

Leader Decision Meeting Agenda

Date: Wednesday 21 September 2022

Time: 3.30 pm

Venue: Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

Membership (Quorum 3)

Councillor Paul Osborn

- Leader of the Council and Portfolio Holder for Strategy

Contact: Nikoleta Kemp, Senior Democratic and Electoral Services Officer
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Agenda publication date: Thursday 15 September 2022

Agenda - Part I

Procedural

1. **Declarations of Interest**

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub-Committee or Panel;
- (b) all other Members present.

2. **Petitions**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Executive Procedure Rule 49 (Part 4D of the Constitution).

3. **Public Questions**

To receive any public questions received in accordance with Executive Procedure Rule 51 (Part 4D of the Constitution).

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

[The deadline for receipt of public questions is 3.00 pm, 20 September 2022. Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

4. **Matters referred to the Executive Member**

In accordance with the provisions contained in Overview and Scrutiny Procedure Rule 23 (Part 4F of the Constitution).

Reports

5. **Children and Young People's Emotional Wellbeing Service** (Pages 5 - 16)

Report of the Director of Children's Services.

6. **Harrow Council's Domestic Abuse Service** (Pages 17 - 50)

Report of the Acting Corporate Director of Resources.

7. **Council Insurance Renewals 2023** (Pages 51 - 60)

Report of the Director for Finance and Assurance.

8. **Any Other Urgent Business**

Which cannot otherwise be dealt with.

9. **Exclusion of the Press and Public**

To resolve that the press and public be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of confidential information in breach of an obligation of confidence, or of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972:

Agenda Item No	Title	Description of Exempt Information
10	Harrow Council's Domestic Abuse Service – Appendices 2 to 13	Information under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, relating to the financial or business affairs of any particular person (including the authority holding that information).

Agenda - Part II

10. **Harrow Council's Domestic Abuse Service** (Pages 61 - 426)
Appendices 2 to 13 to the report of the Acting Corporate Director of Resources.

Data Protection Act Notice

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[Note: The questions and answers will not be reproduced in the minutes.]

Publication of decisions	22 September 2022
Deadline for Call in	5.00 pm on 29 September 2022
Decisions implemented if not Called in	30 September 2022



Report for: Cabinet

Date of Meeting:	15 September 2022
Subject:	Children and Young People's Emotional Health and Well-Being Service
Key Decision:	Yes, decision effects communities living or working in an area of two or more wards of the Borough
Responsible Officer:	Peter Tolley - Director of Children's Services
Portfolio Holder:	Councillor Hitesh Karia - Portfolio Holder for Children's Services
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	None

Section 1 – Summary and Recommendations

This report sets out the background, the present position and recommendations for re-tendering the current emotional, health and well-being service for children and young people living in Harrow, jointly with NHS North West London Integrated Care Board (ICB).

Recommendations:

Cabinet is requested to:

1. Approve the commencement of the re-procurement of the Children and Young People's Emotional, Health and Well-Being Service collaboratively with NHS North West London Integrated Care Board (ICB) for a 3 year term with the option to extend for a further 2 years via the agreement between the Council and North West London CCG under s75 of the National Health Service Act 2006.

Reason: (for recommendations)

1. To fulfil the statutory requirement of Local authorities and NHS in commissioning health services for all children in their area.
2. To support the corporate parenting responsibilities of local authorities which includes having a duty under section 22(3)(a) of the Children Act 1989 to safeguard and promote the welfare of the children they look after, including the promotion of the child's physical, emotional and mental health.
3. To enable the Local Authority to fulfil its statutory duty of 'Promoting the Health and Well-Being of Looked-After Children' in response to the statutory guidance for local authorities, clinical commissioning groups and NHS England, March 2015.

Section 2 – Report

Introduction

1. Harrow commissioned the Children and Young People's Emotional, Health and Well-Being Service jointly with NHS North West London ICB in 2017. The service is provided by Barnardo's and is known as Harrow Horizons.
2. Harrow Horizons provides services for Children Looked After and children known to social care, in accordance with the Local Authority's duty and universal services. The current contract ends in March 2023, and there are no further extension periods available.

3. This report proposes that the service is redesigned and re-procured, with the ICB as the lead commissioner. The recommendation for approval to re-tender the jointly commissioned service with North West London ICB, will ensure that the Local Authority fulfils its statutory obligations to work together to commission health services for all children in their area. The procurement will contribute to the Council's priority of Putting Residents First by providing mental health and emotional services for young people.

Options considered

4. The following options have been considered:
 - Re-design and re-tender the service collaboratively with NHS North West London ICB via Section 75 of the National Health Service Act 2006 agreement.
 - Commission a service independently. The Local Authority would lose the benefit from combining their limited resources to reach a greater proportion of vulnerable children and young people and thus meet their statutory responsibilities.
 - Do not re-tender the service and allow the current contract to come to an end on 31st March 2023. This would not be considered a viable option for the local authority. Children looked-after, children in need and children in need of early support are more likely to have experienced multiple adverse childhood experiences, including deprivation and poverty as a result of low family income or parental unemployment, abuse, and trauma. The local authority would therefore not be fulfilling their statutory duty with regards to promoting the emotional health and well-being of children looked after.
5. The preferred option is to re-tender jointly with Health and develop the service specification with stakeholders, young people and professionals.

Background

6. The Local Authority in accordance with the Children Act 1989, has a duty to 'Promote the Health and Well-Being of Looked-After Children'. Increasing and improving mental health services through an integrated approach with local authorities and health services, was a key objective in the Government's Future in Mind Transformation Plan. In this context, in October 2015, the Health and Well-Being Board, agreed to develop an integrated Emotional Health and Wellbeing Targeted Service with the former Harrow Clinical Commissioning Group (CCG) and the Council.
7. The Statutory guidance for local authorities, clinical commissioning groups (CCG) and NHS England, March 2015 states that the corporate parenting responsibilities of local authorities include having a duty

(under section 22(3)(a) of the Children Act 1989) to safeguard and promote the emotional, mental health and physical welfare of the children they look after.

8. Within the Children's Commissioner's Report 2020/21, there is evidence that supports the need for local authorities to provide emotional, mental health support for Children Looked After (CLA).
9. Due to multiple adverse childhood experiences and trauma, Children Looked After are more likely to experience a mental health problem; the 2015 Future in Mind and the NHS Long Term Plan strategies identified CLA, as one of the most vulnerable groups in terms of emotional wellbeing and mental health.
10. From NHS national data, the estimation of children looked after meeting the criteria for a diagnosable mental health disorder will be approximately 50 per cent. The Department of Education and Department of Health acknowledge this in their statutory guidance on promoting the health and wellbeing of looked-after children.

Current situation

11. Harrow Horizon's Children and Young People's Emotional Health and Wellbeing Targeted Service is delivered and managed by experienced clinicians and mental health practitioners, the service works closely with schools, providing short- to mid-term therapeutic intervention. Offering mental health and therapeutic support, including early intervention. It offers a person centred, age appropriate and flexible approach.
12. An innovative approach to the co-production of the Harrow Horizons service was adopted. Children and young people from Harrow were involved in the design of the current service, selecting the provider and naming the service from the outset. Subsequently a small number of young people have continued to be involved in Harrow Horizons youth participation group that encourages the voices of service users to help develop and improve the quality of provision.
13. The Council and Harrow CCG entered into a Section 75 Agreement to commission this service. As the lead commissioner and following a competitive procurement process, Harrow CCG, appointed the national charity Barnardo's, as the service provider.
14. The contract with Barnardo's commenced in April 2017, the local authority in partnership with Health intends to procure a new service commencing 1st April 2023.
15. The contract value of £550,000 per annum is shared between the local authority (£270,000) and NHS NW London ICB, (£280,000).

Why a change is needed

16. As the service contract period ends, there is the opportunity to review the outcomes and assess the model that was designed in 2016. Since the service commenced there have been a number of other initiatives to support children and young people's mental health and wellbeing. These include both NHS, Local Authority and community/voluntary sector services for example mental health support teams, 16-25 young adult offer and social workers in school initiative.
17. In addition, there are also post covid emerging needs which need to be considered. Undertaking a new service redesign at this time will be in the context of current services and demand ensuring that there is a holistic approach to the offer in Harrow. It is acknowledged this does not capture the full complexity of need for children/young people with mental health difficulties as detailed by Future in Mind.
18. As children and young people's emotional wellbeing and mental health affect all aspects of their lives, no one service alone will be able to meet their needs. The procurement proposed will be part of the local integration of children and young people's pathways, and in line with the development of an integrated family hub model.
19. By working in partnership with the voluntary sector and wider partners, for example social care, schools', GP's and families'/carers, improving understanding and supporting mental health interventions with children and young people and improving outcomes. The new service offer will address inequalities, including focusing on areas of high deprivation or low rates of access into traditional healthcare systems.
20. The development of a new service specification will be aligned to the Thrive framework, which is an integrated, person centred and needs led approach to delivering mental health services. The framework will focus on the "Getting Help" and "Getting More Help" quadrants.
21. Getting Help -This grouping comprises those children, young people and families who would benefit from focused, evidence-based help and support, with clear aims, and criteria for assessing whether these aims have been achieved. The professional may not necessarily be a trained mental health provider but may be a range of people who can provide targeted, outcomes-focused help to address the specific mental health issue.
22. Getting More Help – include those who need more extensive and specialised goals-based help. This grouping also comprises those children, young people and families who would benefit from focused, evidence-based interventions, with clear aims, and criteria for assessing whether these aims have been achieved. In this service this would be for a small number of children for example those children looked after or those with ASD.

