

## Report for: **Cabinet**

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<b>Date of Meeting:</b>	15 July 2021
<b>Subject:</b>	Harrow Council's Domestic Abuse Service
<b>Key Decision:</b>	Yes By virtue of spend, which is above £500,000
<b>Responsible Officer:</b>	Paul Hewitt, Corporate Director, People Services
<b>Portfolio Holder:</b>	Cllr Peymana Assad, Portfolio Holder for Community Cohesion, Crime & Enforcement <ul style="list-style-type: none"><li>• Cllr Simon Brown, Portfolio Holder Adults and Social Care</li><li>• Cllr Christine Robson, Portfolio Holder, Education and Social Services for Children and Young People</li><li>• Cllr Phillip O'Dell, Portfolio Holder, Housing</li><li>• Cllr Natasha Proctor, Portfolio Holder, Finance and Resources</li></ul>
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All wards
<b>Enclosures:</b>	N/A

## Section 1 – Summary and Recommendations

Harrow Council's contract for domestic abuse services is due to expire in August 2021. This report sets out the rationale for a continuation of the service through a direct award, to include additional resources to manage current and future demand.

### Recommendations:

Cabinet is requested to:

- (1) Approve the direct award of contract to Hestia Housing and Support for a period of 1 year and 7 months commencing on the 01<sup>st</sup> September 2021 and ending on the 31<sup>st</sup> March 2023. The total value of the contract is £536,850.
- (2) Agree for additional resource to be included within the new contract to manage current and future demand.

### Reason: (for recommendations)

To ensure continuity of service while awaiting further clarity on the implications and outcomes of national domestic abuse legislation and strategies to tackle Violence Against Women and Girls on existing and future service provision in the borough.

## Section 2 – Report

### Introductory paragraph

1.1 Harrow Council's contract for domestic abuse services is due to expire in August 2021. This report sets out the rationale for a continuation of the service through a direct award, to include additional resource to manage current and future demand.

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 VCS, statutory and

non-statutory providers, as well as self-referrals. The Police IDVA works alongside colleagues and helps victims referred through the Community Safety Unit at Wembley Police station.

- In addition, 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)<sup>1</sup> workers per each borough. Therefore, the total IDVA resource available within Harrow at present is 2.66 FTE.
- 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)<sup>2</sup>, 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.

***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.
- A complex needs service – funded through the MHCLG and under a separate contract - providing domestic abuse victims presenting with mental health and substance misuse issues and insecure housing with specialist emotional and practical support. The Council has been successful in securing further funding to March 2022.

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.

1.4 The service was first 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). The re-procurement of the service was delayed, due to uncertainty regarding external grant funding from the Mayor's

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<sup>1</sup> 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))

<sup>2</sup> 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.

Office for Policing and Crime from 2020 onwards, and availability of core Council funding.

- 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 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. Therefore, the recommendation to make a direct award of contract (with the enhancements added being through recommendations from the project group) is the most appropriate route at this moment in time. The period of the award is timed to allow for a re-design of the service specification, following the full understanding of the implications of the Domestic Abuse Act.

## 2. **Options considered**

### 2.1 **Option 1:** Do nothing - allow the contract to end in August 2021.

This option was rejected as the Council has made domestic abuse a priority. 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:** Procure a new service to commence in September 2021.

This option was rejected for the following reasons:

- a) The legislative and policy-making landscape is currently undergoing significant and rapid change. The Domestic Abuse Act was introduced this year and places a statutory duty on Tier 1 local authorities - the Greater London Authority (GLA), to provide support within safe accommodation, including refuges. The GLA has yet to announce its intentions to commission services across London, which will be announced later this year, together with details of future funding opportunities.
  - b) The rise of domestic abuse during lockdown and the murder of Sarah Everard, sisters Bibaa Henry and Nicole Smallman, as well as campaigns to highlight sexual violence in schools are also influencing new legislation and policy aimed at protecting all victims of crime, and tackle Violence Against Women and Girls. The government will publish details later this year and in 2022.
- 2.2.1 Given the above situation, procuring a new service at a time of uncertainty and change may result in a service that does not align with regional priorities and

local need and may not respond adequately to emerging issues arising from the pandemic.

