

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

REPORT TO CABINET MEMBER FOR HEALTH AND COMMUNITIES

6 March 2023

Report of the Interim Director of Organisational Development and Policy

**Proposed Contract Extension for Domestic Abuse Support Services
and Helpline (April 2023 – March 2024)**

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is not a key decision.

3. Purpose

3.1 To seek Cabinet Member approval for an extension to the contracts for the Derbyshire Domestic Abuse Support Services and the Derbyshire Domestic Abuse Helpline at a cost of £0.243m. These extensions will maintain the enhanced capacity within the commissioned Domestic Abuse Services up until end March 2024, in order to meet continued high demand.

4. Information and Analysis

4.1 Background

The Council awarded the following contracts to support Domestic Abuse services for three years, commencing April 2020, with the potential for up to three annual extensions.

- CCP19013 Lot 1 - Derbyshire Domestic Abuse Helpline (total value for the three-year contract, plus (potentially) three annual extensions, is £0.870m).

- CCP19013 Lot 2 - Derbyshire Domestic Abuse Support Services (total value for the three-year contract, plus (potentially) three annual extensions, is £7.308m).

Following the initial contract period these contracts have been extended for one year, to 31 March 2024.

- 4.2 The Covid-19 pandemic had a significant impact on Derbyshire's Domestic Abuse Services. Increased demand and the need to implement a new model of delivery meant that additional capacity was required. On 5 June 2020, the Cabinet Member for Health and Communities agreed to the provision of £0.43m Covid-19 funding to meet this demand. The additional funding provided extra capacity until the end of December 2021, enabling variations of contract for both the Domestic Abuse Support Service and the Derbyshire Domestic Abuse Helpline.
- 4.3 The additional funding allowed the commissioned domestic abuse service providers to invest in:
- 5 full-time equivalent (FTE) Children and Young People's Outreach Workers
 - 4 FTE Adult Outreach Workers; and
 - 1 part-time helpline advisor (extending the helpline hours until 10pm in the evening).
- 4.4 Due to the continued increase in demand, the Cabinet Member for Health and Communities agreed a further allocation of funding from the Community Safety Budget of £0.158m on 20 December 2021 to facilitate contract extensions to sustain the additional capacity within the Derbyshire Domestic Abuse Support Service and the Derbyshire Domestic Abuse Helpline until the end of March 2023.
- 4.5 There have also been additional contract variations throughout the duration of these contracts, a full summary of these is provided below:

CCP19013 Lot 1 - Derbyshire Domestic Abuse Helpline

- CCN1 Elm Foundation (1 October 2020 – 31 December 2021): additional £0.024m to extend operating hours and provide a 0.5 FTE increase in Helpline workers.
- CCN2 Elm Foundation (1 January 2022 to 31 March 2023): additional £0.024m for an extension of the arrangement under CCN1.

CCP19013 Lot 2 - Derbyshire Domestic Abuse Support Services

- CCN1 NCHA (1 November 2020 – 31 December 2021): £0.261m for additional support workers to provide resilience during the pandemic.
- CCN2 NCHA (awarded 21 June 2021 – 31 March 2023): additional £0.122m per annum for three peripatetic workers.
- CCN3 NCHA (1 January 2022 to 31 March 2023): additional £0.279m to retain additional support workers from CCN1.
- CCN4 NCHA: no additional funds but contract amended to include data sharing with a third party.
- CCN5 NCHA: additional £0.069m (1 August 2022 to 31 March 2023) and £0.103m (1 April 2023 to 31 March 2024), for three additional FTE posts, created as Domestic Abuse Practice Leads to support joint work with Childrens Services.

4.6 Derbyshire Domestic Abuse Services

Although COVID restrictions have now reduced, there remains a need for the additional capacity within the support service. Indeed, the recently refreshed Domestic Abuse Needs Assessment for Derby and Derbyshire (updated in 2022) identifies that:

“The additional resources provided to meet the increased demand for community support are likely to continue to be needed for the foreseeable future, particularly as the cost-of-living crisis may lead to economic abuse being a more prominent feature in already abusive relationships.”

This need is only likely to grow, with the Domestic Abuse Act 2021 changing the status of children and young people who witness domestic abuse to victims in their own right.

4.7 Figures in respect of numbers of adults and children receiving services alongside referrals to accommodation-based support from January 2022 – September 2022, highlight the continued and ongoing demand for support as follows:

- Community based adults – 1,020 adults were either in service or awaiting allocation to a key worker
- Community based children – 779 children were either in service or awaiting allocation to a key worker
- Accommodation based adults – 254 referrals received that were either accepted into service or supported to another appropriate method of support.
- Accommodation based children – 153 children were referred in alongside their care giver and were either accepted into service or supported alongside care giver to another appropriate method of support.

