.1. This report advises Members of the result of the tendering exercise for the provision of refuge accommodation and, floating support services to women and their children who are fleeing from, or are at risk of, domestic abuse and seeks approval for the recommendation on contract award as detailed in Part 2 of this report.

## **3. BACKGROUND**

### **3.1. Nature of the Service**

- 3.1.1. This report is seeking approval to award a contract for the provision of domestic abuse refuge accommodation and floating support services to women and their children that are fleeing

domestic abuse. The service is targeted at women at risk of domestic and sexual violence. The service aims to prevent homelessness and address the needs of women and children at risk of harm to secure their safety and the safety of their children. This is achieved through a combination of advice, advocacy and housing related support provided to service users in a safe and inclusive refuge environment, putting clients on the path to long term safety and sustainable, stable accommodation.

- 3.1.2. Our understanding of domestic violence follows the Home Office (March 2013) definition as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality”. This encompasses but is not limited to psychological, physical, sexual, financial and emotional abuse.
- 3.1.3. Refuges provide a safe and supportive environment for households fleeing domestic violence with short term, intensive support. Enfield’s domestic violence refuge offers a safe haven for individuals seeking refuge from other parts of the county, just as refuges in other parts of the country offer refuge to our own residents fleeing abuse. 70% of referrals to refuge services in England are from local authority areas outside the one in which the service is located. This is because most refuges prefer to accommodate victims at a ‘safe’ distance from where the offence has been committed in order for them to be safe from the perpetrator. The majority of Enfield residents are referred into refuges outside of the borough.
- 3.1.4. Legislatively, the Care Act (2014) specifies that freedom from abuse and neglect is a key aspect of a person’s wellbeing, and local authorities have a duty to provide advice and support to prevent the arising or worsening of care and support needs arising from abuse. In addition, the Housing Act (1996) and Homelessness Act (2002) specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness – the former including those who are living in a refuge.
- 3.1.5. The borough currently provides 21 units of refuge accommodation for women over 16 with or without children in a purpose built accommodation block, aiming to resettle them into a new community via interventions lasting from six to twelve months. When examining this service as part of the tender exercise it was deemed important to maintain the current level of provision in order to meet the needs of the Borough and the prevalence of Domestic abuse.

3.1.6. The Women's aid Annual survey 2015 found that;

- On just one day, 92 women and 75 children were turned away from refuge. For nearly half of the women (45%), it was because there was not enough space for them.
- Over 66% of referrals to refuges were declined and only a third 34% were accepted
- Nearly a quarter (23%) of the total referrals were declined due to the refuge's lack of available bed space.
- The Enfield refuge continues to be 100% utilised at all times, with demand continuing to outstrip supply.

3.1.7. Enfield continues to see a year on year rise in reported domestic abuse incidents. In the 12 months (to 14<sup>th</sup> October 2016) there have been 2906 reported domestic abuse offences. This constitutes a 3% increase in Domestic Abuse offences in the previous 12 months and a 49% rise from 2011/12 baseline figures.

### **3.2. Tender Approach and Objectives**

3.2.1. When officers began reviewing the service and exploring options for tendering Enfield engaged with a number of other boroughs to better understand domestic abuse refuge provision in other London boroughs. Enfield held a number of working sessions with the London Boroughs of Haringey and Islington. When comparing service provision and current contractual arrangements it became clear that all services were due to expire in a similar time frame. As such the three Boroughs elected to jointly procure these services with the view to procure better value for money services by increasing transparency of provision across boroughs, exemplify collaboration between local authorities and provide a consistent level of refuge accommodation and floating support services across boroughs.

3.2.2. The three boroughs worked collaboratively to develop a common specification and tender objectives for this service. Within the tender each borough had a Lot which specified individual borough requirements (such as the number of units and refuge accommodation provision).

3.2.3. The boroughs identified three overarching aims for these services;

- **Delivering independence and preventing homelessness:** through the provision of housing with support, giving people the opportunity to stabilise their lives and move on

- **Creating opportunities:** offering vulnerable and socially excluded people the chance to improve their quality of life and increase their independence;
- **Providing efficiently managed services and value for money;** through the delivery of high quality, strategically planned and personalised services which are well managed, reliable, cost effective and work well with other support and care services, placing service users at the heart of the service development and delivery.

3.2.4. The Boroughs worked hard to ensure the Specification focused on outcomes rather than a prescriptive route for service delivery as such the main aims of the Service that Providers were asked to deliver were;

- Provide refuge accommodation and housing related support to women and their children who are fleeing from or at risk of domestic abuse
- To offer both single women and women with children a safe place to live, and to support service users through the provision of an inclusive, sensitive, non-judgemental and non-oppressive support service.
- Identify collaborative ways to work with women to raise their self-esteem and achieve their goals. Where required identify counselling support to help them to overcome the negative relationships experienced in their past.
- To be culturally sensitive and flexible in its approach to dealing with referrals and deliver timely responses in order to meet the needs of the wide range of domestic violence issues affecting the lives of women and their children referred to them.
- To deliver the service in a manner that take account of residents racial and or religious background and respects individual dignity and privacy.
- To deliver services which promote good practice, are compliant with all relevant government legislation and follow published guidance with regard to the implementation of national and local strategies.
- Develop partnerships with agencies and communities to make job opportunities easily accessible and to increase the potential of women living in the refuge.
- Display innovation via delivery of supplementary services
- Be proactive in identifying and applying for additional sources of funding to provide additionality to the services provided.
- Develop pathway referrals with agencies and communities to ensure women are able to access a wide range of services.

