

MUNICIPAL YEAR 2022/2023

London Borough of Enfield

Portfolio Decision by:

Councillor Cazimoglu

Cabinet Member for Health and Adult Social Care

Report of: **Iain Hart**

Mental Health Service Development Manager

**Subject: Domestic Violence Refuge Services and Independent
Domestic Violence Advocacy Contract award**

Cabinet Member: Councillor Cazimoglu

Executive Director: Tony Theodoulou

Key Decision: KD 5390

Purpose of Report

1. To provide information for the Cabinet Member for Health and Adult social Care regarding the changes to the Domestic Abuse Act and the Council's response in ensuring that survivors of Domestic abuse are not disadvantaged whilst the pan London changes to the Domestic Abuse Act are being implemented.

Proposal(s)

2. To agree the direct award of a single contract for the Domestic Violence Refuge and Independent Domestic Violence Advocacy (IDVA) service for a period of 12 months with an option to extend for a further 6 months starting from 3rd July 2022.
3. The proposed contract will allow the Council to understand and assess the implementation of the new Domestic Abuse Act by the Greater London Authority and put arrangements in place to undertake the appropriate procurement activity.

Reason for Proposal(s)

4. The current contracts with the incumbent provider, Solace Women's Aid, end on the 2nd July 2022.
5. Following on from the Domestic Abuse Act 2021. The Mayoral Office has issued a draft Domestic Abuse Safe Accommodation Strategy, requesting that Refuges and IDVA's are closer integrated to assist with move on and to assist survivor integrate back into the community.
6. The Mayor's Office for Policing and Crime (MOPAC) under the draft Domestic Abuse Safe Accommodation Strategy; are running several pilot projects and evaluating all Domestic Abuse services across London.

Although additional funding of £20 million was identified for London in 2021/22, there is currently no clear indication as how refuges and IDVAs will be funded going forward. There is a consensus that the Strategy will be further developed following on from the outcome of the pilots and linked in with budgets.

In the interim, MOPAC has been keen that London boroughs do not disinvest spending pending any long-term strategy and funding changes following the Domestic Abuse Act

7. By delaying going to tender for these services, Enfield will be:
 - In keeping with similar decisions by other local authorities,
 - In keeping with the request from MOPAC not to disinvest in Domestic Abuse services,
 - Fulfilling priorities in the Council Plan
 - Not committing to any long term contracts that could disadvantage the local authority going forward.
8. In order to ensure there is a contractual arrangement and continuity in place, the proposal is to make an interim arrangement with the incumbent provider for a further 12 months with an option to extend up to a further 6 months under a single contract.

Relevance to the Council Plan

9. Under Priority 2 – Safe, Healthy and Confident Communities
 - a. We will keep communities free from crime – in particular 'those who are suffering from domestic abuse or those who are worried about someone who might be'
 - b. Deliver essential services to protect and support vulnerable adults - 'Protect vulnerable adults from harm and deliver robust early help...' and 'Protect vulnerable children through effective early help...'

Background

13. 'Almost one in three women aged 16-59 will experience domestic abuse in her lifetime. Two women a week are killed by a current or former partner in England and Wales alone'¹.
14. Enfield had been the lead borough in a tri-borough joint tender for Domestic Violence refuge support provision. In 2016 Enfield approached other local authorities in North Central London to generate an interest in combining for similar Domestic Violence services in order to deliver a larger contract to achieve qualities of service and economies of scale. Enfield, Haringey and Islington had collaborated in undertaking the tender.
15. After a competitive open tender, the current contract was awarded to Solace Women's Aid and has been successfully delivered since 2017.
16. The current contract for the refuge is for a total length of five years. The Independent Domestic Violence Advocacy (IDVA) service was procured separately by Enfield for a shorter period and now both contracts are due to end on the 2nd July 2022, following an interim additional 3 months' arrangement for IDVA.
17. The refuge is a 21 bed purpose-built accommodation for Women and young children; with additional office space. The property is owned by Christian Action Housing who are willing to lease the accommodation to a support provider. The additional office space is utilised as a hub by the IDVA's in order to reach out to all groups within the community.
18. Access to the accommodation is coordinated through the National Domestic Violence Helpline, London-wide helplines, self-referral or agency referral. With information about vacancies collated nationally via the Women's Aid Routes to Support service.
19. Survivors and their children are often transferred to Enfield from other parts of London to ensure they are removed from danger and placed in a safe location.
20. Solace Women's Aid deliver approximately 200 hours of support per week, supporting on average 60 survivors a year. Most survivors, on

¹ [Office for National Statistics](#) (2019) *Domestic abuse in England and Wales overview: November 2019*

average, spend only 4 months with the service until they are found an alternative safe location. Average utilisation of the service has been 94%.

21. Going forward neither of the other boroughs are currently interested in tendering their services.
22. The two Enfield contracts have separate funding streams. The funding for the Refuge comes from Housing Related Support (HRS) budget. Funding for the IDVA partly comes from the MOPAC. MOPAC funding is on an annual basis and potentially could be impacted upon by the new Domestic Abuse Safe Accommodation Strategy (see point 24). Going forward this will be covered under a single contract but with two separate specification arrangements.
23. On the 29th April 2021 The Domestic Abuse Act came into force.

