

# **POLICY & RESOURCES COMMITTEE ADDENDUM 01**

**4.00PM, THURSDAY, 18 MARCH 2021**

**VIRTUAL**

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through [ModernGov: iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper

# ADDENDUM

ITEM		Page
	<b>GENERAL MATTERS</b>	
156	<b>PUBLIC INVOLVEMENT</b>  (b) Written questions from members of the public. (c) Deputations from members of the public.	3 – 8
	<b>COVID-19</b>	
159	<b>COVID WINTER GRANT SCHEME EXTENSION</b>  Report of the Executive Director for Families, Children & Learning.	9 – 14
	<b>A STRONGER CITY</b>	
163	<b>CENTRAL YOUTH HUB</b>  Extract from the proceedings of the Children, Young People & Skills Committee meeting held on the 8 March 2021.	15 – 18
175	<b>(A) PROCUREMENT OF SERVICES SOCIAL VALUE AND COMMUNITY WEALTH BUILDING</b>  Report of the Executive Director of Housing, Neighbourhoods & Communities.	19 – 82

## **WRITTEN QUESTIONS**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from members of the public:

### **1. QUESTION From: Susan Goodwin**

Setting procurement conditions has been a key way of the Council engaging their contractors fully in equalities laws. Carbon Neutral by 2030 conditions should and could be added to these:

Will BHCC only issue contracts with businesses that have a carbon neutral plan and that can show that they are using renewable materials and carbon neutral transport to deliver these?

This would make a significant transformation to the carbon footprint in Brighton and Hove.

### **2. QUESTION From: Sarah Gorton**

The council declared a Climate and Biodiversity Emergency in December 2018. Bio-diversity is just as crucial. Biodiversity provides functioning ecosystems that supply oxygen, clean air and water, pollination of plants, pest control, wastewater treatment and many ecosystem services. This programme is all about carbon neutral- Brighton and Hove is unique and fortunate in owning much of the farmland around the city. Can we expect another programme on bio- diversity? If so when will this be available? If not can bio-diversity targets be incorporated into this programme?

### **3. QUESTION From: Tash Fairbanks**

Could the Council please clarify how they will:

- a) Communicate the urgent need for rapid progress on carbon reduction to the people of Brighton and Hove? There needs to be a comprehensive communication strategy, involving, for instance, social media, bus stop and bus side advertising, billboard and poster campaigns, inclusion of the issues in all local government communications, leaflets etc. There could be competitions in schools, colleges and in the general community for the best words and images that sum up the issue. Our house is burning, so we have to let people know!
- b) Engage citizens and incentivise residents to play their part in reducing their own carbon footprint, e.g. through using green energy companies.

**4. QUESTION From: Ian Newman**

As a majority of the carbon footprint in the Brighton area is from the private sector; can the Chair confirm that the council will contact all local businesses in the city to find out what their carbon neutral plan is for 2030 and how it will support the Council's own plan?

**5. QUESTION From: Penny Bay**

BHCC does not collect food waste which lots of other councils are managing to do very successfully. Food waste can be turned into high quality compost for local use. It is far better to use food waste for compost than to send it to the Newhaven incinerator.

When can we expect a food waste collection scheme to be implemented in Brighton and Hove?

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Committee for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes.

Notification of one Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

**1. Proposed Changes to Grazing Arrangements on the Beacon Hill Nature Reserve**

**Spokesperson – Boyd Darling**

Members of the deputation:

Dawn Jones  
Libby Darling  
John Bryant  
Mike Sexton

**Proposed Changes to Grazing Arrangements on the Beacon Hill Nature Reserve**

This deputation is made in response to the “*proposed changes to grazing arrangements*” on Beacon Hill Local Nature Reserve (BHLNR) as detailed on the [Rottingdean Parish Council \(RPC\) website](#); and requests that funding for the erection of permanent ‘stock fencing’ along the north-eastern border between the grassland and woodland on BHLNR be refused and any future requests for new permanent fencing be refused in perpetuity.

This deputation is supported by [600+] signatories to a petition (See Appendix 1). This deputation objects to the installation of permanent fencing because we consider it unnecessary; we believe it would effectively enclose the grassland and it would divide up the currently open space; permanently changing the character of BHLNR. This deputation also asserts that the objectives of sheep grazing can still be achieved whilst avoiding the impact that a permanent fence would have on both wildlife and other users of BHLNR.

