

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 02 June 2020

<b>TITLE</b>	<b>Extensions and Variations to Domestic Abuse and Sexual Violence contracts and new timeline for procurement of these services due to the Impact of COVID 19 on Commissioning and Procurement Activity.</b>		
<b>Wards</b>	<b>All</b>		
<b>Author:</b> Sue Moss; Anne Colquhoun Rachel Metcalfe	<b>Job title:</b> Senior Public Health Specialist Public Health Principal Public Health Business and Commissioning Manager		
<b>Cabinet lead:</b> Asher Craig	<b>Executive Director lead:</b> Jacqui Jensen		
<b>Proposal origin:</b> <i>BCC Staff</i>			
<b>Decision maker:</b> Mayor <b>Decision forum:</b> <i>Cabinet</i>			
<b>Purpose of Report:</b>			
<ol style="list-style-type: none"> <li>1. To agree an 8 month contract extension for domestic abuse and sexual violence services to 31<sup>st</sup> March 2022 due to the impact of COVID 19.</li> <li>2. To agree to a delay in the procurement of the domestic abuse and sexual violence services; so that the new contract start date will be 1<sup>st</sup> April 2022 rather than 1<sup>st</sup> August 2021.</li> </ol>			
<b>Evidence Base:</b>			
<ul style="list-style-type: none"> <li>• Before Covid 19 and lockdown, a process was in place to commission domestic abuse and sexual violence services to start in August 2021.</li> <li>• The commissioning and procurement of services requires that service providers and service users input into and respond to the consultations, provider events and advertised contracts published by The Council. Our current service providers are working hard to deal with the impact of COVID 19 and the increase in referrals for domestic violence and abuse and are not able to conduct business as usual.</li> <li>• It is not possible to carry out the citizen engagement with service users or the public to input into the recommissioning. It is therefore inappropriate to begin or continue to commission and procure services until it is fair to do so for all providers, service users and the public.</li> <li>• We are therefore unable to work to the original timescales</li> <li>• We need to take into account the learning from this pandemic and ensure this is reflected in possible future service provision. For example the need to be flexible in provision( if we get another outbreak we will need to quickly increase provision) and the need to consider new groups, particularly older people who have not required services before.</li> <li>• We have also been made aware that South Gloucestershire LA is also working to procure contracts to start in April 2022, which gives us the opportunity to explore the advantages of co-commissioning these services.</li> <li>• The uncertainty regarding the length of time that COVID 19 will impact on society and the time needed to return to normal contract delivery and commissioning and procurement activity requires that these amendments are put in place.</li> </ul>			

The detail of the contract are below, there is a main contract and a number of smaller contracts that have different timescales

**Main contract:**

Term was 1<sup>st</sup> August 2016 for 3 years, with option to extend for further 2 years – to 31<sup>st</sup> July 2021.

Total value = £3,887,470

Cost to extend for a further 8 months = £518,329

**All other contracts:**

Are from 1<sup>st</sup> September 2019 to 31<sup>st</sup> July 2021

Total value = £1,194,517

Cost to extend for a further 8 months = £415,484

**Cabinet Member / Officer Recommendations:**

**That Cabinet**

1. Authorises the Executive Director People in consultation with the Cabinet Member Communities (Public Health, Public Transport, Libraries, Parks), Events and Equalities to take all steps necessary to extend the contracts for domestic abuse and sexual violence services to 31<sup>st</sup> March 2022 at a cost of £933,813 and delay the current procurement process for these contracts due to the impact of COVID 19.

**Corporate Strategy alignment:**

The contract extensions are a result of the effect of COVID 19 on commissioning. They will ensure that BCCs commissioning and procurement work is conducted in a fair way by ensuring that providers are able to contribute and respond to any commissioning and procurement activity. The extensions will in particular enable the VCS and SMEs to regroup after the pandemic is over and respond and contribute. This in turn will ensure that we get the right services in place in a timely manner that meets the needs of the Bristol population.

**City Benefits:**

The city will benefit from the extensions because the services that we ultimately commission will be value for money and fit for purpose because they allow for the work to be done after the pandemic is over and for BBC teams and service providers to have had time to regroup and return to business as usual.

**Consultation Details:**

There is no consultation for this application due to the urgency and unprecedented reason for the application. Consultation as required will be conducted for all commissioning exercises as set out in the commission cycle.

**Background Documents:** Previous cabinet paper setting out plans for original procurement (with contract start date of 1<sup>st</sup> August 2021)

<b>Revenue Cost</b>	£933,813	<b>Source of Revenue Funding</b>	General Fund / Public Health Grant
<b>Capital Cost</b>	None	<b>Source of Capital Funding</b>	N/A
<b>One off cost</b> <input checked="" type="checkbox"/>	<b>Ongoing cost</b> <input type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** The report is seeking approval to agree an 8 month contract extension for services to support survivors of domestic and sexual violence in the city at a cost of £933,813. This continuation is fully funded and can be met from within existing resources. The gross budget is £1.461m for (2020/21) and is partly funded from Public Health Grant, Troubled Families Grant and other income.