23. In summary, some of the key principles of the Thrive framework are:
- Needs-led
 - Outcome-focused
 - Shared decision making
 - Proactive prevention and promotion
 - Partnership working
 - No “wrong door”
24. The specification will be developed and informed by the Hay Harrow 2022 Mental Health review (2022), Harrow Public Health’s Children and Young People’s Emotional Wellbeing and Mental Health Needs Assessment (2020) and the People and Young Peoples Integrated Partnership priority to identify and develop services that improve the emotional wellbeing and mental health of children and young people. This will build on the extensive engagement work carried out with children, young people, parents and professionals in 2016, that informed the original business case/specification for the service.
25. The new service will be informed by a sound evidence base and sources of data and analysis about the local partnerships’ arrangements for children, young people and families. It will be underpinned by a population health approach to tackle inequalities.
26. This new proposed service will support those children and young people aged 0 to 18, or up to 25 with a Special Educational Need or Disability with emotional health and wellbeing needs, that do not meet the threshold for specialist mental health services. In Harrow this covers approximately 3695 children and young people (Office for National Statistics mid-year population estimates for 2012).
27. There is an additional need to ensure the new service specification meets corporate parenting responsibilities and prioritises the mental health needs of children looked after for both assessments and therapeutic support. The number of children looked after by Harrow Council has remained largely stable over time, at approximately 185 children at any given time.
28. Because of their experiences both before and during care, looked-after children are at much greater risk of poor mental health than their peers. Research suggests that around 45% of looked-after children have a diagnosable mental health disorder, and up to 70%-80% have recognisable mental health concerns. <https://www.healthy london.org/mental-health-services-for-looked-after-children-and-care-leavers-new-survey-results> July 2020
29. As a result of waiting time and high access thresholds smaller problems too often escalate to the point of crisis (children and young people’s mental health House of Commons Committee report 21/22). It

has also been reported that prolonged waiting times to receive mental health services are common and may have negative consequences for example are more likely to refuse services if they face longer waiting times – (*The Effect of Waiting Time on Youth Engagement to Evidence Based Treatments January 2013 Community Mental Health Journal 50(2) January 2013 Community Mental Health Journal 50(2)*)

30. The service will include assessment and treatment through a range of short to medium term therapeutic interventions. This new service will add value to existing provision through an enhanced referral route, enabling access for children with a social worker, other vulnerable young people and their families.

Performance Issues

31. Harrow Horizon received 754 referrals, of which 703 were accepted between April 2020-March 2021 which was during Covid. The impact of the pandemic is a key contributing factor. From April 2021- March 2022 Harrow Horizons received 987 referrals with 935 receiving an intervention. This has impacted on waiting times.
32. Referrers report the long waiting times are impacting on children's mental health and emotional wellbeing of some of the most vulnerable groups as they have to wait to access support. Long waiting times can result in increase in severity of mental health presentations, as a result children end up in crisis. Reduced waiting times will be a focus in the development of the new service.
33. The new service and performance indicators will be jointly monitored by the local authority and NHS North West London ICB. The performance and monitoring of outcomes will be reported the Integrated Children and Young People's Board.
34. A key performance indicator would include priority access for children looked after and children with a social worker, to ensure this vulnerable group is triaged appropriately in referrals, assessment and intervention. The Multiagency partnership has undertaken work to identify the cohort of children looked after by Harrow who are most likely to require mental health services, based on key well-being indicators, including strength and difficulty questionnaires (SDQs), placement stability, missing episodes and Education, Health and Care Plans (EHCP). To avoid delays in providing mental health support, the new service will have a dedicated offer of consultation and liaison support for looked after children and/or their network to ensure the needs of this vulnerable group are appropriately prioritised.

Environmental Implications

35. There are no environmental issues identified

Data Protection Implications

36. There are no data protection implications. The current service provider has a signed service level agreement in place with the Local Authority and Health.

Risk Management Implications

37. Risks included on corporate or directorate risk register? NO
38. Separate risk register in place? NO
39. The relevant risks contained in the register are attached/summarised below. NO
40. The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Failure to fulfil statutory requirement to work together with NHS to commission services	<ul style="list-style-type: none"> • Agree to combine budgets and jointly work together to redesign the service. • Joint commissioning should also maximise the benefits of the service through ensuring it is as joined up and seamless for families as possible; based on identified need. 	Green
Failure to fulfil statutory duty of 'Promoting the Health and Well-Being of Looked- After Children'	<ul style="list-style-type: none"> • This new proposed service will support those children and young people aged 0 to 18, or up to 25 with a Special Educational Need or Disability with emotional health and wellbeing needs, that do not meet the threshold for specialist mental health services, prioritising children with a social worker. 	Green

Risk Description	Mitigations	RAG Status
Failure to follow Procurement regulations	<ul style="list-style-type: none"> ▪ NHS North West London ICB will take the lead in the procurement process. ▪ The council will work closely with the NHS to ensure all procurement regulations are followed. 	Green
Failure to support the corporate parenting responsibilities of the local authority	<ul style="list-style-type: none"> ▪ The new service specification will be designed to meet the Authority's corporate parenting responsibilities and prioritises the mental health needs of children looked after for both assessments and therapeutic support. 	Green

Procurement Implications

41. The Council will work closely with NHS North West London ICB and have oversight of the procurement plans, tender documentation and ensure that this is compliant with the Public Contract Regulations 2015.

Legal Implications

42. Under section 22(3)(a) of the Children Act 1989, local authorities having a duty to safeguard and promote the welfare of the children they look after, including the promotion of the child's physical, emotional and mental health.
43. Section 75 of the National Health Service Act 2006 permits CCG and Local Authorities to commission services jointly. Section 75 NHS Act 2006 arrangements are not subject to the Council's Contract Procedure Rules.
44. The Council and North West London CCG entered into a Section 75 Agreement under the National Health Service Act 2006; this agreement enables the Council and the CCG to enter into partnership arrangement to provide services and pool resources. This agreement remains valid until 2027 therefore the commissioning intentions as set out in this report for the emotional health and wellbeing services can be fulfilled through the Section 75 Agreement. The CCG as lead commissioners and the contracting authority must adhere to the Public

Contracts Regulations 2015 and any applicable NHS Regulations in their appointment and award of the new contract.

Financial Implications

45. The anticipated total annual contract value is £550,000 comprising £280,000 contribution from North West London ICB and £270,000 Local Authority contribution.
46. Financial commitment will be for 3 years plus a maximum of 2 years extension periods.

Equalities implications / Public Sector Equality Duty

47. Equalities Impact Assessment was undertaken as part of the initial procurement process. The findings in this assessment showed the implications are either positive or neutral, with no adverse effect. The service will reduce inequalities by improving access to emotional, mental health interventions to those vulnerable children and young people in Harrow.
48. The assessment has not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed.
49. NHS North West London ICB are the leading the procurement process and will complete a equality impact assessment.
 - During the monitoring of the contracts, recent equalities data on the service users since the commencement of the service shows;
 - **Increase** in demand, 233 referrals more in 2021/22 than in the previous year.
 - Slightly more girls than boys - 54% girls, 45% boys and 1% other
 - **38%** 5–11-year-olds, **44%** 12-15 year olds and with smaller percentages for the under 5's,16- 17 year olds and with 1% 18-25 with SEND

<u>Ethnicity Data</u>		<u>Disability Data</u>	
Asian or Asian British:	36%	Total % of CYP with Known Disability	11% of a referrals
White or White British:	34%	ASD:	41%
Mixed Race:	13%	ADHD:	29%
Black or Black British:	9%	Learning Disability:	13%
Other Ethnic Identity:	8%	Physical Disability:	6%
		Others Complex or Multiple Needs, Sensory Impairment, Behavioural Disability, speech, language or communication	11%

Section 3 - Statutory Officer Clearance

Statutory Officer: Jo Frost

Signed on behalf of the Chief Financial Officer

Date: 16 August 2022

Statutory Officer: Puja Shah

Signed on behalf of the Monitoring Officer

Date: 26 August 2022

Chief Officer: Peter Tolley

Signed off by the Director

Date: 26 August 2022

Head of Procurement: Lisa Taylor

Signed on behalf of the Head of Procurement

Date: 23 August 2022

Head of Internal Audit: Susan Dixson

Signed by the Head of Internal Audit

Date: 1 September 2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqlA carried out: NO

The initial EqlA was carried at the start of the procurement. NHS North West London is the lead and will carry out a joint EqlA.

Section 4 - Contact Details and Background Papers

Contact: Priya Ganatra, Strategic Commissioning Manager
Priya.ganatra@harrow.gov.uk
Phone: 07976957586

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee - NO



Report for: Cabinet

Date of Meeting:	15 September 2022
Subject:	Harrow Council's Domestic Abuse Service
Key Decision:	Yes - By virtue of spend, which is above £500,000
Responsible Officer:	Alex Dewsnap - Acting Corporate Director, Resources
Portfolio Holder (s):	Cllr Anjana Patel - Portfolio Holder for Environment & Community Safety Cllr Pritesh Patel - Portfolio Holder for Adult Services & Public Health Cllr Hitesh Karia - Portfolio Holder for Children's Services Cllr Mina Parmar - Portfolio Holder for Housing
Exempt:	Open except for appendices 2 to 13 which are exempt by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 in that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information).
Decision subject to Call-in:	Yes
Wards affected:	All wards
Enclosures:	Appendix 1 - Equalities Impact Assessment (EqIA) <u>Exempt Appendices:</u> Appendix 2 - Invitation to Tender – Domestic Abuse Service Appendix 3 - Draft Contract for Domestic Abuse Service – Lot 1

Appendix 4 - Draft Contract for Domestic Abuse Service – Lot 2
Appendix 5 - Housing Management Contract - Supported Housing (Draft)
Appendix 6 - Social Value Action Plan (for completion) - Lot 1
Appendix 7 - Social Value Action Plan (for completion) - Lot 2
Appendix 8 - Social Value Background Information
Appendix 9 - Social Value Guidance
Appendix 10 - Social Value Method Statement
Appendix 11 - Specification Lot 1 - Domestic Abuse Support Service
Appendix 12 - Specification Lot 2 - Safe Accommodation
Appendix 13 - SQ Scoring Methodology

Section 1 – Summary and Recommendations

Harrow Council's contract for domestic abuse services is due to expire in March 2023. This report seeks Cabinet approval to reprocure and award new contracts for the service.