### 2.3 **Option 3:** Bring elements of the service in-house.

This option was rejected 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 not be possible to mobilise an in-house service in the time available before the end of the existing contract term.

### 2.4 **Option 4:** A direct award to the current provider, Hestia Housing and Support for 19 months, from September 2021- March 2023 and for resource within the Independent Domestic Violence Advocate(IDVA) and Multi-Agency Risk Assessment Conference (MARAC) services to be increased to provide additional capacity, from 7.36 FTE increasing to 9.2FTE to manage growing demand. The contract value over 19 months is £536, 850.

This option would provide sufficient time to:

- a) obtain further clarity regarding the GLA's commissioning intentions and inform a future service model that aligns and addresses any gaps in local service provision.
- b) assess the impact of increasing resources within the current service and utilise evidence and outcomes to inform the design of a future service model.
- c) leverage funding and additional resources, arising from national and regional government policies and through local partners.
- d) identify ongoing sources of funding in advance of when the service is re-procured in 2022.

**Option 4 is recommended.**

## 3. Background

### 3.1 Profile of domestic abuse in Harrow

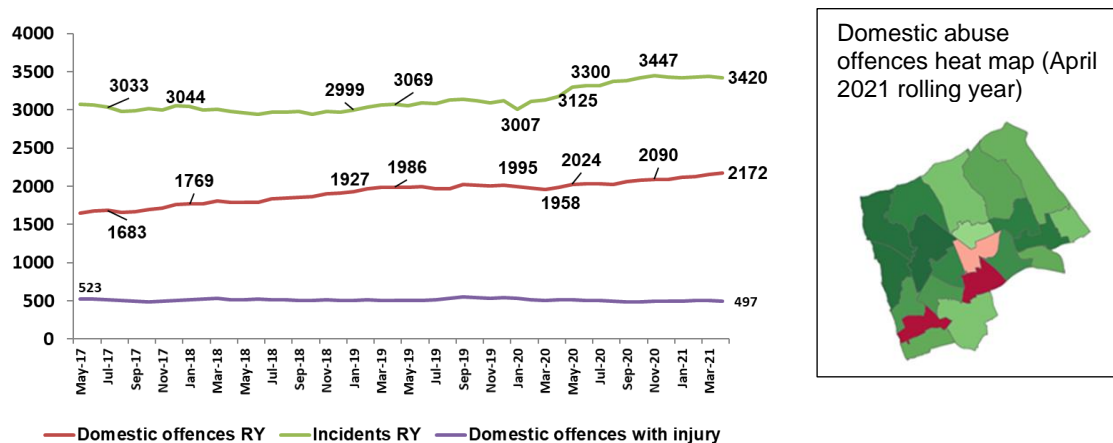
- There has been a rise in domestic abuse in the borough since the service was first commissioned in 2015<sup>3</sup>.
- Police data has shown a steady increase in the number of recorded domestic abuse offences in the borough since 2017 - up by 29% from 1683 to 2172 at March 2021. The number of incidents has also increased – particularly since the start of the pandemic- up by 13% from 3007, to 3420.

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<sup>3</sup> Metropolitan Police data on domestic abuse offences and incidents in Harrow: 2017-2021 (12 months rolling year).

- Wards with high levels of domestic abuse include Roxbourne, Greenhill, Marlborough and Harrow Weald.
- The main forms of domestic abuse experienced by victims include common assault, assault with injury and harassment.
- Police crime data on the ethnic profile of victims, shows that 43% of domestic abuse victims were white; 30% were Asian and 13% were Black African and Caribbean.

**Figure 1: Number of domestic abuse offences in Harrow 2017-2021**



## 4. 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. Findings are summarised as follows:

- Referrals have increased significantly since the service was commissioned in 2015, up nearly 49% from 380 to 777 in 2019/2020 (pre-lockdown). There was a slight reduction in referrals in 2020/2021, to 650, due to the pandemic. However, since the start of the year, front line services are seeing a steep increase in referrals to the service.
- In 2019/2020, over 54% (424) of referrals were from departments within Children Services including the Multi Agency Safeguarding Hub (MASH) and Children in Need.
- The two full-time IDVAs based within the Community and the Police service are working beyond capacity and are each dealing with an average 160-180 cases per year, assessed as medium to high-risk<sup>4</sup>, which is higher than the recommended threshold of 60-80 cases per year.<sup>5</sup>

<sup>4</sup> 2020/2021 performance data shows that the Community and Police IDVAs supported a total of 388 high risk cases, of which nearly 30% (116) were from Children Services.