Currently, the only justification provided in the proposal described on the RPC web page is that the fence “*would reduce staff and volunteer time and the number of materials required to compartmentalise the hill for purposes of grazing sheep.*”

The use of permanent fencing on BHLNR has been a contentious issue since first proposed in 2009. Then there was a petition of protest signed by over 220 local residents. (reported in the Argus on 16/12/2009 – see Appendix 2). The protest led to an agreement at the February 2010 RPC Meeting, that **permanent fencing would not fully enclose BHLNR and “it would only bound the two main roads”** (See Appendix 3). Since this agreement, grazing on BHLNR has been managed by City Parks Rangers with the assistance of RPC’s Beacon Hill Stewardship Group (Formerly ‘Working Group’) and the Friends of Beacon Hill volunteers, using mobile equipment and temporary electric fencing. **This deputation asserts that the “proposed changes to grazing arrangements” at BHLNR can still be achieved through the use of temporary fencing, rendering the proposed permanent fencing unnecessary and disproportionate to the issue it attempts to resolve.**

BHLNR has been open, accessible land and a much-loved local feature for generations; formally designated as an LNR in 2004, it has since become part of the South Downs National Park. The management of the LNR is primarily meant to protect the habitat of endangered skylarks by supporting a range of plants and insects associated with chalk grassland. However, the woodland along the eastern edge of the site also forms a vital part of the overall biodiversity, supporting a diverse community of wild animals.

The proposed fence would, for large sections, separate the two contiguous habitats and, when in use, the temporary gates would turn this into a continuous barrier for the entire length of the hill which could be in place for 3 - 4 months of the year. While there have been opinions expressed on social media and in the RPC statement, regarding the possible effect that the proposed fence may have on the local wildlife. We believe the claim that the fence “will not be a barrier to wildlife” is un-founded and this deputation asserts that the erection of a fence in the proposed location would have SOME effect on the wildlife, the degree of detriment being unquantifiable, it may be benign, like forcing animals to deviate from their usual movement patterns, or it may cause injury or death. (See Appendix 4 for examples of wildlife and livestock entangled in fencing like the type proposed for Beacon Hill.

## Supporting information Item 90(c)(1)

**APPENDIX 1: Petition To: Brighton & Hove City Council, Rottingdean Parish Council, Friends of Beacon Hill and the Stewardship Group. "Stop the enclosure of Beacon Hill Nature Reserve Rottingdean in perpetuity." Full details of all signatories attached.**

**APPENDIX 2: Argus Article published 16/12/2009**

Argus, Wednesday, December 16, 2009

News

theargus.co.uk/news

### ta Bus on road again

and his bus will be out to spread Christmas again tonight. Argus Appeal charity will be back in Wood, setting off from Cresve North.

I head to Shipley Road,



Drive and Bexhill Road moving on to Langley nt, Falmer Road and Road.

Santa Bus is raising for The Argus Appeal e Martlets Hospice in

year the tour raised £12,000.

y effort will be made to santa and his bus down rest.

ever, from time to time experience technical diffi-

### Two hurt in car crash

TWO women were hospitalised after a three-car crash at about 9.15am yesterday on the A272 to Midhurst.

One woman was treated for chest and abdomen pains and another for minor injuries at St Richard's Hospital in Chichester.

An elderly man and a woman had to be freed by West Sussex Fire and Rescue crews.

### Alcohol safety scheme

PLANS to reduce alcohol harm has been supported by Alcohol Concern. An East Sussex strategy called Have Fun, Stay Safe has been awarded a Kitemark by the national charity.

East Sussex Drug and Alcohol Action Team's scheme will target under 18s who drink alcohol, 18 to 24-year-old binge drinkers and harmful drinkers, while helping families and carers.

### Homeowner fined £500

A HOUSEHOLDER has been fined £500 for damaging his historic home. Daniel Lowe was ordered to pay up after removing parts of the inside of his 15th century, Grade II listed property during renovations in 2007.

Mr Lowe, of High Street, Hastings, admitted the charge at Brighton Magistrates' Court (sitting as Crown Court) on Friday.

PICTURE: TERRY APPLIN

TA141209-A3



ANGER: Campaigners do not want to see land, where they walk their dogs, permanently fenced off for sheep

### Sheep grazing protest

DOG walkers have staged a protest against plans to graze sheep on a popular nature reserve.

More than 220 residents in Rottingdean have signed a petition against proposals to erect a permanent enclosure on Beacon Hill.

Dawn Jones, 48, of Grand Crescent, Rottingdean, organised the petition.

She said: "Last year, the council said it was going to put sheep up there but we didn't want a permanent fence all the way around it. It is already difficult for people to walk dogs where there isn't livestock."