Recommendations:

Cabinet is requested to:

- (1) Approve the commencement of a competitive procurement for the domestic abuse service for an initial contract term of three years to run from 1st April 2023 to 31st March 2026, with an option to extend for a maximum of a further two years until the 31st March 2028. The extension options will be exercised in periods of one-year extensions and will be subject to a rigorous review of performance at the end of the second year of the contract(s) and availability of budget (3 years, plus 1, plus 1). The value of the contract is £341,655 per annum, totalling £1,024,965 over the initial contract period of three years. The total value of the contract including the two additional extension years is £1,708,275.
- (2) Approve splitting the provision of the Domestic Abuse service into two procurement Lots:
 - Lot 1: Domestic Abuse Support Service: Strategic coordination and direct support to domestic abuse victims/survivors (with a contract value of £269,655 per year); and
 - Lot 2: Safe Accommodation: Refuge Support and Management and Floating Support (with a contract value of £72,000 per year).
- (3) Following the tender process, delegate authority to the Acting Corporate Director of Resources following consultation with the Portfolio Holders for Environment and Community Safety and Finance and Human Resources to award the contract(s) for both procurement lots in the new domestic abuse services
- (4) Delegate authority to the Acting Corporate Director of Resources, following consultation with the Director of Finance and the Portfolio Holders for Environment & Community Safety and Finance & Human Resources to extend the contract for each of the additional 12 month periods, which would follow a rigorous review of performance.

Delegate authority to the Acting Corporate Director, Resources, in consultation with the Portfolio Holder for Environment & Community Safety to allow any changes ahead of the final publication of the Invitation to Tender (ITT)

Reason: (for recommendations)

The combined value of the two contracts to deliver the service is in excess of £500,000. Therefore, Cabinet approval is required to re-procure the service.

Section 2 – Report

Introductory paragraph

1.1 Harrow Council’s contract for domestic abuse services is due to expire in March 2023. This report sets out the rationale for splitting the Domestic Abuse service into two Lots and inviting applications to tender for a contract to run the service. The total available annual budget for the new service, £341,655, is the same as the current level.

1.2 The current service, which is provided by Hestia Housing and Support includes:

Community based support consisting of:

- Two Full-time Independent Domestic Violence Advocates (IDVA). These workers support victims assessed at high and medium risk of domestic abuse, helping to de-escalate and prevent further abuse and signposting them to other services. The Community IDVA currently supports cases referred from Children Services, Adult Social Care, local voluntary and community sector (VCS) organisations, statutory and non-statutory providers, as well as self-referrals. The Police IDVA works alongside colleagues and helps victims referred through the Metropolitan Police’s Community Safety Unit at Wembley Police station.
- A case worker - providing continued support to clients that were assessed as high-risk at entry and stepped down to medium risk.
- Safety planning within the Multi-Agency Safeguarding Hub (MASH), within Children’s Services for victims and families presenting with domestic abuse.
- Coordination of the borough’s Multi-Agency Risk Conference (MARAC)¹, which reviews cases of abuse assessed as high-risk and secures input and support from statutory and non-statutory partners, to ensure the victim’s safety.
- Senior IDVA (located in the MASH)

Support within safe accommodation consisting of:

- A 6-bed refuge - accommodating up to 12 victims and their families per year and managed by one full-time refuge worker to provide wrap-around support and advice to victims and their children.
- A Floating Support worker - providing housing and tenancy related advice and emotional support, to help prevent homelessness.

1.3 The service works in tandem with and signposts victims to other services provided by Council departments and/or externally, through the voluntary and community sector.

¹ A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors.

- 1.4 The service was last competitively commissioned in late 2015, for a contract period of four years (two years with the option to extend for a further two years to 2019 which has been exercised). In late 2019 a direct award under waiver was made due to uncertainty of the availability of future funding. This award expired in August 2021.
- 1.5 A cross-departmental project group comprising representatives and budget holders from People Services, Harrow Safeguarding Adults and Safeguarding Children Board, Public Health, Housing, Policy and Procurement, was originally set up in Spring 2020 to review the service, and re-design the service model for a new procurement process.
- 1.6 Due to impacts on the capacity of the Council and partners as a result of the Covid-19 Pandemic, the original timeline for re-procurement was impacted and pushed back. In tandem with the new Domestic Abuse Act coming live in April 2021, it became increasingly difficult to ascertain what domestic abuse services the Council would be responsible for commissioning. The cross-departmental project group recommended that a direct award of contract be made and this was adopted by Cabinet in July 2021, with the period of the award timed to allow for a re-design of the service specification, following the full understanding of the implications of the Domestic Abuse Act.
- 1.7 The cross-departmental project group was reconvened in Spring 2022 to inform the process.
- 1.8 Consideration has been given to the need for Early Intervention and what this would look like in terms of service delivery. There are programmes available which would address some of the gaps in available support but would require an increasing in the available funding. However, the recommendations in this report are fully funded by the current financial envelope.
- 1.9 As an example, perpetrator behaviour programmes have the potential to be a cost-effective way of reducing offending, with research showing a reduction in repeat offending across various forms of abuse by 70-88%, with Independent Domestic Violence Advocates IDVAs reporting a reduction in risk to victims by 82%.² Stakeholders had previously identified the need for interventions at all risk levels in Harrow – ranging from support for low level conflict, through to intensive work with high-risk perpetrators. Both Barnet and Brent Councils have commissioned Rise Mutual to provide perpetrator programmes for their boroughs. In 2019, Brent Council commissioned Rise Mutual to deliver its programme over two years, at a cost of £200,000, supporting a total of 190 perpetrators and partners, through a combination of group therapy and 1:1 support. Previous research into the costs of a perpetrator programme have been estimated at between £1000 - 3000 per perpetrator. Opportunities to jointly commission services with North West Borough Command Unit BCU borough partners may provide some efficiencies and could be explored further (subject to additional funding being secured).

² <http://driveproject.org.uk/wp-content/uploads/2020/01/Drive-Evaluation-Report-Final.pdf>

- 1.10 Trauma therapy for adults and children was previously identified as a gap in support. The Drive Project is an innovative response to domestic abuse that aims to reduce the number of child and adult victims by disrupting and changing perpetrator behaviour. Drive focuses on priority (high-risk, high-harm and/or serial) perpetrators, as this group carries the greatest risk of serious harm, and engagement with available services is low.³ The Drive Project evaluation report cited average unit costs of Cognitive Behavioural Therapy (CBT)/Counselling support for victims of abuse at £112 per hour. The recommended minimum number of sessions required to support adult victims would be in the region of 8-12, depending on severity of the trauma, which would cost in the region of between £900 - £1500. Discussions with Central and North West London NHS Foundation Trust (CNWL) commissioners to explore/review demand for trauma services within the borough could influence future decision-making around the provision of such services.
- 1.11 Given the evidence base on the impact of early intervention offers, the procurement process should include the ability to enhance the service on offer. It would therefore be our intention to use successful bidders to deliver perpetrator programmes subject to funding being found, be it Council or external funding. We are therefore including these options explicitly within the ITT, even though at this stage we are clear that the funding does not exist to support these enhancements. This will then allow us to move forward to full procurement without precluding any options to support our future direction of travel, but at the same time indicate to the market that the successful bidder would also be able to partner on new initiatives without going back through a full procurement programme of work.
- 1.12 In addition to the Domestic Abuse service provided by Hestia Housing and Support and funded through Harrow Council, the following are resources funded wholly by external bodies which support victims of domestic abuse.
- The Mayor's Office for Policing and Crime (MOPAC) funds an Independent Domestic Violence Advocate (IDVA) resource, shared with Barnet and Brent Councils and co-located at Wembley Police Station and at Northwick Park Hospital. This IDVA resource equates to 0.66 full-time Equivalent (FTE)⁴ workers per borough. As a result there is a total IDVA resource available within Harrow at present is 2.66 FTE.
 - A complex needs service – funded through the Department for Levelling Up, Housing and Communities (DLUCH) and under a separate contract - provides specialist emotional and practical support to domestic abuse victims who present with mental health, substance misuse and insecure housing issues.

³ <http://driveproject.org.uk/wp-content/uploads/2020/01/Drive-Evaluation-Report-Final.pdf>

⁴ A full-time equivalent, sometimes abbreviated as FTE, is a unit to measure employed persons in a way that makes them comparable although they may work a different number of hours per week.
[https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Full-time_equivalent_\(FTE\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Full-time_equivalent_(FTE))

- There are additional domestic abuse services covering the borough commissioned by London Councils. These are Advance; the Asian Women's Resource Centre; the London VAWG consortium (with Advance the lead partner in Harrow); and EACH Counselling.

Options considered

2.1 **Option 1:** Do nothing - allow the contract to end in March 2023.

This option is not recommended as domestic abuse has become an important local and national policy area. The Domestic Abuse Act came into force in April 2021. Therefore, discontinuing the service will create a gap in statutory and non-statutory provision which will be detrimental to adults, children and young people impacted by domestic abuse.

2.2 **Option 2:** Bring elements of the service in-house.

This option is not recommended for the following reasons:

- a) This would result in additional management resource and higher staff costs.
- b) The service requires extensive and specially trained staff, which does not currently exist in-house, as well as a high degree of objectivity and neutrality from the perspective of the victim.
- c) In addition, it would be challenging to mobilise an in-house service in the time available before the end of the existing contract term.

2.3 **Option 3:** Continue with a single contract for service provision, incorporating both the Domestic Abuse Support Service and Support in Safe Accommodation.

This option is not recommended for the following reasons:

- a) The market engagement undertaken in 2020 has indicated that there are a number of potential service providers who have the capacity and interest to engage with a procurement process. This engagement also highlighted the ability of potential providers to bid for external funding and facilitate collaborative partnership working.
- b) While a single provider responsible for the delivery of the whole contract would simplify the procurement process and contracting arrangements, there are risks associated with this approach. There is the heightened risk to the delivery of the whole domestic abuse service if a supplier underperforms or goes out of business.
- c) The tender would only be obtainable for suppliers who can deliver both the support service, and support within safe accommodation. As a result, this could make the process less competitive.