3.2.5. All boroughs agreed to procure a contract with an initial term of 3 (three) years with the ability to extend the Contract by a further

two years on a 1 year + 1 year basis. This will allow for a degree of flexibility in the future if required.

- 3.2.6. Whilst Enfield has conducted a joint tender process with the two other London Boroughs, each borough will award a separate block contract with the successful Provider. This is to simplify Contractual arrangements and administration and to maintain a level of control over the service without adversely affecting the services of the other boroughs

### **3.3. Tender Process**

- 3.3.1. There were 4 (four) Lots in the tender and Providers were invited to bid for one or more Lots. Identical quality and pricing award criterion were developed together with a common overarching service specification to facilitate bid submissions from Providers for multiple Lots.
- 3.3.2. A Market engagement event was held in April 2016 to better understand the market appetite and capability to deliver these services. 13 Providers attended the event representing a mix of national, local and SME organisations. It soon emerged that there are only a few organisations who are experienced at delivering specialist domestic abuse accommodation based services.
- 3.3.3. The overall contract value for the Enfield part of this procurement is above OJEU thresholds. Therefore an OJEU notice was published prior to going out to tender. This procurement is also subject to the light touch procurement regime.
- 3.3.4. The opportunity was advertised widely, using all appropriate communication mechanisms, including the London Tenders Portal and the OJEU. Invitations were also sent directly to all Providers that either attended or expressed an interest in the market engagement event
- 3.3.5. An Open procurement procedure was utilised. The tender was launched in November 2016 and responses were due on the 12<sup>th</sup> January 2017. At the close of the tender process three bids were received. Upon receipt of tenders all minimum standards and compliance checks were conducted.
- 3.3.6. The overall evaluation was based on a ratio of Quality 60% and Price 40%. The sub-criterion for the evaluation was detailed in the tender documentation. Officers with the requisite expertise and experience were selected to evaluate the tenders and comprised representatives from all participating boroughs. Providers were expected to deliver a high quality of service meeting all

requirements whilst providing value for money throughout the term of the Contract.

3.3.7. The quality evaluation assessed key areas of the service specification and included case study scenarios. In addition two questions were developed and evaluated by a panel of past Service Users. The pricing evaluation was based on the Providers completion of a pricing schedule.

3.3.8. The detailed evaluation outcomes and recommendations are contained within the Part 2 report.

3.3.9. The Contract award is planned for March 2017 with the service becoming effective from July 2017 at the end of the current contract extension period. This will enable time for an appropriate transition and mobilisation period.

3.3.10. The Procurement exercise considered the value and nature of the contract to be awarded and was fully compliant with the Council's Contract Procedure Rules and the Public Contract Regulations 2015.

3.3.11. There is clear direction provided in the detailed specification with regards to the performance management and regular monitoring of the service to ensure both timely delivery and quality.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1. The project team considered de-commissioning this service, however, despite the financial pressures on the Council this option was discounted early on. If no refuge provision was funded it would result in worse outcomes for victims of domestic abuse. Furthermore given the increase in domestic abuse incidents within the borough no provision would put increased pressure on other parts of the Council.

4.2. We have also considered re-procuring the service by ourselves. This would have enabled us to work to our own timescales and the autonomy to write an individual service specification reflecting our needs as a council. However, jointly re-procuring the service with other London Boroughs enables us to increase transparency of provision across boroughs and lightening the resource needed to complete the re-procurement. Collaboration also gave us the opportunity to include best practices and lessons learned from other boroughs.

## **5. REASONS FOR RECOMMENDATIONS**

Please see Part 2 Report.

## **6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

Please see Part 2 Report.

### **6.2 Legal Implications**

6.2.1 Under section 6 of the Crime and Disorder Act 1998 the Council has a duty to formulate and implement a strategy for the reduction of crime and disorder in its area. The provision of the domestic violence accommodation and floating support service forms part of the Council's Crime and Disorder Strategy.

6.2.2 The Housing Act 1996 (as amended by the Homelessness Act 2002 & The Homelessness (Priority Need for Accommodation) (England) Order 2002) gives local authorities a duty to secure suitable accommodation for households experiencing domestic violence who are unable to remain in the family home and who are assessed as being unintentionally homeless and in priority need. It also creates a new ground for possession in relation to domestic violence.

6.2.3 Section 1 of the Localism Act 2011 permits the Council to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles.

6.2.4 The procurement exercise as described in the report, being in accordance with the Public Contracts Regulations 2015 ("the Regulations") and the Light Touch Regime of the Regulations, allied to the evaluation principles and methods used, as laid out in the report, means that the award of the contracts, as envisaged, should present negligible, if any risk in actioning the awards.