- 4.8 The Domestic Abuse Helpline is currently able to take referrals into the evening and, crucially, contact clients who identified evenings as a safer time for them to engage. Additionally, funding previously allocated has enabled Domestic Abuse Support Services to embed a triage system into services, which involves assessments of individuals being carried out within 72 hours of a referral being received, and support and safety planning being undertaken through weekly contact.
- 4.9 Approval is now sought for £0.243m to enable an extension of contracts, to maintain the additional capacity for the following two contracts until end March 2024 (aligning with the end of the existing contract):
- Domestic Abuse Support Services contract (CCP19013 Lot 2) for the period of 1 April 2023 – 31 March 2024, to provide additional funding of £0.224m.
 - Derbyshire Domestic Abuse Helpline (CCP19013 Lot 1) for the period of 1 April 2023 - 31 March 2024, to provide additional funding of £0.019m
- 4.10 Maintaining the additional capacity will enable the:
- Commissioned providers to retain highly skilled staff recruited under the previous variations to contracts.
 - Continued provision of additional capacity, delivering outreach support to victims of domestic abuse in the community
 - Continued provision of additional capacity, delivering support to children and young people affected by domestic abuse.
 - Prevention of an increase in both the adult's and children's waiting lists.
 - Continued provision of specialist domestic abuse support and advice through the helpline until 22:00hrs Monday to Friday.
- 4.11 This extension of the variation to contract is compliant with regulation 72(1) (b) of the Public Contracts Regulations 2015 which permits a contract to be modified without a new procurement process being undertaken where the modification is for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor:
- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and
 - (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority,

provided that any increase in price does not exceed 50% of the value of the original contract.

In reference to point (i), as above, a change of contractor cannot be made due to the interoperability difficulties that would be presented with a new contractor having to operate the additional services alongside the current contractor; within, for example, the confines of current systems and referral processes. A new contractor may have a different way of doing things which may not align with the existing contractor. There would also be economic reasons why a change of contractor could not be made because there would be a loss of experienced staff, with additional recruitment costs associated with replacing those lost.

In reference to point (ii), as above, a change of contractor may result in an overlap of the service provided and increased officer time spent in managing an additional contractor. Commissioning a new contractor would also cost the authority more in terms of the increased officer time required for commissioning of the service.

The value of the proposed modification will not exceed of 50% of the original contract value as permitted.

- 4.12 Work is now underway to recommission Domestic Abuse Services to commence in April 2024. The additional capacity added through the variations to contract will be fully considered in the new service specification, as will the Domestic Abuse Needs Assessment which has recently been refreshed.

5. Consultation

- 5.1 The Derbyshire County Council Domestic Abuse Needs Assessment was produced in 2021 to meet the requirements of the statutory duty given to Tier 1 local authorities by the Domestic Abuse Act 2021. The Needs Assessment involved analysis of local data and surveying of the public, professionals, service providers, the third sector and faith organisations across Derbyshire. This was refreshed in December 2022 and key findings are summarised below:

- The increase in direct referrals to the Derbyshire Domestic Abuse Helpline seen since the start of the pandemic has continued, with an increase of 5% compared to the previous 12-month period (which was more affected by the Covid pandemic).
- The increase in direct calls received for emotional and practical support seen since the start of the pandemic (up 42% in 2021-2022) has continued into 2022-2023.
- The volume of referrals for accommodation support has increased in the latest year. In particular, self-referrals nearly doubled and now make up 40% of all referrals.

- There has been a slight shift towards younger clients engaging with accommodation support. Linked to this shift is the proportion of clients with one or two dependent children, with half of the children being under 5 years old.
- The increased level of referrals for community support in the Derbyshire County Council area, seen since the start of the pandemic, continued throughout 2022. It remains 40% higher than in the pre-pandemic year, largely driven by the increase in self-referrals. Self-referrals remain the highest source of referrals.
- The additional resources provided to meet the increased demand for community support throughout the pandemic are likely to continue to be needed for the foreseeable future, particularly as the increased cost-of-living may lead to economic abuse being a more prominent feature in already abusive relationships.
- There has been a significant increase (up 27% in 2022-2023) in the number of children engaging with the community support service. This is partly due to the increased proportion of adults who engaged with the service, who have a child or children. There has also been a slight shift in the proportion of children supported who are aged 15 years and above.
- The average length of engagement in support for adults in the County in 2020-2021 increased in the previous year, from around 12 weeks to 15 weeks.
- Over half of the community support clients in the County are living in social housing or temporary accommodation.
- Approximately 42% of the respondents to the public sector survey in the County area said that they would tell a helpline if they were being abused
- Respondents to the Public and Professional surveys also identified the need for long term interventions for both adults and children in recognition of the impact of Domestic Abuse and the lengthy recovery processes involved.