2.4 **Option 4:** Separate the two key elements of the service into two lots: Lot 1 being the Domestic Abuse Support Service and Lot 2 being Support in Safe Accommodation. This approach does not impact the budget for the service which will remain at £341,655 and does not exclude any one

supplier from bidding for and potentially being successful in winning both contracts.

Splitting the overall service provision into two lots would require more time for the procurement process and contract management, and therefore risks losing potential economies of scale. However, there are a number of benefits to this approach.

- i. Not restricting the process to suppliers who can only provide the whole service broadens the scope of applicants, increasing competition and mitigating the risk that the Council might miss out on good quality bids (which we have tested with the market to verify).
- ii. It supports small and medium sized enterprises by encouraging and enabling them to do business with the Council.
- iii. Splitting the contract also spreads the risk associated with relying on one service provider and may increase resilience into the overall service delivery

Option 4 is recommended. It should be noted that as the funding for the service has been set at £341,655 the competitive nature of the tender process will not be based on cost benefit but on the quality of the service that suppliers can provide for the funding envelope.

Background

3.1 Profile of domestic abuse in Harrow

- There has been a rise in domestic abuse in the borough since the service was first commissioned in 2015.⁵
- Harrow has seen a rise in the number of recorded domestic abuse offences by 29% from 1,791 in April 2018 to 2,254 in April 2022.
- Data beyond April 2022 will not be available ahead of the Cabinet meeting in September 2022. This information is usually only requested annually for the Strategic Assessment.
- Police crime data for 2019/2022 shows that the number of incidents across the borough has remained stable, at an average of 3,000 per annum. However, domestic abuse incidents have continued to increase since the introduction of Covid-19 measures. The figures from April 2018 stood at 2,960 compared to April 2022 where they stood at 3,320 (an increase of approximately 12%).
- There has been an upward trend in the level of incidents flagged as domestic since November 2020. However, there has been a downward trend in the proportion of domestic offences resulting in injury - from 26% (Apr '20) to 20% (Apr '22).⁶
- Compared to April 2021 and April 2022 rolling year, the number of flagged domestic offences in Harrow increased by 374. There was a

⁵ Metropolitan Police data on domestic abuse offences and incidents in Harrow: 2017-2021 (12 months rolling year).

⁶ Domestic Abuse and Sexual Offences, Safer Harrow, Harrow Business Intelligence Unit, June 2022

total of 2,195 offences for 12 months up to 2021 and 1,821 offences in 2019. This translates to a 1.48 rate increase.

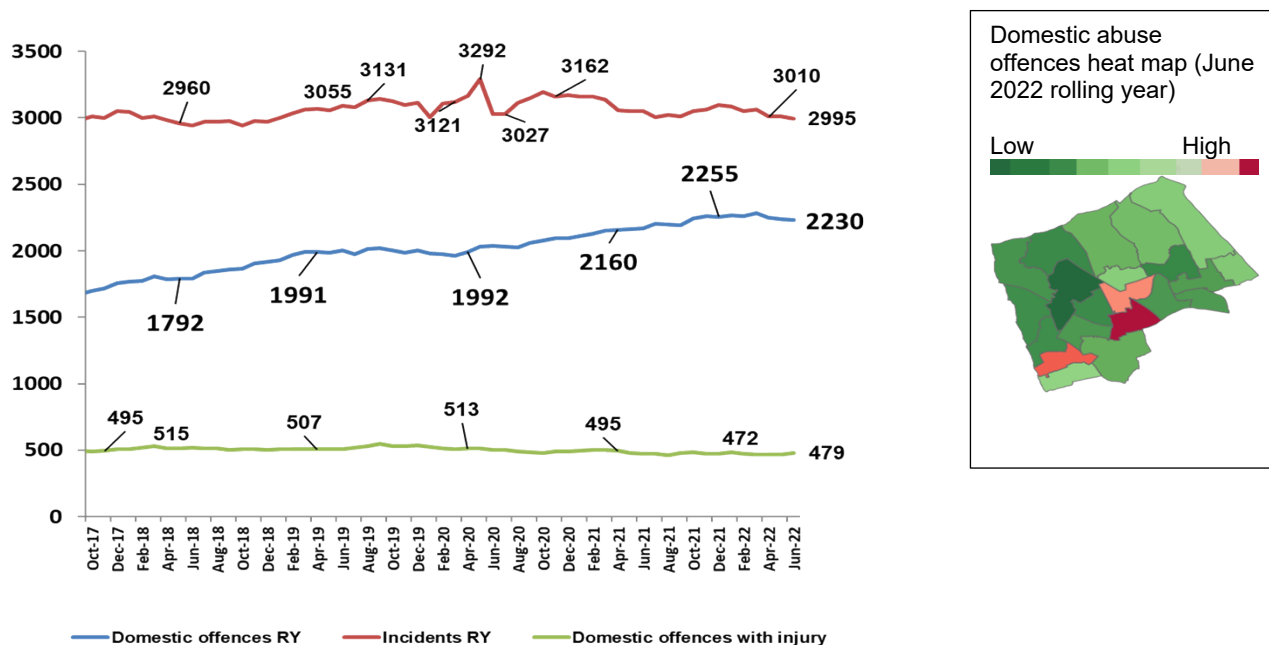
- In the 12 months up to August 2021 the highest levels of flagged domestic crime occurred in Roxeth and Greenhill. The highest increases from August 2019 were seen in Roxbourne (+31) and Pinner (+43).
- In the 12 months up to August 2021, the lowest levels of flagged domestic crime occurred in Harrow Weald, and Headstone North. The highest reductions from August 2019 are Hatch End (-27) and West Harrow (-26).
- The main forms of domestic abuse experienced by victims include common assault, assault with injury and harassment.
- The majority of victims of domestic abuse in the borough were female (71%) Men made up 24%.⁷
- Domestic abuse impacts all age groups, with 53% of victims aged 25-44 and 24% of victims aged 55-64 recorded as victims of abuse. A further 4% were aged 65 plus.
- Crime data for 2021 supplied by the Police has recorded the ethnicity and number of domestic abuse victims as follows: “Afro-Caribbean” 674; “Arabian / Egyptian” 273; “Asian” 1,320; “Dark European” 257; “Oriental” 86; Unknown 1,290; “White European” 1,470.⁸
- Profile analysis uses data on domestic flagged crimes reported to police, in the 12 months up to August 2021. It shows that females with black and multi-ethnic “appearance” (based on Police reporting) are the highest proportion of victims (31%), and white males make up the smallest proportion (6%).⁹

Figure 1: Number of domestic abuse offences in Harrow 2017-2022

⁷ Annual Strategic Assessment 2021 A Summary of Crime in Harrow in 2020/21

⁸ Metropolitan Police data on domestic abuse offences and incidents in Harrow: 2017-2021

⁹ Annual Strategic Assessment 2021 A Summary of Crime in Harrow in 2020/21



Current situation

4.1 Harrow Council domestic abuse service

As part of the commissioning process, a review of the service was undertaken by the Domestic Abuse Commissioning Project Group from October to November 2020. Findings are summarised as follows:

- The number of referrals to the IDVA service has seen an upward trend since 2017/2018, increasing from 354 to 649 in 2020-2021.
- Over half of all referrals to the service were from the Multi Agency Safeguarding Hub (MASH) and other departments within Children’s Services, followed by the Police.
- The majority of victims that were referred to the service are female, with 6% of male victims accessing the service.
- 6% of victims were disabled.
- The service also provides support to the LGBT+ community and they made up 2% of the overall service users.
- The service also provides support for those with no recourse to public funds who qualify for the Destitution Domestic Violence (DDV) concession. However, the numbers are minimal at less than 1%¹⁰.

¹⁰ Destitution Domestic Violence (DDV) concession is aimed at protecting victims of domestic abuse, by allowing them to notify the UK Border Agency. (UKBA) that they need to access public funds while they make a claim for indefinite leave to remain as a victim of domestic violence.

- The ethnic make-up of service users was evenly spread across white and non-white backgrounds, with 27% of service users of Asian origin, 26% White and 7% African and Caribbean and 6% from other ethnic backgrounds. Comparing the ethnic make-up of service users with the ethnic make-up of victims of domestic abuse shows that members of the African and Caribbean community are less likely to use the service. However, the accuracy of this information is difficult to ascertain as the ethnic profiles provided in the police data are broader than those recorded by the service provider, and are not self-defined. The accuracy of comparing this data is further complicated by a lack of clarity on the severity of an incident (e.g. is it an incident that would be referred to the service provider) and also the relationship between the perpetrator and the victim (e.g. an argument between two brothers would be flagged as a domestic incident).
- The main type of abuse experienced by those accessing the service was psychological and emotional abuse, followed by coercive and controlling behaviour.
- In 2021-2022 the annual number of cases referred to the borough's MARAC was 227, of whom 24 were pregnant. This is an increase of 10% from 2019/2020.
- Of those that were referred to the Multi Agency Risk Assessment Conference (MARAC), 61% of victims presented with complex needs (36% with mental health and 25% with substance misuse issues). While 49% of perpetrators presented with mainly substance abuse, but also with some mental health issues.
- The repeat victimisation case heard at the MARAC increased by 7% in 2020-21 (14%) compared to that of 2019-20 (8%).¹¹
- The average number of victims supported in the refuge is 17 per year.
- Last year, 55 standard risk victims were offered long-term support provided by the Floating Support Worker.

4.2 Impact of the Covid-19 pandemic on the service

- The Covid-19 pandemic continues to have an impact on the delivery of a Domestic Abuse service in Harrow. The increase in referrals during this period has created an increased workload for services and longer waiting times.

¹¹ Repeat victimisation: Repeat victimisation matters because MARAC aims to minimise the number of times a survivor is being abused by managing risk and putting safeguarding in place. Definition of a repeat is where the same survivor is being abused by the same perpetrator within a 12-month period.