Section 57(1) the Domestic Abuse Act 2021 states that a local authority must:

- (a) assess, or make arrangements for the assessment of, the need for accommodation-based support in its area and then
- (b) prepare and publish a strategy for the provision of support in its area.

Section 57 came into force on 1 October 2021.

24. The Domestic Abuse Act places the above duties on the Tier 1 authority which for Enfield is the Greater London Authority (GLA). It is therefore the responsibility of the Mayoral Office to assess need and publish a strategy.
25. The Mayor of London Domestic Abuse Safe Accommodation Strategy (draft) was published on the 5th November 2021. The strategy highlights some fundamental changes and raises additional points, some of which are summarised below:
 - that new specialist accommodation should be increased for particular protected characteristic groups.
 - A pan London single point of entry for entry to safe accommodation
 - Furthermore, safe crisis accommodation provision is often not effectively integrated with wider community-based services, such as IDVAs and social services.
 - The London Partnership Board will seek to ensure that good practice and learning from evaluations and pilots is shared across delivery partners, so that continuous improvement and learning is developed.

26. Internal discussions concerning the retender have already taken place with Andrea Clemons Head of Community Safety and Julie Taylor and Christina Tomprou DV co-ordinators.

Main Considerations for the Council

27. The Council is statutorily required to provide Domestic Violence support and ensure that survivors have access to refuge provision.

Safeguarding Implications.

28. The service is there to support vulnerable women and their young families. Staff are trained in raising safeguarding concerns and liaising with the Council and the Police.

Public Health Implications.

29. The Domestic Violence service helps link survivors and families into the Public Health infrastructure. Including but not limited to:

- Helping them register with local GPs,
- Encouraging the take up of vaccination programmes.
- Supporting parent and children gain access to counselling services
- Help children access local schools and as appropriate free school meals.

Equalities Impact of the Proposal

30. An Equalities Impact Assessment has been undertaken. There are no proposed detrimental changes to the service. The current contract supports a range of vulnerable female individuals. Whilst the IDVA supports other protected characteristic groups.

Environmental and Climate Change Considerations

31. Any changes to the service will consider the Council's Climate Action Plan to ensure any proposals are in line with the council's current policies.

Risks that may arise if the proposed decision and related work is not taken

32. There will be a gap in service to survivors of domestic abuse, increasing the risk of a serious incident happening.

33. Risk of legal challenge by not having a refuge provision within the borough.

Financial Implications

34. See Part 2 of this report

Legal Implications

35. The Council has the general power of competence pursuant to s1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and is subject to public law principles. Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions. The proposed arrangement is within the stated powers.
36. Further, the arrangement is intended to support the Council fulfilling its legal duties under Part 4 of the Domestic Violence Act and Parts 6 and 7 of the Housing Act 1996.
37. In running the procurement process the Council must follow the Council's Constitution, in particular the Contract Procedure Rules.
38. The Council must comply with its obligations relating to the obtaining of best value under the Local Government (Best Value Principles) Act (1999).
39. As the value of the contract exceeds £500,000, officers must ensure this report follows the Council's Key Decision process.

(Legal implications drafted by E.M. on 16.06.2022 based on the version of the report circulated on 15.06.2022 at 16:54)

Workforce Implications

40. None of the staff are directly employed by the local authority.

Property Implications

41. This is not a Council building. The building utilised for the scheme is a purpose-built refuge with offices to act as a hub for onsite and outreach services. The landlord is Christian Action a Registered Social Landlord.

Other Implications – Procurement Implications

42. Any procurement must be undertaken in accordance with the Council's Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015) and the Council's Sustainable and Ethical Procurement Policy.

43. The award of the proposed contract, including evidence of authority to award, promoting to the Council's Contract Register, and the uploading of the executed contract must be undertaken on the London Tenders Portal including future management of the contract.
44. This necessary information must also be published in the Contracts Finder portal to comply with the Government's transparency requirements.
45. Where a contract has not been procured via the LTP, then a waiver/exceptions form, the signed contract, and supporting DAR etc, must be sent to Procurement Support who will create a record in the LTP and promote to the Contracts Finder portal to ensure the Council meets its transparency obligations.
46. The CPR's state that contracts over £100,000 must have a nominated contract owner in the LTP, and for contracts over £500,000 there must be evidence of contract management, including, operations, commercial, financial checks (supplier resilience) and regular risk assessment uploaded into the LTP.

Options Considered

47. Carry out full tender and let for a longer term – this was not preferred because the LGA's implementation plan of the Domestic Abuse Act is not yet clear;
Do nothing – this will leave the service to be run without a contract that will put the service and the Council at risk of any provider failure.

Conclusions

48. That approval is granted to award a single contract for the Domestic Violence Refuge and Independent Domestic Violence Advocacy contract for a period of 12 months with an option to extend up to a further 6 months.

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Date of report 17/06/22

Annex 1 – Restricted Annex - Financial Information

Background Papers

The following documents have been relied on in the preparation of this report:
None.