6. Alternative Options Considered

- 6.1 Option 1 - The additional capacity could be commissioned independently of the existing service. This request for the extensions to existing contracts is to provide continuation funding for additional staff, adding extra capacity to existing successful provision. Commissioning this additional capacity separately would mitigate against it continuing in the form that it does now.
- 6.2 Option 2 – The additional capacity within the commissioned services could not be extended. This would result in reduced service provision and an increase in waiting times for vulnerable victims of domestic abuse and their families, which is not acceptable.

- 6.3 Option 3 - Extending the additional capacity through increased funding. This is the preferred option based upon the reasoning contained within this report.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 Recommissioning of Domestic Abuse Services Cabinet Report – 18 April 2019
 - 8.2 Provision of a Derbyshire Domestic Abuse Support Service Cabinet Report – 22 October 2019
 - 8.3 Extension of Grant Funding – Domestic Abuse Report to Managing Executive Director - 1 February 2021
 - 8.4 Acceptance of MHCLG Grant Officer Decision and Decision Review Report – 1 April 2021
 - 8.5 Urgent Decision Taken by the Managing Executive Director and Approval for Delegated Authority Relating to Grant Expenditure Cabinet Report – 8 July 2021
 - 8.6 Cabinet Member Report: ‘Derby and Derbyshire Domestic Abuse Support in Accommodation Strategy and proposed contract variations for Domestic Abuse Support Services’ – 20 December 2021
 - 8.7 Business Case 1462: ‘Variation to Contract CCP 19013 Lots 1 and 2, April 2023-March 2024’
 - 8.8 Derbyshire Domestic Abuse Needs Assessment 2021
 - 8.9 Derbyshire Domestic Abuse Needs Assessment Update 2022
- ## **9. Appendices**
- 9.1 Appendix 1 - Implications.

10. Recommendation

That Cabinet:

- a) Approves an extension of the contracts for the Derbyshire Domestic Abuse Support Service and the Derbyshire Domestic Abuse Helpline, at a cost of £0.243m, to maintain enhanced capacity of the commissioned Domestic Abuse Services up until the end of March 2024, to meet continued high demand.

11. Reasons for Recommendation

- 11.1 To sustain current resources in order to meet the continued high level of demand for specialist domestic abuse services.

12. Is it necessary to waive the call in period?

- 12.1 No

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Implications**Financial**

- 1.1 This report requests approval for an extension of two contracts, due to an increase in demand for Domestic Abuse Support, as set out in sections 4.6 – 4.8 above. The cost of the extension of the variations for which approval is now sought is £0.243m.
- 1.2 The requested extension of contracts will maintain the additional capacity until the end of the contract in March 2024, at which time Domestic Abuse Services will be recommissioned and the enhanced capacity considered and fully reviewed as part of this process.
- 1.3 The cost of the contract extensions can be met from the current Community Safety budget for domestic abuse. A summary of the costs is provided in the table below.

	2023-2024
	£m
Outreach capacity	0.224
Helpline capacity	0.019
Total Costs	0.243

Legal

- 2.1 The Director of Legal Services is satisfied that:
- (a) the proposed modification to the contracts for the Derbyshire Domestic Abuse Support Service and the Derbyshire Domestic Abuse Helpline, to maintain the increased spend, is compliant with regulation 72(1) (b) of the Public Contracts Regulations 2015 as the provision of additional services by the contractor have become necessary and a change of contractor: (i) cannot be made for economic or technical reasons due to interoperability with existing services procured under initial procurement; and (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority; and (iii) the increase in value will not exceed 50% of the original contract value.
- (b) the contract can be varied in accordance with Protocol 10 of the Council's Financial Regulations which states, where a contract is to be extended beyond its originally awarded period or indicated spend, a business case is to be approved by the Chief Financial

Officer and the Director of Legal and Democratic Services and where the value of the contract is above the FTS procurement threshold and up to £500,000, it is for Cabinet Member to decide whether to approve the extension of the contract.

Human Resources

3.1 None arising from the report

Information Technology

4.1 None arising from the report

Equalities Impact

5.1 Domestic abuse is a complex crime that can affect anyone, leaving physical and emotional scars on victims for a lifetime and impacting on their families and society into the future. However, evidence suggests that it is an issue which disproportionately affects women and children and that there is an under-representation in services of male victims and LGBTQ+ victims. The grant funded services will enable the specialist providers to continue to provide enhanced support to those with complex needs and to continue development work to increase engagement from under-represented groups.

Supporting victims and their families to access specialist support services at the appropriate time enables them to make their own choices and live independently, reducing the impact on communities and the need for them to access wider services, for example social care and health services.

Corporate objectives and priorities for change

- 6.1 The work outlined in the report will contribute to the following key priorities for the Council as set out below:
- Resilient, healthy and safe communities
 - High performing, value for money and resident focused services
 - Effective early help for individuals and communities

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 The work outlined in this report will support the safeguarding of victims of domestic abuse and their families and will support the reduction of crime and disorder, substance misuse and anti-social behaviour.