Why a change is needed

- 5.1 The introduction of the Domestic Abuse Act 2021 together with national, regional and local policies to protect all victims and those affected by domestic abuse and sexual violence, continues to impact existing service provision. The Act has created a broader statutory definition of domestic abuse and placed additional duties on local authorities. In response Harrow Council has set up a Violence Against Women and Girls (VAWG) sub-group which reports directly to the statutory Safer Harrow Partnership. This sub-group brings together key stakeholders to promote safety for women and girls in the borough. Additionally, the Council will continue to work in partnership with the Greater London Authority (GLA) and other Local Authorities in London to fully understand the expectations arising from the Act.
- 5.2 Demand for domestic abuse related support in the borough is increasing and is placing additional pressures on the existing service. Covid-19 has had a significant impact on victims of abuse and has helped highlight pressures on services.

Implications of the Recommendation

6.1 Costs

- 6.1.1 The total contract value for the service is £341,655 per annum across both Lots 1 and 2, totalling £1,024,965 over the initial period of three years and £1,708,275 with the two additional extension years.
- 6.1.2 £221,655 funding for the new service has been confirmed and pooled from across various service areas and directorates for the full term of three years and two additional extension years. £120,000 funding comes from the London Crime Prevention Fund (LCPF) and this has been confirmed for the first 2 years of the contract only. Should the funding not continue beyond the initial 2 years, the contract will need to have a variation included to reduce the value of the service by £120,000.

Please see **Financial Implications** Section 10 for further details.

6.2 Staffing/workforce

- 6.2.1 The Council will advise bidders if the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) and/or Property lease/rental agreements apply to the new contract.

6.3 Performance Management

- 6.3.1 The contract’s performance feeds into the delivery of the priorities of the Community Safety and Violence Vulnerability and Exploitation Strategy.

6.3.2 Performance and outcomes of the service are assessed on a quarterly basis against performance indicators, which incorporate KPIs and requirements of the Public Health grant conditions.

6.3.3 Quarterly performance monitoring meetings will continue to be held with the provider and attended by service leads across Peoples, Policy and Housing. These meetings are in addition to the data which is submitted quarterly, and provide an opportunity to gain an increased understanding of how the services are working to meet their KPIs. This includes the number of referrals, source of referrals and how the service has improved the health, wellbeing, stability and independence of the client.

6.4 Environmental Implications

The service does not have a significant impact on the environment. However, the providers will be required to demonstrate their ability to meet the Council’s Climate Change obligations in ensuring that they have put in place measures to reduce waste, minimise unnecessary travel and adopt energy efficient practices.

6.5 Data Protection Implications

6.5.1 The provider will be required to adhere to the Council’s Data Sharing Protocol (for the purposes of sharing some service user data with service areas across the Council and with external professionals). A Data Sharing Protocol will be drafted in line with guidance and approval by the Council’s Information Governance Lead. There will also be comprehensive data protection provisions in the contracts awarded given both the sensitivity of the data and the confidence of victims and survivors to come forward and use the services.

7. Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **Yes**

The relevant risks contained in the register are attached/summarised below.
Yes

The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Insufficient funding for the term of the contract	<ul style="list-style-type: none"> ▪ The recommissioning of the service is initially for the period 2023/24-2025/2026, with the option for a further two years of extension to 2027/2028, but the 	Amber

Risk Description	Mitigations	RAG Status
	<p>current total funding secured is for the contract period 2023/24 - 2024/2025. Therefore, the continuation of the contract is subject to funding for 2025/26 onwards being made available. In the event that the London Crime Prevention Fund (LCPF) commitment of £120,000 is not continued for 2025-26, we will have to reduce the service unless funding is available from other sources. The total annual funding received by the Council from the LCPF is £200,271, so supporting DA services would be the first call on this funding.</p> <ul style="list-style-type: none"> ▪ It is possible to vary the contract during the term by way of the Change Control Procedure set out in Schedule 7 of the contract. Furthermore, Clause 36A of the contract also allows the Council to terminate at any time by giving 6 months' written notice to the provider. Therefore, any risk of facing penalties for reducing services in line with funding will be mitigated. 	
The provider becomes insolvent	<ul style="list-style-type: none"> ▪ The service contract will include mitigations to enable the Council to identify and issue a direct award to another provider ▪ Splitting the service into two lots may reduce the risk of the whole service being impacted, should a 	Amber

Risk Description	Mitigations	RAG Status
	<p>provider become insolvent.</p> <ul style="list-style-type: none"> ▪ The market has a number of competitor organisations in it, so we are not reliant on monopoly provision. ▪ Prior to the award of contracts, the Authority will carry out financial due diligence checks on evidence provided by the recommended supplier(s), to validate information they provided in the Selection Questionnaire of the tender. This includes a review of the supplier's two years audited accounts (or other equivalent financial information). 	
<p>Failure to allow for inflation in the contract funding leading to the providers being unable to deliver the service specification within the proposed budget</p>	<ul style="list-style-type: none"> ▪ It is the responsibility of bidders to factor inflation into their pricing schedule of their bid. 	Amber
<p>Failure of provider in service delivery</p>	<ul style="list-style-type: none"> ▪ The contract performance measures and mitigations include regular contract monitoring of KPIs, improvement plans and break clauses. ▪ No extension would be approved without a robust and rigorous assessment of performance. 	Green
<p>Risk of losing potential economies of scale due to splitting into two procurement lots.</p>	<ul style="list-style-type: none"> ▪ While recognising this is a potential risk, it is felt that the benefits gained from this approach (as set out in section 2.4 of this report) outweigh the risks. 	Green
<p>Risk of procurement Challenge</p>	<ul style="list-style-type: none"> ▪ Competitive tendering process to be undertaken in compliance with the 	Green

Risk Description	Mitigations	RAG Status
	Council's contract procurement rules and Public Contract Regulations 2015	
Lack of value for money	<ul style="list-style-type: none"> ▪ The risk is mitigated by a competitive and rigorous tender process which will enable us to select a supplier that can provide the domestic abuse help service that we require for this fixed budget amount. 	Green

Procurement Implications

8.1 The procurement process will be carried out in accordance with the Public Contract Regulations 2015 and the Council's Contract Procedure Rules. A UK Notice will be issued and the Council will follow an Open Procedure route. The proposed top level evaluation criteria will be:

- Price 40%
- Quality 50% (including 5% allocated to Carbon Reduction)
- Social Value 10%

Legal Implications

9.1 The value of the Council's proposed spend for the services as set out in this report exceeds the relevant procurement threshold. The Services fall within Schedule 3 (Social & Other Specific Services) of the Public Contracts Regulations 2015 (PCR 2015) and the threshold is £663,540. The PCR 2015 therefore require a Procurement exercise to be undertaken as is proposed in this report.

9.2 In accordance with the Council's Contract Procedure Rules (CPRs), for contracts with a total aggregate value of £500,000 and over, authorisation to commence the procurement must be sought from Cabinet.

9.3 Legal have been instructed to draft the contract terms and conditions for both Lots and the contracts will be included as part of the invitation to tender documents. The final contracts will be sealed in accordance with the CPRs.

9.4 The service enables the Council to discharge its duties in relation to:

- Crime and Disorder Act 1998
- The Domestic Abuse Act 2021
- The Children Act 1989
- The Care Act 2014
- Housing (1996) and Homelessness (2002) Acts
- The Homelessness Reduction Act 2017

10. Financial Implications

10.1 The award for this contract requires an annual budget of £341,655 over three years, £1,024,965 in total.

10.2 The table below details the budget breakdown.

Table 1: Domestic Abuse contract funding from 1st April 2023 to 31st March 2026

	April 2023 – March 2024	April 2024 – March 2025	April 2025 – March 2026
External funding LCPF	£120,000	£120,000	£120,000*
Housing	£72,000	£72,000	£72,000
Children’s Services	£84,655	£84,655	£84,655
Adults’ Services	£15,000	£15,000	£15,000
Public Health	£50,000	£50,000	£50,000
Total Funding	£341,655	£341,655	£341,655

Funding from Children’s and Adults’ Services, Public Health and Housing has been confirmed. This totals £221,655 per annum and is for the duration of the contract.

*The external funding from LCPF has only been confirmed for the first two years of the contract. Funding from LCPF for the third year of the contract (2025-26) has not been confirmed and so has been included in the Risk Management Implications. If LCPF funding is not made available for 2025-26 the service will be reduced by a variation of the contract, so there is no additional pressure on Council resources.

Equalities implications /Public Sector Equality Duty

11.1 Section 149 of the Equality Act 2010 sets out the public sector equality duty to which the authority must have due regard. The Council’s public sector equality duty is set out in s149 of the Equality Act 2010.

11.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a

relevant protected characteristic and persons who do not share it;
c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

11.3 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The proposed service must be open to all residents and the Council will have due regard to those with protected characteristics. Equalities monitoring is incorporated as part of the contract monitoring process to help identify the profile of service users accessing the service to ensure that the service is able to meet their needs and the Council is able to fulfil its equality duty.

11.4 As part of the re-commissioning process, a full EqIA has been undertaken to identify and address any disproportionality.

Section 3 - Statutory Officer Clearance

Statutory Officer: Sharon Daniels

Signed on behalf of the Chief Financial Officer

Date: 01 September 2022

Statutory Officer: Hugh Peart

Signed by the Director of Legal & Governance

Date: 01 September 2022

Chief Officer: Alex Dewsnap

Signed by the Corporate Director

Date: 01 September 2022

Head of Procurement: Nimesh Mehta

Signed by the Head of Procurement

Date: 01 September 2022

Head of Internal Audit: Susan Dixon

Signed by the Head of Internal Audit.

Date: 31 August 2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqIA carried out: YES

EqlA cleared by: Shumaila Dar, Head of Equality, Diversity & Inclusion

Section 4 - Contact Details and Background Papers

Contact: Glenn Palmer, Policy Officer, 07926 072880,
Glenn.Palmer@harrow.gov.uk

Background Papers: No

Call-in waived by the Chair of Overview and Scrutiny Committee

NO

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Equality Impact Assessment (EQIA)



You will need to produce an Equality Impact Assessment (EQIA) if:

- You are developing a new policy, strategy, or service
- You are making changes that will affect front-line services
- You are reducing budgets, which may affect front-line services
- You are changing the way services are funded and this may impact the quality of the service and who can access it
- You are making a decision that could have a different impact on different groups of people
- You are making staff redundant or changing their roles

Guidance notes on how to complete an EQIA and sign off process are available on the Hub under Equality and Diversity. You must read the [guidance notes](#) and ensure you have followed all stages of the EQIA approval process (outlined in appendix 1). Section 2 of the template requires you to undertake an assessment of the impact of your proposals on groups with protected characteristics. Equalities and borough profile data, as well as other sources of statistical information can be found on the Harrow hub, within the section entitled: [Equality Impact Assessment](#) - sources of statistical information.

