

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	21 st July 2015
Report of:	Interim Director of Children's Services
Subject/Title:	Cheshire East Domestic Abuse Commission
Portfolio Holder:	Cllr Rachel Bailey, Children and Families Cllr Les Gilbert, Communities

1.0 Report Summary

- 1.1 As a Residents First Council, committed to tackling the causes of harm, we have a zero tolerance approach to domestic abuse and do everything that we possibly can to prevent, to protect and to provide for those people affected in Cheshire East. We know that domestic abuse has a significant impact on the safety, health and wellbeing of Cheshire East families and communities.
- 1.2 We want to be bold in our approach ensuring that not only are we helping adult and child victims to be safe and get their lives back but also that where possible we are robustly tackling the cause of harm through identifying, challenging and where appropriate supporting the perpetrators of abuse as well as aiming to prevent domestic abuse occurring through strong awareness and culture change work in our schools and communities.
- 1.3 The Council has led the way and worked with partners to move towards a vision of safer families, relationships and communities as set out in the multi-agency three year Domestic Abuse strategy developed through our award winning multi-agency Cheshire East Domestic Abuse Partnership.

This report highlights a key opportunity to make that vision even more of a reality and provide the best possible services for all our residents.

- 1.4 Currently the Council separately commissions services for adult and child victims and funds some support for perpetrators to change their behaviour. The end of two major contracts provides an opportunity to streamline funding to procure a service which delivers an accessible, integrated and co-ordinated whole family response.
- 1.5 We plan to tender out this provision as there are many organisations in the community, voluntary and faith sector in particular who have great knowledge and experience in these issues and are trusted by our communities. We will learn from previous tender exercises and make sure that we promote a local first approach and run a vibrant and inclusive marketplace event. We care about getting value for money, but also about

the outcomes we want to achieve and so we will encourage collaboration between organisations and a community emphasis.

- 1.6 Our requirements are that we expect this to support stronger and safer families and communities. We want to see evidence that services are delivered by organisations trusted by our communities and in places that they feel most comfortable including the co-location of suitable service elements in our emerging community hubs. This will also help to skill up local people to take responsibility for local issues, identifying and offering early support to those affected and linking them to services and systems that are needed to effectively deal with domestic abuse.

In particular this will involve improving responses to families affected by the toxic mix of domestic abuse, mental ill health and substance misuse. These are often our most vulnerable residents and we expect to see a proactive risk aware and risk managed response to co-ordinating the right response by the right services at the right time.

- 1.7 As part of the procurement process the market will be asked to engage in a competitive dialogue procedure to explore what it is able to offer but this offer will need to include as a minimum:

1. Participation in Cheshire East Domestic Abuse Hub (access and referral pathway)
2. Community Bases in Crewe and Macclesfield
3. Supported accommodation (refuge in Crewe and dispersed housing in Macclesfield – these are already established)
4. Services for adults who have been victims
5. Services for adults who harm others
6. Services for children and young people
7. Participation in awareness raising and training
8. Participation in the work of Cheshire East Domestic Abuse Partnership

- 1.8 A Service Specification has been developed for this more comprehensive and integrated service, including contributions from Adults and Children's services already agreed, with a small steering group established to oversee the procurement process. In seeking to commission these services we will ensure the best quality of provision, with the greatest degree of flexibility and the best value for money. Research illustrates that intervening earlier and effectively in domestic abuse has significant human and cost savings.

Stakeholders have been consulted and provided input in the procurement process and will work alongside the commissioned service and refer into it. However, the work is being commissioned by and the contract will be in the

name of the Council (as in this instance the Council is providing all of the funding whilst partners are funding other work streams such as the high risk services).

Permission is now sought to proceed to procure and enter into a contract, the cost of which over a 3 year period (with an option to extend for further a period(s) of up to 2 years) will exceed £1m and thus requires a key decision to be taken.

2.0 Recommendations

- 2.1 That Cabinet approve a competitive dialogue procurement process of a whole family domestic abuse service and delegate to The Director of Children's Services the authority to enter into a contract with the preferred supplier.
- 2.2 That Cabinet authorise the permanent virement of £550,000 (full year effect) from Adults to Children's to align all of the financial resources for this procurement into one place.

3.0 Reasons for Recommendations

- 3.1 Cheshire East is already established as being at the forefront of excellent quality and ground breaking services to prevent and intervene earlier in cases of domestic abuse, enjoying a national reputation for excellence in service delivery as evidenced by winning one national award and being shortlisted for another. Elements of this approach are:

- A strong and effective partnership with Children's and Adults Services, Police, Health, Probation and relevant Boards
- A 'family' approach to interventions which sees a contact by one family member or concerned professional or member of the community as an opportunity to ensure all family members are safe and/or supported to change
- Ease of access to services via a single 'front door' meaning that we are close to identifying and offering services to our estimated need population of 600 high risk and 1200 medium risk victims and their families
- A clear focus on prevention through enabling communities to understand and address domestic abuse at early stages and through extensive schools and young people's work on healthy and acceptable behaviour in relationships and a systematic programme of community engagement using the resources of the Community Hub work of our Communities Team
- An integrated approach to addressing unstable mental health and substance misuse which together with domestic abuse constitute the 'toxic trio' which most affect adults and children's safety and wellbeing
- Intervening with perpetrators to hold them to account and support them to make the changes to their own behaviour to ensure the safety of others

- 3.2 To date the individual strands of this work have been separately commissioned and monitored resulting in a waste of resources in disparate co-ordination strands, with fractured financial commitment. They will be commissioned as an integrated service going forward.