She added that most residents are happy with the current situation, where sheep are grazed in the area for a few months every year and temporary electric fencing is put up.

A council spokeswoman said: "Our plans to expand and enclose the grazing area have resulted in some concerns around road safety."

"We are in discussions on the best way to ensure the safety of the sheep, walkers and motorists."

## APPENDIX 3: Extract from Minutes from Rottingdean Parish Council Meeting February 2010

### MINUTES OF THE ROTTINGDEAN PARISH COUNCIL MEETING HELD ON MONDAY, FEBRUARY 1<sup>ST</sup> 2010 IN THE WHITEWAY CENTRE.

Present: Cllrs: Mr J Bastard, Mr F Conisidine, Mr J Canning (Chairman), Mr K Humphreys, Mr J Jense Van Vuuren, Mr B Flinchen, Mrs S Preece, Mr G Rhodes and Mr W Spencer. Five members of the public were also present.

The Chairman invited comments from the public. Mr H Williams noted that all the pavement defects reported in the Traders' Association's Quarterly report had been repaired. He expressed concern that 75% of the West Street short-stay car park would be commandeered by Southern Water later in the year when work started on sinking a shaft for the new sewage system. It was essential that the PC and the Traders' Association were in full possession of facts relating to what alternative arrangements were being put in place for the bus terminus and controlled parking elsewhere in the Village. The Parish Council and the Traders' Association, the City Council, Southern Water and the White Horse Hotel management to ascertain full details, should create an in-depth study group. Ms Frances Thetford asked what steps had been taken during the prolonged icy spell to safeguard feeding and swimming for ducks on the pond and to protect them from hooligans throwing snowballs. She also complained about vehicle clamping on the frontage of the Lloyds Chemist shop on a Sunday. There was nothing on the signage there to indicate that parking on a Sunday, when the premises was closed, would result in clamping. Mr Williams offered to take this up on behalf of the Traders' Association and report back to the Parish Council.

1. Apologies for absence: There were none
2. Declaration of Interests: The Chairman noted that he was remaining as President of the Rottingdean Branch of the Royal British Legion. Cllr Bastard declared an interest in planning application B02009/02854.
3. Minutes of the meeting held on December 3<sup>rd</sup> 2009. These were proposed by Cllr Humphreys, seconded by Cllr Bastard and unanimously approved as a true record.
4. Matters arising from the minutes:

**Sheep Grazing Meeting:** The Chairman reported that the public meeting held on December 15<sup>th</sup> had been far from satisfactory. City Officer David Larkin had given the impression that 260 sheep would be used to graze the nature reserve. The proposed fencing had not been adequately described in view of the agreement reached, immediately prior to the meeting, between the City Council and the LNR Working Group that fencing be reduced and pedestrian gates removed when sheep were out on the Hill. Ward Cllr Mary Means had suggested a further public meeting and this would take place on February 4<sup>th</sup> when the shepherd, who would be responsible for making sure the Hill was not over-grazed, would be present. The Chairman noted that LNR specialists Bill Cook (birds) and Alan Holden (butterflies) were resigning and volunteers were needed to take over their important roles in monitoring the area. The clean-up session would take place on 20/2/2010 and it was hoped that more volunteers than usual would come forward. Cllr Conisidine asked whether there was a conflict of interests from the PC Chairman also being Chairman of the LNR Working Group. It seemed that residents who were opposed to sheep grazing were informed that it was nothing to do with the Parish Council in which case why did Rottingdean have a Parish Council? The Chairman said that the LNR belonged to the City Council and it was they who decided how it would be cut with the Parish Council having no say in the matter. The Working Group had been set up to try to influence the City Council on how the Hill was managed in the best way for the Village and its residents. Originally fencing was going to go all round the area but the Working Group had influenced the City so that it would only bound the two main roads. Cllr Conisidine was of the opinion that the sheep grazing scheme was a Public Relations disaster. The City's savings cuts did not add up as they failed to take into account expenditure on fencing, water troughs and the work that these would involve.

**Beacon Hill Fencing and Water:** Cllr Jense Van Vuuren said that no final decisions had been made at the December meeting and the chances of getting external funding were now negligible although this was still being pursued. The LNR was a City asset and it should spend the necessary money to maintain it.

**A259 and Village vehicle weight restrictions:** Cllr Bastard felt that the A259 bus lanes' project was now finished as far as any further influence from the PC was concerned. There were still no warning signs on side roads that vehicles were accessing a bus lane area despite the PC's having drawn this to the City's

## Supporting information Item 90(c)(1)

### APPENDIX 4

Examples of the wildlife and livestock entangled in stock fencing..