Equality Impact Assessment (EIA)		
Type of Decision:	<input checked="" type="radio"/> Cabinet <input type="radio"/> Portfolio holder <input type="radio"/> Other (state)	
Title of Proposal	Procurement of Harrow Council's Domestic Abuse Service 2023	Date EQIA created: June 2022
Name and job title of completing/lead Officer	Kate Curley: Assistant Policy Officer / Hodan Elmi: Policy Officer	
Directorate/Service responsible		
Organisational approval		
EQIA approved by Directorate Equalities Lead	Name: Jennifer Rock Assistant Policy Officer	Signature: <input checked="" type="checkbox"/> Tick this box to indicate that you have approved this EQIA Date of approval: 7.8.22

1. Summary of proposal, impact on groups with protected characteristics and mitigating actions (to be completed after you have completed sections 2 - 5)

a) What is your proposal?

Harrow Council commissions a range of support services for survivors of domestic and sexual abuse. The contract for the existing service expires on 31st March 2023. The proposal is to re-procure these services and for a new contract to commence on the 1st of April 2023.

The new service will comprise:

An outreach service accessible to all victims covered under the 9 protected characteristics. The IDVA service will be expanded to accommodate the increase in high-risk referrals from Children's and Adult services; provide support and longer-term casework to all victims assessed as medium to standard risk; safety planning for standard risk victims within the MASH and support for victims with complex needs at risk of homelessness.

A 6-bed refuge for victims of abuse and children aged 16 and under (boys and girls) for female victims.

A clinical assessment service to safeguard victims and their families from further abuse.

The contract term will be for three years with the option to extend for a further two years until 31st March 2028 within a maximum annual cost of £291, 847 per annum.

The procurement of a domestic abuse service for Harrow's residents supports the delivery of the Council's domestic abuse priorities, which form part of the Community Safety, Violence, Vulnerability and Exploitation strategy. It also enables the Council to discharge its duties in relation to:

The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect, including domestic abuse.

The Children Act 1989 introduced Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect are all categories of Significant Harm.

Housing (1996) and Homelessness (2002) Acts specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness – including those who are living in a refuge.

The Homelessness Reduction Act 2017 places new legal duties on English local authorities, to provide advice and assistance to anyone eligible person who is homeless or at risk of homelessness, irrespective of their priority need status. The legislation imposes greater responsibilities on Councils to prevent homelessness and provide advice and assistance to through a tailored plan to assist an applicant to retain or secure accommodation. The legislation imposes greater responsibilities on Councils to prevent homelessness and provide advice and assistance to through a tailored plan to assist an applicant to retain or secure accommodation.

The Domestic Abuse Act 2021 will also place a statutory duty on Tier 1¹ local authorities to provide domestic abuse support within safe accommodation. The Act also recognises children aged 16 and under as victims of domestic abuse. Local authorities in London, which are classed as Tier 2 will be required to work in partnership with the Greater London Authority (Tier1) to help inform the commissioning and delivery of support in their borough.

b) Summarise the impact of your proposal on groups with protected characteristics

The service specification for the new domestic abuse service aims to support groups from all protected characteristics and ensure a positive impact where possible.

c) Summarise any potential negative impact(s) identified and mitigating actions

The new domestic abuse service aims to support victims from all protected groups. This assessment highlights issues faced by male survivors fleeing domestic abuse, those with physical disabilities/mobility, mental health and children aged 16 and under, with the aim of helping to improve access to domestic abuse services in the borough. These issues are not confined to Harrow but impacts victims regionally and nationally. In the Domestic Abuse Act 2021, the government is committed to ensuring that all victims/survivors of these crimes, of all protected characteristics, receive the support they deserve, and recognises its responsibilities under the Public Sector Equality Duty provided for in the Equality Act 2010. The Council will continue to improve services where it has the authority and ability to do so, highlight and advocate for change, facilitate partnership working and seek long-term sustainable funding to deliver domestic abuse services to Harrow residents.

In addition to this, one negative impact identified could be that due to the increase of domestic abuse referrals, this could far out-weigh the borough's capacity to support.

¹ The GLA is categorised as a Tier one local authority and London boroughs are classed as Tier 2.

2. Assessing impact					
You are required to undertake a detailed analysis of the impact of your proposals on groups with protected characteristics. You should refer to borough profile data , equalities data , service user information, consultation responses and any other relevant data/evidence to help you assess and explain what impact (if any) your proposal(s) will have on each group. Where there are gaps in data, you should state this in the boxes below and what action (if any), you will take to address this in the future.		What does the evidence tell you about the impact your proposal may have on groups with protected characteristics? Click the relevant box to indicate whether your proposal will have a positive impact, negative (minor, major), or no impact			
Protected characteristic	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Click the appropriate box on the right to indicate the outcome of your analysis.	Positive impact	Negative impact		No impact
			Minor	Major	
Age	<p>The Government's population estimates as of mid-2020 show that the total population of Harrow is now 252,338.</p> <p>As with other parts of the country, Harrow has an ageing population with 62.6% (157,892) aged 16-64. The number and proportion of older people in Harrow continue to increase with 16.1 percent (40,634) are now aged 65.</p> <ul style="list-style-type: none"> - The current service sees peak referrals from the 26–49-year-old age range followed by the 18-25 age range. Service user data for 2021-22 shows that 2% of service users aged 55 plus experienced domestic abuse from and adult family member, or from a current partner. Anecdotal evidence from local service have also reported an increase in abuse experienced by older people. The new service will aim to support victims aged 16 upwards and ensure older vulnerable people are supported, in line with the duties under the Domestic Abuse Act 2021. - The new service supports victims aged 16 years. In 2021-22, there were 227 of cases referred to MARAC. In 2021-22, there were 214 children in the household impacted by domestic abuse. - The new service will be expanded to include a full-time Children's IDVA, and Safety Planner co-located in Children's Services and the MASH to support victims 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<p>assessed as standard to high risk and work collaboratively with social workers that are supporting families.</p> <ul style="list-style-type: none"> - The new service will also include the provision of independent clinical assessments, to help safeguard children at risk from further abuse. - Evidence gathering to support the procurement of a new service highlighted a gap in trauma therapy for children, as well as adults impacted by abuse. The Council will continue to engage in dialogue with the health sector colleagues to seek long-term solutions to support to victims aged 16 and under and adults that require clinical therapeutic support. - The draft domestic abuse Bill recognises children as victims of domestic abuse and when passed, London local authorities will be required to work closely with the GLA (Tier 1) to provide input to the provision of domestic abuse services in London. 				
Disability	<p>In the ONS Annual Population Survey (July 2019 to June 2020) 15% of Harrow's working age population classified themselves as disabled, a total of 23,500 people.</p> <ul style="list-style-type: none"> - Service user data for 2021-2022 shows 8% of female and male victims with physical disabilities/mobility issues were supported through the IDVA service - Service data also highlighted that 20% of male and female victims were diagnosed with mental health issues: mainly anxiety, depression, and PTSD and likely to be at threat of homelessness. Lockdown resulted in an increase in domestic abuse referrals and those reporting increased levels of anxiety depression, PTSD, and insecure housing circumstances. - The new service will include a Complex Needs worker, which will provide long-term support to victims with diagnosed mental health and substance misuse issues and at risk of homelessness. The refuge is a housing association property and leased from Network Homes. The refuge is unable to cater for victims with mobility issues, as all six bedspaces are located on the first floor and there is no lift access. The Harrow refuge is unable to support victims with severe mental health issues, as the safety of other residents and children need to be considered. If a victim being referred to the refuge had specific needs that could not be met at the Harrow refuge, then the victim would be signposted to a specialist refuge in another area. However, there is a shortage of specialist refuges in London and across the country. This issue has been raised as part of the government's consultation with London 	☒	☐	☐	☐