<sup>5</sup> National charity SafeLives, safe practice guidelines recommend that the average caseload that each Independent Domestic Violence Advocate (IDVA) can safely support is between 60-80 cases per annum.

- The number of high-risk cases referred to the Harrow Multi Agency Risk Assessment Conference (MARAC), has increased from 188 cases in 2017/2018 to 210 in 2019/2020 and 207 in 2020/2021. Children of victims are also impacted by abuse. Of the 227 cases referred to MARAC in 2020/2021, a total of 244 children were affected - an increase of 18.5% on the previous year.
- The majority of the resource available within the current service is utilised by Children's services and the Police. This includes cases referred to Children Services via Police Merlin reports<sup>6</sup>.
- Physical abuse is the most prevalent form of violence towards all victims referred to the service (65%), followed by emotional abuse.
- Nearly 40% of victims reviewed at the MARAC presented with mental health and substance abuse issues. Perpetrators were also identified to be suffering mainly from substance misuse, as well as mental health related issues.
- The ethnic profile of service users shows that the majority are of Asian heritage at 41%, 38% white and white other, 11% Black and Black African and 10% from other communities. This contrasts with the profile of victims across the borough, as reported through the police data and indicates higher uptake of services among the borough's Black, Asian and Multi-ethnic communities. Further analysis is required to understand the causes behind this trend.

#### 4.2 Impact of the Covid-19 pandemic on the service

- While referrals to the service decreased during lockdown, frontline workers reported that referrals received were more complicated in nature, with an increase in victims presenting with mental health related issues, such as anxiety, depression and Post Traumatic Stress Disorder (PTSD). Therefore, service users required intensive support for a longer period, which has placed additional pressures on the service.
- The Borough's monthly MARAC meetings have been taking place virtually and more frequently on a fortnightly basis, to meet demand.

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<sup>6</sup> The 'Merlin' IT application is used to record the details of those vulnerable people aged 17 and under via a Pre-Assessment Check (PAC). Reports are recorded on Merlin to enable safeguarding teams to assess any risks or harm to individual children based on the report and any further relevant information. These reports are often shared with partner agencies including local authorities to ensure a multi-agency approach can be taken to safeguarding the victim.

## 5. Why a change is needed

- 5.1 The introduction of the Domestic Abuse Act, impending government legislation, national, regional and local policies to protect all victims and those affected by domestic abuse and sexual violence will impact existing service provision and the Council's future commissioning intentions.
- 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.
- 5.3 The Project Group was consulted on the aforementioned developments and changing nature in demand within the service. It approved recommendations for the service to be continued through a direct award and resource is to be increased to meet demand. The following additional elements were proposed:
- An additional 1.5 FTE Independent Domestic Violence Advocates (IDVAs) within Children and Adults, increasing the total number of workers supporting high to medium risk cases from 2 to 3.5 FTE. Together with the MOPAC funded 0.66 FTE, this provides the borough with a total IDVA resource of just over 4.1 FTE IDVAs, supporting between 330-400 victims. The additional resource would meet the minimum recommended industry standard for the number of IDVAs required to support the borough's female population of 125,000<sup>7</sup>.
  - An Increase in the MARAC coordination resource from 0.46 FTE to 0.5 FTE to manage increase in MARAC cases and additional administration required to service the meetings, which have moved from monthly to fortnightly.

## 6. Implications of the Recommendation

### 6.1 Costs

- 6.1.1 The total contract value for an enhanced service is £536,850 over 19 months. This includes the costs for the additional resource, of £70,655 per annum (pro-rata)<sup>8</sup>.
- 6.1.2 Funding for the new service has been confirmed and pooled from across various service areas and directorates.

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

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<sup>7</sup> Co-ordinated Action Against Domestic Abuse (CAADA). [caada final doc.indd \(safelives.org.uk\)](#) recommendation of 4 IDVAs and 1 MARAC Coordinator per 100,000 of the adult female population. Based on 2011 Census data, Harrow's female population is estimated at 125,000.