Agreement has been reached with Adults and Children's Services budget holders to combine funding in order to maximise expenditure and ensure there is more robust scrutiny of delivery. The budget has been transferred to the Council's Development Manager for domestic abuse and sexual violence (who is also the lead officer for Cheshire East Domestic Abuse Partnership) and a partnership team has been established to oversee the procurement process.

The amounts involved are:

£550,000 p.a. Adults Services (former Supporting People Funding) to be vired across to Children's Services

£100,000 p.a. Children's Services (agreed by the Council as part of the budget setting process for 2015/16)

This may be enhanced by sub regional transformation funding and central government support for refuge provision so the ability to amend and have some flexibility to the contract will be built into the agreement.

An element of reward for achievement will be included in the schedule to incentivise performance and the winning bidder will be expected also to bring resources to enhance the contract which will be explored as part of the dialogue with potential providers.

- 3.3 Clear outcomes have been established, key amongst which are:

1. Families affected by domestic abuse are identified early by a wide range of partner agencies
2. All identified eligible victims are proactively offered an equally accessible non-discriminatory service
3. Clients are safer and better resourced to remain safe
4. People who harm others are held to account for their behaviour and harm is reduced
5. Children at risk are identified, referred and/or supported to feel and be safe
6. Children and young people affected by domestic abuse have improved health and wellbeing
7. Families are strengthened to have safe and positive relationships
8. Emergency accommodation and housing support enable clients to move on to independent living
9. Members of the public and professionals have increased confidence in addressing domestic abuse

10. Cheshire East interventions are at the forefront of innovative practice development

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 n/a

6.0 Policy Implications

6.1 none

7.0 Implications for Rural Communities

7.1 Domestic abuse is a significant issue in all communities. For rural communities victims can potentially be more isolated and less enabled to seek help. This approach will ensure that we provide a focus in these communities and work with them to ensure equal access.

8.0 Financial Implications

8.1 The proposed expenditure can be financed from resources within the existing base budget of the council. In order to improve financial control and accountability it is proposed that the resources for this procurement should all be realigned to one place within the Council's budget. It is therefore recommended that £550,000 is vired on a permanent basis from the Adults budget to the Children's budget.

9.0 Legal Implications

9.1 The Service is currently proposing to use the competitive dialogue procedure in order to commission a provider who can meet its needs.

9.2 The competitive dialogue procedure is used where needs cannot be met without adaptation of readily available solutions and where innovative solutions are being sought (Public Contract Regulations 2015, Regulation 26(4)). Following submissions of expressions of interest a shortlisting exercise will be carried out and those bidders (a minimum of three unless fewer have met the selection criteria) will be invited to dialogue to develop one or more suitable solutions to meet the Council's needs. The dialogue phase concludes when a suitable solution is identified and final tenders are invited and evaluated based on pre-specified award criteria.

9.3 The contractual terms will be for an initial period of 3 years with the option to extend to a maximum of a further two years. The contract will be drafted and further refined in the context of the competitive dialogue procedure.

9.4 Due consideration will be given during the procurement process to any implications arising from the potential transfer of staff pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

9.5 It is understood that Partners in the Cheshire East Domestic Abuse Partnership may also be interested in bidding to provide the service. There is an overarching requirement under the general principles of the Treaty of Rome to treat all bidders equally and to ensure a level playing field. The Council must act with due diligence and on the basis of all relevant information when making a decision on conflicts of interest which have (or may) arise.

10.0 Risk Management

10.1 The risk of not finding a provider or consortium of providers who can deliver what is required is small, and being managed through a rigorous market testing process. The risks of not progressing with this means that the strategy will not be implemented which will have a significant impact on the quality and effectiveness of the domestic abuse response in Cheshire East.

11.0 Background and Options

11.1 Domestic abuse is a priority area for the Council. Last year the police attended almost 3000 incidents. Some 500 adults with 646 children were subject to high risk multi-agency procedures and another 1000 were referred to specialist services. Of children whose cases were considered at an Initial Child Protection Conference almost half were affected by domestic abuse and abuse by a partner or family member continues to be the top reason for referrals to Adult Safeguarding services.

A significant proportion of the adults are also vulnerable due to substance misuse and mental ill health which makes for a 'toxic trio' of compromised safety, health and wellbeing with attendant costs to public services.

Cheshire East employs a robust partnership approach to early and effective intervention through strategic and operational links with both Children's and Adults Safeguarding Boards and the Safer Cheshire East Partnership (community safety). Already we are witnessing the benefits of this strong and integrated approach as the number of hidden victims has reduced and we have confidence that the majority of those who need help are coming to the attention of services and at an earlier point. It is vital that once identified we can offer a comprehensive and well co-ordinated whole family approach to all those affected.

The new commission increases our capacity to deliver that and to make inroads on the steady toll of damaged individuals, families and communities.

The options in relation to this request to proceed with commissioning are:

- a. not to proceed which will result in severe impact on some of Cheshire East's most vulnerable families and longer term costs to public services
- b. delay commissioning which will result in a significant service gap as procurement rules do not allow us to extend the current commission beyond March 2016
- c. to proceed and put in place a service which will save both human and financial resources

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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