	boroughs regarding domestic abuse legislation and the provision of support in safe accommodation.				
Gender reassignment	There is limited data held about this protected characteristic for the Harrow population. The England/Wales Census and Scottish Census have not asked if people identify as transgender. Service user data for the current domestic abuse service shows that no victims identified as transgender. Outreach services will offer support to victims regardless of their gender.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership	<ul style="list-style-type: none"> - At the time of the 2011 Census 54% of Harrow's residents were married, which was the highest level in London. 21% of households were married, or in same-sex civil partnerships, with dependent children, the highest level in London. - In October 2020 there have been 144 Same Gender Civil Partnerships in Harrow, 25 of which has been converted to a Marriage. There have been 8 Opposite Gender Civil Partnerships. There have been 57 Same Sex marriages. <p>Current service provision in Harrow remains the same regardless of marital status, it is known that individuals, particularly women, living in couples (married or cohabiting) or who have decided to separate from their partners are more likely to be a victim of domestic abuse. aims to support all residents regardless of their marriage status.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	<p>ONS births figures show Harrow had 3,506 births from mid-2019 to mid-2020.</p> <p>This is a high-risk group in relation to domestic abuse with pregnancy and maternity being a significant risk factor for victimisation.</p> <ul style="list-style-type: none"> - Service user data shows that in 2021/22, 24 victims that were referred to the boroughs' Multi Agency Risk Conference (MARAC) were pregnant. - The new service will ensure that victims will continue to be supported and work in partnership with Children's Services and with the MOPAC funded IDVA service based in Northwick Park Hospital. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>Race/ Ethnicity</p>	<p>Harrow has one of the most diverse populations in the country, of which 64% are from a Black, Asian, and Multi-ethnic background. 52% of the population identify as Asian, which ranks 2nd nationally and 16% are of Black heritage. The largest ethnic groups in the borough are Indian, followed by Kenyans and Sri Lankans. Harrow is home to the largest Sri Lankan born community in the country. The top three nationalities of the most recent arrivals to the borough are Romanian, Indian, and Polish.</p> <ul style="list-style-type: none"> - Service user data for 2021-2022, shows that the ethnic make-up of service users was evenly spread across white and non-white backgrounds, with 29% of service users of Asian origin, 26% White and 18% Black and 10% from other ethnic backgrounds. A proportion of victim's ethnicity is unknown, or they've chosen not to disclose their ethnicity. - The new service will provide support to victims regardless of their ethnicity and will provide interpretation services where required. Work is being undertaken to ensure increase in awareness of domestic abuse and support services among Harrow's Romanian population. - MOPAC also funds specialist IDVA service for Black African and Caribbean victims and the Council has been proactive in promoting this and other specialist Black, Asian and Multi-ethnic services, offering expertise in supporting victims of honour-based violence, FGM, modern slavery and trafficking and those with No Recourse to Public Funds. The new service specification will require a future provider to understand the needs of Harrow's diverse communities and seek support, and/or refer victims to specialist service services to ensure no resident from Harrow is turned away. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Religion or belief</p>	<p>Religious diversity is strong in Harrow. At the 2011 Census Harrow was the most religiously diverse borough in the country. Harrow had the highest number (and proportion) of Hindu followers in the country (25.3%), the highest number of Jains (2.2%) and the second highest number of Zoroastrians. Harrow 's Jewish community was the sixth largest nationally. 37.3% of residents were Christians (the 5th lowest proportion in the country) and 12.5% were Muslims. Harrow had the 2nd lowest ranking for 'no religion'.</p> <ul style="list-style-type: none"> - The service will require providers ensure frontline workers are trained to support victims, irrespective of their religion and to deliver support in a culturally sensitive 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	way, for example the understanding and sensitivity surrounding cultural norms such as arranged marriage.				
Sex	<p>The 2011 Census showed that in Harrow 49.4 per cent of residents were males and 50.6 per cent were females. The Government's population estimates as of mid-2019 show that the total population of Harrow is made up of 125,800 men and 125,400 women. Overall, the number of males and females living in Harrow is very similar.</p> <ul style="list-style-type: none"> - The current service supports victims irrespective of their sex. Service user data shows that in 2021/2022, 98% of victims that accessed the service were female. However, Metropolitan Police data on recorded domestic abuse offences for the same period indicated that 25% (500) of domestic abuse victims were male². - There is no, or very limited refuge and safe accommodation provision for male victims in Harrow - The intention going forward is to strengthen our response and ensure that male victims are supported. Further police data on the profile of male victims in the borough and referral pathways will be sought. The new service provider will also be expected to develop a delivery plan to raise awareness and increase the number of males accessing the IDVA service and referred to male specific support where required. - The Needs Analysis also highlighted the gap in perpetrator behaviour management, for both male and female. This was essential to preventing further escalation of abuse and repeat victimisation. Current interventions for high-risk cases are group based, with high drop-out rates. - Plans to identify appropriate and affordable solutions for addressing perpetrator behaviour are being researched. New Domestic Abuse legislation places statutory responsibility on Tier 1 authorities (GLA) to provide perpetrator programmes. This may provide the Council with opportunities to leverage support into the borough. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	ONS data shows that the proportion of the UK population aged 16 years and over identifying as heterosexual or straight decreased from 95.3% in 2014 to 94.6% in 2018 and the proportion identifying as lesbian, gay, or bisexual (LGB) increased from 1.6% in 2014 to 2.2% in 2018. There is limited information on the LGBT + population of Harrow.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

² Source Mayor London VAWG Dashboard 2019/2020

	<ul style="list-style-type: none"> - The current and new outreach service will continue to provide support to all victims, irrespective of their sexual orientation. The service provider will also ensure that LGBT victims are supported to access specialist services where required and if requested. Free specialist services will continue to be promoted on the Harrow website. - While the Harrow refuge is unable to accommodate male and transgender victims (female to male), the service provider will ensure that victims referred to its service are supported to find suitable/specialist accommodation or supported to remain safe in their own homes. 				
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2.1 Cumulative impact – considering what else is happening within the Council and Harrow as a whole, could your proposals have a cumulative impact on groups with protected characteristics?

Yes No

If you clicked the Yes box, which groups with protected characteristics could be affected and what is the potential impact? Include details in the space below.

- The Council Proposes to amend the Borough Plan to add in a new overarching priority on tackling racial disproportionality, in support of Black Lives Matters.
- As part of the Council’s Equalities and Diversity Strategic Framework, proposals include conducting a thorough review of the way in which the Council provides services to its residents. This will require consulting service users and examining issues of cultural sensitivity, accessibility and any unconscious bias that may affect outcomes for different groups. Going forward, regular input and feedback from service users will continue to be a part of the performance monitoring process for the new service.

2.2 Any other impact - considering what else is happening nationally/locally (national/local/regional policies, socio-economic factors etc.), could your proposals have an impact on individuals/service users, or other groups?

Yes No

If you clicked the Yes box, Include details in the space below.

The introduction of the new Domestic Abuse Act 2021. This legislation provides a new definition of domestic abuse, which has been expanded to include:

- coercive and controlling behaviour, economic and financial abuse, and stalking (including online abuse) and children aged 16 and under as victims of abuse. Going forward the services being procured is being designed to ensure that requirements are incorporated.

- All victims of domestic abuse will also be afforded priority need status which will require authorities to provide housing to those that meet the eligibility criteria. The MHCLG is currently consulting with Tier 1 local authorities (Greater London Authority) on the statutory duty to provide support within refuge and safe accommodation. The government has yet to clarify the position for London boroughs (which are classed as Tier 2) and the allocation of new burdens funding.
- Black, Asian, and Multi-Ethnic groups have been disproportionately impacted by Covid-19. The new service will ensure that Black, Asian, and Multiethnic victims with protected characteristics are able to access services. This will be monitored through performance monitoring and service reviews.

3. Actions to mitigate/remove negative impact

Only complete this section if your assessment (in section 2) suggests that your proposals may have a negative impact on groups with protected characteristics. If you have not identified any negative impacts, please complete sections 4 and 5.

In the table below, please state what these potential negative impact (s) are, mitigating actions and steps taken to ensure that these measures will address and remove any negative impacts identified and by when. Please also state how you will monitor the impact of your proposal once implemented.

State what the negative impact(s) are for each group, identified in section 2. In addition, you should also consider, and state potential risks associated with your proposal.	Measures to mitigate negative impact (provide details, including details of and additional consultation undertaken/to be carried out in the future). If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation.	What action(s) will you take to assess whether these measures have addressed and removed any negative impacts identified in your analysis? Please provide details. If you have previously stated that you are unable to identify measures to mitigate impact, please state below.	Deadline date	Lead Officer

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4. Public Sector Equality Duty

How does your proposal meet the Public Sector Equality Duty (PSED) to?

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
2. Advance equality of opportunity between people from different groups
3. Foster good relations between people from different groups

Include details in the space below

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
The new domestic service will support domestic abuse victims from all protected groups where possible.
2. Advance equality of opportunity between people from different groups - Victims will be supported to lead healthy, safe, and independent lives. Performance indicators will include provisions to help victims into employment and volunteering, and help promote equal life chances for all - particularly those groups that are disproportionately impacted
3. Foster good relations between people from different groups- As above

5. Outcome of the Equality Impact Assessment (EQIA) click the box that applies

Outcome 1

No change required: the EQIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality of opportunity are being addressed

Outcome 2

Adjustments to remove/mitigate negative impacts identified by the assessment, or to better advance equality, as stated in section 3&4

Outcome 3

This EQIA has identified discrimination and/ or missed opportunities to advance equality and/or foster good relations. However, it is still reasonable to continue with the activity. Outline the reasons for this and the information used to reach this decision in the space below.

Include details here

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Report for: Cabinet

Date of Meeting:	15 September 2022
Subject:	Council Insurance Renewals 2023
Key Decision:	Yes - the proposed procurement will involve revenue expenditure in excess of £500,000
Responsible Officer:	Dawn Calvert - Director of Finance & Assurance
Portfolio Holder:	Councillor David Ashton - Portfolio Holder for Finance & Human Resources
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	None

Section 1 – Summary and Recommendations

This report seeks Cabinet approval to re-tender the contracts for the provision of the Council's motor, commercial property, crime, personal accident/travel, school journey insurance and engineering inspections and to award the contracts under delegated authority.

Recommendations:

Cabinet is requested to:

- 1) Grant approval to procure motor, commercial property, crime, personal accident/travel, school journey insurance and engineering inspection contracts for the Council.
- 2) Delegate authority to the Corporate Director of Resources, following consultation with the Portfolio Holder for Finance and Human Resources, to award the contracts for motor, commercial property, crime, personal accident/travel, school journey insurance and engineering inspections.

Reason: (for recommendations)

Harrow collaboratively procures its corporate external insurance contracts through the Insurance London Consortium under the terms of a legal agreement effective since 2010.

The decision to insure is driven by the need to protect the financial position and stability of the authority by providing financial protection against losses, which is achieved through insurance risk transfer.

In addition, there are statutory requirements in relation to motor insurance and engineering inspections, which will be met through the commissioning of these contracts.

The long-term agreements with the current insurers for the Council's motor, commercial property, crime, personal accident/travel, school journey insurance and engineering inspection contracts expire on 31 March 2023, therefore it will be necessary to re-tender these contracts.

Section 2 – Report

2. Introductory paragraph

- 2.1 Harrow Council accepts a large element of risk with regards to insurance claims and maintains an insurance fund to cover such eventualities, however it is unable to accept open ended insurance risks hence the requirement for insurance cover.
- 2.2 Harrow wishes to re-tender its corporate insurance contracts through the Insurance London Consortium under the terms of the legal agreement.
- 2.3 Together with the other Consortium members, Harrow entered the current contracts for motor, commercial property, crime, personal accident/travel, school journey insurance and engineering inspections for a period of five years effective from 1 April 2018.
- 2.4 The current long-term agreements expire on 31 March 2023 and as a result it is necessary to re-tender the contract.
- 2.5 There are no savings forecast arising from this procurement. As a result of a hardening insurance market rate increases continue to be seen across the insurance market and local authorities are generally seeing increases in insurance premiums.