<sup>8</sup> The cost of the current contract is £271,000 pa.



## **6.2 Staffing/workforce**

- 6.2.1 An enhanced service will help alleviate pressures on the existing service, which is operating beyond capacity and enable the service to meet a continued increase in demand.
- 6.2.2 The new enhanced service will provide additional capacity within Adults and Children's Services, and the extra administration responsibilities required to support the MARAC function.

## **6.3 Performance Issues**

- 6.3.1 The contract's performance feeds into the delivery of the priorities of the Violence Vulnerability and Community Safety 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. The KPIs will be revised for the new contract to reflect the increase in resource.
- 6.3.3 Hestia has continued to provide a satisfactory service and has adapted provision during lockdown to ensure continuity of service.
- 6.3.4 Quarterly performance monitoring meetings will continue to be held with the provider and attended by service leads across Peoples, Policy and Housing.

## **6.4 Environmental Implications**

The service does not have a significant impact on the environment. However, the current provider will be required to demonstrate its 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.

## **7. Risk Management**

Risks included on corporate or directorate risk register? **Yes**

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

<b>Risk Description</b>	<b>Mitigations</b>	<b>RAG Status</b>
Unforeseen changes to funding	<ul style="list-style-type: none"> <li>▪ Funding is secured for the contract period from 2021-2023. Should there be a reduction in budget, then the service would be re-profiled to a lower budget via a contract variation</li> </ul>	Amber
The provider becomes insolvent	<ul style="list-style-type: none"> <li>▪ The service contract will include mitigations to enable the Council to identify and issue a direct award to another provider</li> </ul>	Amber
The Provider is unable to deliver the service specification within the proposed budget.	<ul style="list-style-type: none"> <li>▪ The provider is aware that the proposal is to extend the contract, to include additional resources and has agreed that it can deliver the services</li> </ul>	Green
Failure of current provider in service delivery.	<ul style="list-style-type: none"> <li>▪ The contract performance measures and mitigations include regular contract monitoring of KPIs, improvement plans and break clauses.</li> </ul>	Green
Risk of procurement challenge	<ul style="list-style-type: none"> <li>▪ Market engagement has been conducted and informs us that service providers are struggling to engage due to stretched resources and capacity issues caused by the Covid -19 pandemic.</li> <li>▪ A competitive tendering exercise will be undertaken in 2022, which will incorporate the findings from service reviews and lessons learned from the soft market engagement to determine a future service model.</li> <li>▪ Feedback from other London local authorities and</li> </ul>	Green

Risk Description	Mitigations	RAG Status
	the Office of the Domestic Abuse Commissioner, indicates that a number of boroughs have paused /revised procurement relating to domestic abuse services, due to COVID -19, and awaiting further clarity on the implications of government legislation on local service provision.	
Unable to demonstrate that VFM has been achieved	<ul style="list-style-type: none"> <li>▪ A competitive tendering exercise was undertaken in 2015</li> <li>▪ This is a short-term contract being put in place due to the circumstances outlined in the report</li> <li>▪ A competitive process will be undertaken in 2022</li> </ul>	Amber

## 8. Procurement Implications

- 8.1 For the reasons set out in this report, it is in the Council's best interest, on this occasion to waive our Contract Procedure Rules to permit a direct award as per recommendation number 1. The Public Contract Regulation 2015 permit the use of Regulation 32(2)c to make a direct award without competition for the reasons set out in the legal section below. Procurement is satisfied that the criteria for the use of Reg 32(2)c have been satisfied and support the recommendation to make a direct award.
- 8.2 The proposed direct award will ensure continuity of this vital support service whilst allowing time for commissioners to better understand the financial position, both nationally and locally, and retender the service in 2022 on a clear 'fit for the future' model.

## 9. Legal Implications

- 9.1 The overall value of the Council's spend for the services under this report is likely to exceed the OJEU procurement threshold which would require a full Procurement exercise under the Public Contract Regulations 2015 (the Regulations).
- 9.2 Regulation 32(2)c of the Regulations provides for the award of a public contract without competition where 'insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting

authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with’.