1. Local sheep caught in stock fence.



2. Fox caught in stock fence  
(<https://www.midsussextimes.co.uk/news/video-fox-rescued-fencing-746545>)



3. Fox caught in stock fence  
(<https://www.shutterstock.com/editorial/image-editorial/fox-gets-caught-in-a-wire-mesh-fence-leighton-buzzard-bedfordshire-britain-13-jan-2010-1085197a>)



4. Horned sheep caught in stock fence:



<b>Subject:</b>	<b>Covid Winter Grant Extension</b>		
<b>Date of Meeting:</b>	<b>18 March 2021</b>		
<b>Report of:</b>	<b>Executive Director Families, Children &amp; Learning</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Richard Barker</b>	<b>Tel: 01273 290732</b>
	<b>Email:</b>	<a href="mailto:richard.barker@brighton-hove.gov.uk">richard.barker@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason. The Council only received notification of the Department for Work and Pensions' intention to provide an additional allocation and extend the scheme's coverage to include the Easter holidays on 2 March.

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that due to the timing of the DWP's notification it was not possible to reconcile the remaining funding unspent from the February half term and include the additional grant allocation to know the final amount available until the week commencing 8 March 2021. From that position the council then had to consider the most suitable proposals to recommend to committee.

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In early March 2021 the council was notified that the Covid Winter Grant would be extended to the 16 April 2021 to cover the school Easter holidays. An additional allocation of £300,860 is expected to be granted.
- 1.2 This report outlines proposals for how the additional grant allocation could be distributed, in line with the grant's conditions and intentions.

### **2. RECOMMENDATIONS:**

- 2.1 That the Committee note the indicative additional allocation of Covid Winter Grant of £300,860.
- 2.2 That the Committee note the anticipated underspend of previous Covid Winter Grant allocations of approximately £90,000 in unredeemed vouchers and unrealised allocations as outlined in paragraphs 3.5 and 3.6.

2.3 That the Committee approves the proposals in this report to allocate both the underspend and the additional allocation of grant funding referred to in recommendations 2.1 & 2.2 in accordance with paragraphs 3.5 to 3.7 inclusive, by ensuring the provision of a £20 per child, per week supermarket food voucher over the Easter holidays 2021 to those families whose children are entitled to: free school meals, free childcare places for two-year olds, Early Years Pupil Premium, using the children centres' food bank or are in similar circumstances.

### **3. CONTEXT/ BACKGROUND INFORMATION**

3.1 At the Policy & Resources Committee on 3 December 2020 it was determined that a £25 per child per week supermarket food voucher would be issued over the Christmas and New Year holiday period. This was funded from the council's original allocation of £865,416 Covid Winter Grant.

3.2 At the Policy & Resources Committee on 21 January 2021 it was determined that the remaining Covid Winter Grant funding was allocated across three areas:

- Early Years;
- schools and colleges;
- third party organisations.

3.3 In early March 2021 the council was notified that the Covid Winter Grant would be extended to the 16 April 2021. An additional indicative allocation of £300,860 is expected to be granted.

3.4 Together with the unredeemed element of the initial allocation, which is approximately £90,000, there is a total of approximately £390,860 to allocate prior to the end of the grant period on 16 April 2021.

3.5 It is believed that the initial number of vouchers that would need to be issued was overestimated at the start of this process by about 3% as we relied on estimates from colleagues regarding the potential numbers of children outside of the FSM eligibility criteria such as the food bank users at children's centres and college students requiring additional support.

3.6 Since the scheme's introduction in December 2020 there have been examples of families making contact to say that they did not want to accept the voucher and families who would have been entitled through different routes not accepting the total amount they could claim. It is calculated that approximately 9% of vouchers have been unredeemed through the process.

3.7 It is proposed that the estimated £390,860 remaining Covid Winter Grant be allocated by issuing £20 supermarket vouchers per eligible child, per week. Eligibility will be as agreed at December 2020 P&R Committee, namely children eligible for: Free School Meals, free childcare places for two-year olds, Early Years Pupil Premium, using the children centres' food bank.

3.8 This proposal is in line with the government's conditions for the use of the grant. However, the value of the vouchers is £5 lower than the £25 agreed at P&R Committee in December 2020.

