



Notice of KEY Executive Decision

Subject Heading:	Award of Contract for Domestic Violence Support
Cabinet Member:	Councillor Jason Frost Cabinet Member for Adult services and Health
SLT Lead:	Barbara Nicholls Director of Adult services
Report Author and contact details:	Susan Shepherd Susan.Shepherd@havering.gov.uk Commissioner and Project Manager 6 TH Floor Mercury House Mercury Gardens RM1 3SL 01708 433021
Policy context:	Strategy to end violence against women and girls 2016 - 2020 HM Government
Financial summary:	Annual Contract value for retender £233,198.44 Total for contract length 3 years + 1 year extension = £699,595 + 233,198.44 =£933,800

Key Executive Decision

Reason decision is Key	a) Expenditure or saving (including anticipated income) of £500,000 or more
Date notice given of intended decision:	24 th April
Relevant OSC:	Individuals
Is it an urgent decision?	NO
Is this decision exempt from being called-in?	NO

The subject matter of this report deals with the following Council Objectives

- Communities making Havering
- Places making Havering
- Opportunities making Havering
- Connections making Havering

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This key decision paper is to request approval to award the Havering Domestic violence support service contract to Havering women's aid for a period of 3 years with the option to extend for a further 12 months

AUTHORITY UNDER WHICH DECISION IS MADE

Constitution Part 3: Responsibility for Functions; Section 3.3 delegates power to members of the Senior Leadership Team (SLT) to award contracts with a total contract value of between £500,000 and £5,000,000.

STATEMENT OF THE REASONS FOR THE DECISION

Following the agreement at checkpoint 2 this Key Executive decision is to request approval to award the Havering domestic violence support service for a period of 3 years with an option to extend for a further 12 months. The total contract value over 3 years and possible 12 months extension is £933,800. (£699,595 + £233,198.44)

There is currently an interim contract in place which expires on the 31st August.

The current provision had been extended on numerous occasions and a non key decision was written to go out to tender for a redesigned service with a reduced budget. This was approved by checkpoint and a Non key decision paper was also approved by Barbara Nicholls.

The new service will still consist of 2 refuges and a floating support service however the specification has been redesigned in consultation with community safety, housing as well as service users to be more outcomes focused as well as deliver increased throughput to help manage increased demand for support services.

In line with the strategy to end violence against women and girls 2016 - 2020 HM Government the redesigned service seeks to support the outcomes for commissioners and providers outlined in chapter 2 of the strategy:
Outcomes by 2020:

- Local partners assess the needs of victims and survivors and their families, have

Local strategies to ensure they can access the right support at the right time.

- No victim is turned away from accessing critical support services delivered by Refuges, rape support centres and FGM and forced marriage units.
- Services are transformed to provide support at an earlier stage so that fewer Victims will reach crisis point and need refuge, or other secure accommodation.
- Better access to integrated pathways of support to meet the needs of victims experiencing multiple disadvantages.

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- A robust global evidence base in place to support interventions that work and to inform commissioning decisions domestically and abroad.
- More survivors of violence are supported through overseas programmes, including in conflict and humanitarian settings, through charitable trusts, for example, the Big Lottery Fund.
- Pool budgets across different agencies to make best use of available resources;
- Design coherent pathways of support and incorporating innovative approaches to early intervention, including support for all family members, including children;
- Involve local third sector organisations in commissioning, recognising that they
- have important insight into victims' needs, including those from BME backgrounds;
- Show strong leadership and prioritisation of VAWG, supported by clear local accountability for service provision;
- Know that women may travel far from home when fleeing violence, so ensure their provision is open to all (recognising that some women from their own area are likely to seek support elsewhere); and
- Collaborate across local authority and service boundaries, recognising that provision must be flexible to meet women's needs

Procurement process

The Council is required to conduct the procurement in accordance with EU Treaty principles of non-discrimination, equal treatment and transparency.

The procurement followed an open process in accordance with the Public Contracts Regulations 2015. Following these regulations, the tender opportunity for Project prj_OSN_10114 – LBH was published on Capital e sourcing on the 26th March 2018. The contract notice was also published in the OJEU.

The tender opportunity closed on the 10th May. There were 21 questions received in total from 4 providers, 18 providers originally reviewed the invitation to tender.

At the close of the tender opportunity 2 responses had been received Provider A (Havering Women's Aid) and Provider B. Although this is disappointing, response to the PIN as well as the market warning had not generated any interest from providers and therefore limited responses were expected to the tender opportunity.

All evaluations focused on examining how the proposals will deliver a quality service (technical) and the cost of the service (commercial). Cost was evaluated at 70% of the total score.