9.3 For the reasons as set out in this report, it is not possible to procure this service at a time of legislative change, awaiting funding confirmation and the impact of Covid on both the commissioning plans and on the market capacity. Therefore, in order to ensure continuity of a critical service, reliance can be made on Regulation 32(2)c to make a direct award in this instance.

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

- 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 direct award for this contract requires an annual budget of £342k. The contract value incorporates the payment of London living Wage (LLW) and also a 1% uplift from April 2022, to reflect an increase in staff costs.

10.2 The table below details the budget breakdown.

**Table 1: Budget: Domestic Abuse contract 1<sup>st</sup> September 2021- 31<sup>st</sup> March 2023 budget breakdown by financial year - 2021- 2023**

	<b>2021-2022 September 2021- March 2022 (7 months)</b>	<b>April 2022- March 2023 (12 months)</b>	<b>September 2021-March 2023 (19 months)</b>
<b>Policy</b>	£70,000	£120,000	£190,000
<b>Housing</b>	£42,000	£72,000	£114,000
<b>People Services</b>	£83,195	£149,655	£232,850
<b>Total Funding</b>	<b>£195, 195</b>	<b>£341,655</b>	<b>£536,850</b>

10.3 The increased staffing requirements (para 2.3 above) to meet current and future demand, have required additional resources from the Peoples Directorate to be identified to fund the direct award to March 2023. The additional costs total £81k in 2021-22 and £115k for 2022-23.

10.4 These additional costs will be funded from within existing commissioned services (£31k 21-22 and £65k 22-23) and non-recurrent funding of £100k from the Public Health Reserve (£50k in both years).

- 10.5 It should be noted that the annual contract cost (of £342k) is funded largely (£242k) through external grant funding (£120k London Crime Prevention Fund agreed until 2025 and £122k from the Public Health grant, of which £72k from the annual grant and £50k as a one off from the specific PH reserve). The balance of the contract costs of £100k are funded from Harrow revenue budgets within the People's directorate.
- 10.6 The re-procurement planned for 2022 will require the ongoing budget provision to be confirmed ahead of the procurement exercise and eventual award of contract leading to contractual commitments.

## **11. Equalities implications / Public Sector Equality Duty**

- 11.1 The current service is open to all residents and 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.
- 11.2 As part of the re-commissioning process, a full EqIA will be undertaken to identify and address any disproportionality. The service model will be designed accordingly before going out to procurement in 2022, for a new service to start in April 2023.

## **13. Council Priorities**

13.1 The continuation of the contract supports the following priorities:

### **Tackling poverty and inequality**

- The service aims to support people experiencing domestic abuse to access practical, emotional, financial, housing and employment advice, in order to lead independent lives, free of abuse.

### **Addressing health and social care inequality**

- The service contributes to improving the health and wellbeing of all residents that have experienced domestic abuse.

## **Section 3 - Statutory Officer Clearance**

**Statutory Officer: Dawn Calvert**

Signed on \*behalf of/by the Chief Financial Officer

**Date:** 25 June 2021

**Statutory Officer: Stephen Dorrian**

Signed on \*behalf of/by the Monitoring Officer

**Date:** 2 July 2021

**Chief Officer:**

Signed off by the Corporate Director- Paul Hewitt, Corporate Director, People Services

**Date:** 25 June 2021

**Head of Procurement: Nimesh Mehta**

Signed on \*behalf of/by the Head of Procurement

**Date:** 2 July 2021

**Head of Internal Audit: Susan Dixon**

Signed on \*behalf of/by the Head of Internal Audit

**Date:** 2 July 2021

## **Mandatory Checks**

**Ward Councillors notified: YES\***, as it impacts on all Wards

**EqlA carried out: NO\***

- It should be noted that an EqlA was undertaken when the service was commissioned in 2015.
- The Council will continue to work with the current provider to identify any disproportionality experienced by residents with protected characteristics since the service was first procured.
- A full EqlA will be undertaken as part of the recommissioning process, and prior to the service being retendered in 2022.

## **Section 4 - Contact Details and Background Papers**

**Contact:** Farah Ikram, Interim joint Head of Service, Policy Team,  
farah.ikram@harrow.gov.uk

**Background Papers:**

Domestic Abuse Act 2021

<https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted>

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

*(for completion by Democratic Services staff only)*

**NOT APPLICABLE\***