3. Options considered

- 3.1 Re-tender contracts on existing basis - Participate in the procurement together with the other members of the Insurance London Consortium. This is the recommended option.
- 3.2 Re-tender separately from the Consortium – Harrow could decide to leave the Insurance London Consortium if it no longer has legal or political authority or support to continue, but officers recommend remaining a member of the Consortium and participating in the latest procurement round to improve insurance procurement, share best practice, and benefit from combined purchasing power. This option is not recommended.
- 3.3 Do nothing – The current contracts expire on 31 March 2023 and if the procurement does not taken place the Council would have no insurance for many of its assets and no statutory engineering inspections from 1 April 2023. Harrow would be faced with potentially unlimited financial losses, therefore this is not considered to be an option.

4. Background

- 4.1 Harrow Council is a member of the Insurance London Consortium, a group of nine London boroughs whose aim is to reduce the cost of risk through a long-term collaborative commitment to risk management excellence and to achieve value for money in relation to the cost of the Council's insurance through economies of scale.
- 4.2 The other member boroughs of the Consortium are Camden, Croydon, Haringey, Islington, Kingston, Lambeth, Sutton and Tower Hamlets.
- 4.3 Members signed up to a legal agreement covering the operation of the legal and administrative arrangements for the Consortium.
- 4.4 Each member borough has a nominated officer representative and all boroughs have equal voting rights.
- 4.5 Croydon is appointed as the Accountable Body and therefore, under the Agreement, is responsible for the day to day management of the Consortium and is the authorised signatory for entering into agreements with third parties on behalf of the Consortium members, though each individual member is the contracting party with the insurer.
- 4.6 The strategy of the Insurance London Consortium is to include all corporate insurance policies within its remit upon the expiry of existing long-term agreements.
- 4.7 As the Accountable Body, Croydon would lead the procurement exercise on behalf of all Consortium members.
- 4.8 A full marketing and tender exercise is proposed to identify the most economically advantageous tender for the provision of the Council's motor, commercial property, crime, personal accident/travel and school journey insurance and engineering inspection contract.
- 4.9 Each member borough is priced according to their individual insurance requirements and claims experience so there is no cross sharing of risk.
- 4.10 Full details of the proposed procurement and evaluation criteria are detailed under section 10 of this report.

5. Ward Councillors' comments – Not Applicable

6. Performance Issues

- 6.1 The procurement would support the Council in providing value for money by striking a measurable balance between value for money and quality through evaluation criteria designed in a way to identify bids offering a quality service whilst offering best value insurance services.

- 6.2 There are no specific performance indicators affected by the proposed procurement.
- 6.3 In the event that the procurement is not undertaken the Council would have no financial protection for many of its assets and liabilities and would be faced with unlimited potential financial liability for claims made against the Council. In addition, the Council could not meet its statutory requirements in relation to engineering inspections.

7. Environmental Implications

- 7.1 No environmental impact has been identified as a result of the proposed award of contract.

8. Data Protection Implications

- 8.1 There are no data protection implications as no personal identifying data is being shared.

9. Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below.
N/A

The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Procurement challenge	<ul style="list-style-type: none"> ▪ The tender would be run in accordance with relevant procurement legislation and Contract Procedure Rules ▪ The project will be supported by the lead borough's legal and procurement teams 	Green
Insurer failure	<ul style="list-style-type: none"> ▪ The supplier's financial status and standing will be required to meet minimum standards both at inception and for the duration of the contract ▪ Insurers are regulated by the Prudential Regulatory 	Green

Risk Description	Mitigations	RAG Status
	<p>Authority, part of the Bank of England, which promotes the safety and soundness of insurers and the Financial Conduct Authority, which regulates the behaviour of insurers</p>	
<p>Lack of responses to the tender from insurers</p>	<ul style="list-style-type: none"> ▪ Market engagement would be undertaken to gain market intelligence ahead of re-tendering the contracts 	<p>Green</p>
<p>Increase in insurance premium</p>	<ul style="list-style-type: none"> ▪ The risk of an increase in the cost of the insurance may be mitigated by a reduction in expenditure on insurance claims, however the volume and cost of insurance claims is volatile so this cannot be guaranteed ▪ It may be possible to reduce the cost of the insurance by increasing the policy excess or decreasing the amount of insurance cover purchased, however this in turn would reduce the amount of financial protection offered to the Council through its external insurance arrangements ▪ It may, therefore, be necessary to increase the budget for insurance premiums to ensure that the Council has adequate financial protection for its insurable risks 	<p>Amber</p>

10. Procurement Implications

10.1 The Council can participate in this collaborative procurement under the legal agreement.

- 10.2 Under the terms of the legal agreement it is the ILC Board, made up of representatives from the nine boroughs, who determine the overall scope of the procurement, including the fundamentals such as price/quality split, rather than it being determined by the individual boroughs.
- 10.3 Each member borough has a nominated representative and all boroughs have equal voting rights. All decisions regarding the scope of the procurement are decided on the basis of a majority vote.
- 10.4 The proposed procurement would be carried out in accordance with the Public Contracts Regulations 2015 and the Council's own Contract Procedure Rules.
- 10.5 There will be a soft market engagement exercise undertaken by brokers in order to gain market intelligence prior to agreeing the final scope of the tender then a full tender and evaluation exercise involving all member boroughs and led by Croydon, the lead borough for the Insurance London Consortium.
- 10.6 There will be six separate lots and bidders may quote for one or multiple lots:
- Lot 1 - Motor Insurance
 - Lot 2 - Commercial Property Insurance
 - Lot 3 - Crime Insurance
 - Lot 4 - Engineering / Inspection Insurance
 - Lot 5 – Business Travel/ PA Insurance
 - Lot 6 - School Journey
- 10.7 There are a limited number of insurers in the market with an appetite to underwrite these risks, therefore an open tender is deemed to be the most appropriate procurement method to maximise competition.
- 10.8 The proposed evaluation criteria is:
- Price: 60%
 - Quality: 30%
 - Social Value: 10%
- 10.9 The basic structure of insurance policy wordings across the market is broadly similar and the industry is heavily regulated, therefore this will be a price led procurement exercise. The quality score will be awarded based on policy cover enhancements and lack of cover restrictions.
- 10.10 A 60:40 price/quality split is the most common across the market in relation to insurance procurement. This reflects the importance of price but also provides sufficient weighting on the quality aspects.

- 10.11 The quality evaluation will be undertaken at Consortium level, rather than for each borough, as all members benefit equally from any policy enhancements available.
- 10.12 For each lot except commercial property there will be one successful bidder appointed as insurer for all member boroughs, as the aim is to appoint the most economically advantageous tenderer collectively for the London boroughs. The award for commercial property insurance will be on a per borough basis, as the cost of this insurance is recharged to the tenants.
- 10.13 It is proposed that tenders are requested on the basis of a 5 year long-term agreement. A longer fixed contract term is usually more attractive to suppliers, as they will not need to factor in risk to pricing a contract that could end after an initial period and are therefore seeking to mitigate the risk of the contract ending at the initial period by pricing for maximum revenue over the initial period.
- 10.14 The proposed timeline is as follows:
- Tender publication 3 October 2022
Tender return dated 7 November 2022
Evaluation 8 November 2022 – 2 December 2022
Member approvals December 2022/January 2023
Contract award February 2023
- 10.15 The new contracts would start on 1 April 2023.

11. Legal Implications

- 11.1 From a governance perspective the renewal of this contract is a business-as-usual activity. However, Cabinet approval is required in view of the value of the procurement.
- 11.2 Members of the Insurance London Consortium can procure their insurance contracts collaboratively under public procurement rules and the council's Contract Procedure Rules.
- 11.3 The procurement will be carried out in accordance with the Public Contracts Regulations 2015 and the Council's own Contract Procedure Rules.

12. Financial Implications

- 12.1 The current combined cost of the insurance contracts to be re-tendered is £204,767.
- 12.2 The insurance premium for the commercial property insurance, currently circa £45,000, is recharged to the tenants of the commercial units.

- 12.3 There is sufficient budget provision to cover the cost of these insurance premiums.
- 12.4 It is not possible to forecast the financial outcome of the proposed procurement, however as outlined in paragraph 2.5 it is not expected to deliver savings to the Council.
- 12.5 Any additional expenditure may be mitigated to an extent through stringent claims handling leading to a reduction in expenditure on insurance claims, however the volume and cost of insurance claims is volatile so this cannot be guaranteed. In the event that the cost of the new insurance contract exceeds the insurance premium budget the difference can be managed through the inflation budget.
- 12.6 London Living Wage will be included in the tender documentation as a requirement. However, as this procurement is for financial services products the service may be provided by insurers that are based anywhere globally, therefore it cannot be a mandatory requirement.

13. Equalities implications / Public Sector Equality Duty

- 13.1 There are no equalities implications attached to this decision. None of the corporate insurance contracts to be procured are provided to residents, customers, or employees but instead provide financial protection directly to the Council itself.

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert

Signed by the Chief Financial Officer

Date: 2 August 2022

Statutory Officer: Stephen Dorrian

Signed on behalf of the Monitoring Officer

Date: 22 August 2022

Chief Officer: Charlie Stewart

Signed off by the Corporate Director

Date: 10 August 2022

Head of Procurement: Nimesh Mehta

Signed by the Head of Procurement

Date: 29 July 2022

Head of Internal Audit: Susan Dixon

Signed by the Head of Internal Audit

Date: 12 August 2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqlA carried out: NO

There are no equalities implications attached to this decision. None of the corporate insurance contracts to be procured are provided to residents, customers, or employees but instead provide financial protection directly to the Council itself.

Section 4 - Contact Details and Background Papers

Contact: Karen Vickery, Service Manager – Insurance

Direct Dial: 020 8424 1995

E-mail: Karen.vickery@harrow.gov.uk

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee - NO

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of the Local Government Act 1972.

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