Suppliers submitted a cost for the service that was within the parameters set by the Council with scores weighted in favour of the lowest price. The quality factors were weighted according to their importance with 30% percent of the total score assigned to quality. With regards to the outcome of the evaluation, the Project Board members evaluated the bids over a two week period between the 14th May and 24th May. As part of the evaluation, the Project Board also met to consider scores and the quality of the submissions and was able to recommend the award of contract following the meeting. Please see the details below

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Bidder	Technical	Commercial	TOTAL
Havering Women's Aid (Provider A)	79	99.42	93.294
(Provider B)	60.5	100	88.15

Provider A commercial bid was marginally more expensive (£697,000) but still within the parameters of the financial envelope for the project. Their technical score was greater than that of provider B whose commercial bid was £693,000.

Whilst provider B's tender submission was financially more advantageous their technical answers lacked clarity around how they would develop local partnerships, how the floating support service would work and also around timescales for implementing safety plans. Therefore the project team seeks to recommend the contract is awarded to Provider A. Provider A is the incumbent provider Havering Women's Aid.

This new contract will be funded through the existing adult social care budget. The procurement exercise has been successful in commissioning a provider to deliver 20k savings per annum whilst also ensuring a safe service with increased throughput and more outcomes focused in its delivery.

As this report recommends to award to the incumbent provider I do not foresee any TUPE or HR issues.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Let the existing contract end on August 31st with no further provision of domestic violence support.

This option is rejected as The Council has a statutory duty to house anyone who meets criteria set out in Parts 6 and 7 of the Housing Act 1996. In accordance with Section 175, a person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for them to continue to occupy. Furthermore, Section 177 specifies that it is not reasonable for a person to continue to occupy accommodation if it is probable that this will lead to domestic violence or other violence against them. The Council also has a duty to secure that advice and information about homelessness, and the prevention of homelessness, is available free of charge to any person in its district.

2. Seek permission to continue with existing contract using the current terms and conditions and specification.

By continuing with the current contract no savings can be delivered and increased throughput with outcome focused targets cannot be achieved. We would also be in breach of the Public Contracts Regulations 2015.

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PRE-DECISION CONSULTATION

Meetings were held with the incumbent provider to review current and future demand. A small focus group was established with service users who were accessing both the accommodation and floating support service. These service users were able to contribute to the service specification. A market warming event was also held to obtain the views of providers on the draft specification. Project team members from community safety and housing also contributed to this.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Susan Shepherd

Designation: Commissioner and Projects Manager

Signature:



Date: 2.7.18

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a statutory duty under the Housing Act 1996 to ensure its applicants have reasonable accommodation that will not lead to domestic violence or other violence against them. To comply with such statutory duty, and following a competitive procurement process, Housing Services seek approval to award a contract to Havering Women's Aid.

Officers published a contract notice via the Official Journal of the European Union (OJEU), to competitively tender for the service set out in this report.

The Local Government Act 1999, requires the Council to make arrangements to achieve best value in the exercise of its functions. The tenders received were evaluated in accordance with the Council's pre-determined best price-quality ratio of 70% cost and 30% quality. Officers have satisfied themselves that the bid submitted by Havering Women's Aid, represented the most economically advantageous tender for the Council overall.

As the total value of the contract is above £150,000, the Contract will need to be executed as a deed under the Council's common seal.

FINANCIAL IMPLICATIONS AND RISKS

The current contract value is £0.253m and is funded from the Strategy and Commissioning cost centre (A34080) within Adults Social Care Directorate, with an annual budget of £0.243m for 2018/19 – representing a shortfall £0.010m.

The new contract, if awarded to the winning provider, will generate a £0.020m reduction in contract value and result in annual savings of £0.010m against the available budget, of which £0.05m will accrue in the current year due to the September 2018 start date.

There is a risk to challenge from the unsuccessful provider due to the marginal difference in the Financial value of each submission however, the Quality aspect of the evaluation shows a clearer difference between the 2 bids and provides sufficient basis for the proposed award despite the less than 1% difference between the costings. Both bids were within the parameters of the financial envelope.

There are no other financial risks for this award as it is a fixed price contract, any requirement to award uplifts to deal with inflation will be dealt with as part of the annual request for contract inflation during the budget setting process.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The recommendations made in this report do not give rise to any identifiable HR risks

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or implications that would affect either the Council or its workforce.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Equalities data in relation to the clients accessing both the refuge service and the floating support service is received by the project manager on a monthly basis. Although the financial envelope has been reduced for the tender process there will be no impact to clients as the same level of refuge places will remain and floating support service will continue to exist. The redesign of the specification will allow for greater throughput.

Whilst it is acknowledged that the accommodation service only supports female victims the floating support service will continue to support male victims. The incumbent provider also provides a specialist support service for men which isn't funded by this contract but was set up due to provider gaining additional funding from grants. This will continue to be available to Havering residents.

Consultation has also taken place with users of the service and other key stakeholders via a focus group. Stakeholders are both internal and external and include Havering Women's Aid, the Joint Commissioning Unit, Community Safety Team, Housing, Adults Social Care, Children's Social Care and the Police

BACKGROUND PAPERS

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 5/7/2018

Signed 