6.2.5 The resulting contract to be entered into, must be in a form approved by the Assistant Director, Legal Services, Finance, Resources, and Customer Services.



### **6.3 Property Implications**

6.3.1 The proposal is for the supplier to use suitable and safe accommodation provided by others for the purposes of this Contract. On that basis there are no adverse property implications in accepting the tender.

### **6.4 Procurement Implications**

6.4.1 In accordance with the Public Contract Regulations 2015 the resulting contract which will be awarded pursuant to this tender process is deemed to be subject to the light touch procurement regime for social and other specific services in accordance with Section 7 of the Public Contracts Regulations 2015. The Authority has used an Open procurement process which it deems appropriate to this opportunity and ensures compliance with the regulations ensuring the process is transparent, fair and treats all Providers equally.

6.4.2 The opportunity was advertised widely, using all appropriate communication mechanisms, including the London Tenders Portal and the OJEU. Providers were also invited to attend a market engagement event. The Authority's Contract Procedure Rules state that for Contracts above EU procurement thresholds at least five written quotations must be received. Due to the specialist and complex nature of the services only 3 (three) tender submissions were received. The project team are satisfied that the three submissions received offer choice and present value for money to the Authority.

## **7. KEY RISKS**

Please see Part 2 Report.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

8.1.1 Domestic Abuse services work with some very vulnerable women and their families. The refuge service can make a huge difference in meeting their immediate needs and ensuring their future safety and well-being.

### **8.2 Growth and Sustainability**

8.2.1 The proposals within part 2 of the report deliver a sustainable service to very vulnerable service users.

### **8.3 Strong Communities**

8.3.1 Research shows that services such as domestic violence refuges have a massive impact on the lives of vulnerable women and their families and can help prevent homelessness and further violence. (St Mungo's rough sleeper survey (2011) found that 35% of women sleeping rough were found to have left their homes due to domestic violence).

8.3.2 This support service gives women back the confidence to feel safe, participate in their local community and help to shape the service for future users.

## **9. EQUALITIES IMPACT IMPLICATIONS**

Please see Part 2 report.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

**10.1** Within the Service specification the Boroughs have included a number of performance indicators which the successful Provider(s) is required to report on to enable the Council to determine how well the service is performing in improving people's lives and meeting the Councils objectives. Providers will need to report on this on a Quarterly basis and at all Provider performance meetings. These measures include;

- Number of Service Users accessing refuge accommodation
- Number of Children at the Service
- Number of Service Users who maintain their independence after 6 months
- Number of Service Users who have a positive placement end
- Number of Service Users who have no further incidents of domestic abuse 6 months after exiting the service
- Number of Service Users being supported through criminal justice proceedings (as a victim)
- % of Service Users identified and being assisted to access meaningful occupation when they leave the service
- Number of Service Users with a safety plan in place within one month of accessing the service
- % of service users reporting improvements to health and well being
- % of Service Users reporting support around tenancy management. Employment, education and training, debt management and benefits
- % of Service Users who attend DV Workshops or address this in one-to-one case work sessions

## **11. HR IMPLICATIONS**

The Provider who currently delivers the Service and the new Provider(s) will be required to adhere to TUPE regulations (where applicable) on award of the Contract.

## **12. PUBLIC HEALTH IMPLICATIONS**

Domestic violence has a significant effect on health; research suggests that women will see health professionals some 36x before seeking support for violence and it is documented that violence against the woman is often accompanied by violence against any children present. Even where direct physical violence does not occur the psychological effects can be traumatic.

The effects of violence on a victim's health are severe. In addition to the immediate injuries from the assault, battered women may suffer from chronic pain, gastrointestinal disorders, psychosomatic symptoms, and eating problems. Although psychological abuse is often considered less severe than physical violence, health care providers and advocates around the world are increasingly recognizing that all forms of domestic violence can have devastating physical and emotional health effects. Domestic violence is associated with mental health problems such as anxiety, post-traumatic stress disorder, and depression. Women who are abused suffer an increased risk of unplanned or early pregnancies and sexually transmitted diseases, including HIV/AIDS. As trauma victims, they are also at an increased risk of substance abuse. According to a U.S. study, women who experience intimate partner abuse are three times more likely to have gynaecological problems than non-abused women.

Domestic violence can be fatal; women are both intentionally murdered by their partners and lose their life as a result of injuries inflicted by them. The WHO estimates that 38% of all women murdered are killed by an intimate partner. Studies in the United States have focused on strangulation, a tactic often used by batterers. Because strangulation rarely leaves vivid external physical marks, police may not recognize the victim's need for medical assistance or the seriousness of the violence. Injuries resulting from strangulation can often be lethal; such injuries "may appear mild initially but they can kill the victim within 36 hours. Whether or not strangulation results in death, it has been recognized to increase the risk of death at the hands of the intimate partner. A 2008 study in the Journal of Emergency Medicine found that 43% of women murdered by an intimate partner and 45% of women who had been a victim of attempted murder by an intimate partner had been strangled by that partner in the past year.

### **Background Papers**

None