**Finance Business Partner:** Denise Hunt, Finance Business Partner, 14<sup>th</sup> May 2020

**2. Legal Advice:** It is recognised that the further extension of the contracts places the Council in a situation where it

may breach the procurement regulations. The fact that the extension is required due to the impact of Covid-19 and to allow time for the Council to follow a fully compliant procurement process, will help mitigate the risk of challenge. Legal services will advise and assist officers with regard to the conduct of the proposed procurement process and the resulting contractual arrangements.

**Legal Team Leader:** Husinara Jones, Solicitor/Team Leader, 6<sup>th</sup> May 2020

**3. Implications on IT:** No direct impact anticipated on IT Services, however the opportunity to develop/renew data sharing agreements should probably be undertaken with Information Assurance colleagues.

**IT Team Leader:** Simon Oliver, Director Digital Transformation, 6<sup>th</sup> May 2020

**4. HR Advice:** The procurement of specialist domestic and sexual abuse service will be implemented in April 2022 when existing contracts will end. The current service is wholly provided by external organisations, namely Next Link, One 25, Somerset and Avon Rape and Sexual Abuse Support (SARSAS) and Victim Support. No direct HR implications are anticipated as the current and new provision will not involve BCC staff. The procurement process is advised to consider TUPE implications between existing and new providers.

**HR Partner:** Lorna Laing, Business Partner, 18<sup>th</sup> May 2020

**4. Procurement Advice:** Due to COVID 19, the Public Health team have lost project time due to the outbreak of COVID 19 as well as the team were due to go out to consultation at this time. This would not be possible with the increased demand on these services and within the limited market to make the consultation meaningful. This request to extend the current contracts sits within the Council's Procurement and Contracts Protocol 27th March 2020 in terms of not extending the contract beyond 31st March 2022 and being less than a 12 month extension; however the existing contract expires after the 1st April 2021. Exceptions like these require sign off by the Council's Section 151 Officer. Under the PCR contracts can be varied up to 50%, due to unforeseen circumstances, the main contract would have this facility.

**Category Manager:** Gina Smalley, Category Manager, 15<sup>th</sup> May 2020

<b>EDM Sign-off</b>	Jacqui Jenson	29.04.2020
<b>Cabinet Member sign-off</b>	Cllr Asher Craig	01.05.2020
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	04.05.2020

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b> Scrutiny reviewed proposals when permission sought to tender for these service (December 2019)	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>

## Appendix A1: Contract List

Provider	Service	Annual amount	Extension amount
Next Link	IDVA to BAME women and girls	36,000	24,000
Next Link	BAME female survivors through the criminal justice system	10,700	7,133
Next Link	Embedded within the Families in Focus locality teams - aligned to the think family /early help services	49,950	33,300
Next Link	IRIS – training and coordination of GP practices	39,000	26,000
Next Link	Therapeutic interventions to survivors and families to ensure recovery from domestic related trauma	50,000	33,333
Next Link	Complex Need accommodation	134,000	89,333
Next Link	Universal Service	777,494	518,329
Next Link	IDVAS service in University Hospitals Bristol (BRI)	68,727	45,818
One 25	Intensive support to street sex workers	38,200	25,467
Somerset and Avon Rape and Sexual Abuse Support (SARSAS)	Telephone line advice service to victims and survivors of historic and current sexual abuse and to provide onward pathways for clients in to appropriate community based therapeutic interventions	115,000	76,667
Victim Support	IDVA - within Lighthouse Safeguarding Unit	40,000	26,667
Victim Support	IDVAS for male survivors	41,649	27,766
		<b>1,400,720.00</b>	<b>933,813.33</b>

## Appendix A2: Revised Project Timeline

Task Name	Start	Finish
Preparing/amending paperwork etc	Mon 01/06/20	Wed 18/08/21
Market Engagement	Tue 01/09/20	Mon 19/07/21
Public Consultation	Mon 10/05/21	Fri 18/06/21
Tendering and Procurement	Mon 26/07/21	Fri 24/09/21
Notification of Decision	Mon 25/10/21	Wed 27/10/21
Alactel/Standstill	Wed 27/10/21	Tue 09/11/21
Contract Award	Mon 29/11/21	Mon 29/11/21
Set up Period and Mobilisation	Mon 03/01/22	Fri 01/04/22
Service Start Date	Fri 01/04/22	Fri 01/04/22