- 3.9 It is expected that approximately 10,000 vouchers will need to be issued for the period. If £20 vouchers were issued it is estimated that this will exceed the full funding provided by the grant by approximately £9,140. The shortfall in funding will be met from government allocated Free School Meal funding. The total amount of additional funding required will not be known until late April 2021 when the extent of unused or unredeemed vouchers will be known. If £25 vouchers were issued this would exceed the funding provided by £109,140. This shortfall is significant and there is insufficient funding from other sources to cover this amount.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The council could issue supermarket food vouchers to a lower value and remain within the grant's funding levels. However, this will mean that the full government grant allocation would be unlikely to be claimed and families would not receive the maximum support available.
- 4.2 One option available to the council is to consider simply increasing the funding allocation to each of those groups who received a proportion of the original £90,000 allocation. However, a consideration to be borne in mind is that the criteria and process for applications and grants was developed within the previous limits. Arriving at an equitable formula for increasing funding allocations at relatively short notice would be problematic.
- 4.3 The option described at 4.2 furthermore risks calling into question earlier decision-making, where a different outcome might have been reached in relation to parts of bids not deemed eligible within previous limits had the entire funding allocation been available at that time.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The timing of the additional grant allocation and the timescale by which it needs to be allocated has precluded additional community engagement.
- 5.2 Two previous reports on the Covid Winter Grant have been considered by the Policy & Resources committee. The original proposals were endorsed by the food 'cell' and this report outlines an extension of one of the main tenets of the original proposals, the allocation of supermarket food vouchers to families whose children qualify for free school meals or similar circumstances.

#### **6. CONCLUSION**

- 6.1 Due to the timing of the notification that the council would receive additional Covid Winter Grant funding and the extension of the scheme's closing date, it has been necessary to make a swift decision about how the council's allocates the additional funding and ensures it provides the maximum assistance possible to affected families by maximising the full allocation provided to the council.
- 6.2 As a result, it is proposed that an additional £20 per child, per week supermarket food voucher is issued for the Easter holidays to all those families whose children qualify for free school meals or similar circumstances. This is in line with the previous allocation and meets the requirements of the grant's conditions by

meeting immediate needs and help for those who are struggling to afford food and bills. With at least 80% of the total funding being ring-fenced to support households with children.

- 6.3 At present it is estimated that the total cost of the proposal will exceed the total grant allocation by approximately £9,140. This will be met from other funding sources if ultimately required. It is possible that the total amount will be less than this due to the rate of vouchers that remain unredeemed within the timescale they are issued.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The Department of Work & Pensions Covid Winter Grant Scheme determination provides a total allocation of funding of £1,166,276 to Brighton & Hove City Council. The grant must be fully utilised by 16 April 2021. The proposals in this report are consistent with the published grant conditions and guidance.
- 7.2 The proposals indicate a small over-allocation of £9,140 but there is sufficient flexibility within the Free School Meals funding available to the council to manage this variance. However, the experience of unredeemed vouchers to date suggests that this is unlikely to materialise.

*Finance Officer Consulted: Nigel Manvell*

*Date: 11/03/21*

### Legal Implications:

- 7.3 The Council must ensure that the grant funding is allocated in accordance with the terms of the Covid Winter Grant funding agreement and that it organises the distribution of funding in accordance with that agreement and the decision of this Committee.

*Lawyer Consulted:*

*Victoria Simpson*

*Date: 10/3/21*

### Equalities Implications:

- 7.4 Previous reports on the allocation of Covid Winter Grants have been accompanied by an Equalities Impact Assessment. The proposals in this report are a continuation of a method of distribution previously used and will seek to ensure the full grant allocation is used.
- 7.5 The allocation of additional grant funding is an additional support for the council to allocate to families who may be greater affected by seasonal factors over winter. By keeping referral processes to a minimum and using a voucher scheme that provides a range of shops in a geographically diverse group of shops it is expected that families will be able to maximise the benefit of the scheme to provide themselves with food and support as required.

Sustainability Implications:

- 7.6 A range of supermarkets can be used by families to ensure that they do not need to take excessive and unnecessary journeys to use the supermarket food vouchers being issued.

Brexit Implications:

- 7.7 There are no Brexit implications as a result of this report's recommendations.

Public Health Implications:

- 7.8 The recommendations seek to ensure families can receive support to be provided with food during the winter and to provide organisations the ability to incorporate food preparation and eating together or education on constructing nutritious meals on a budget that will have future health benefits.



**Subject:** Central Youth Hub – Extract from the proceedings of the Children, Young People & Skills Committee meeting held on the 8 March 2021

**Date of Meeting:** 18 March 2021

**Report of:** Executive Director Families, Children & Learning

**Contact Officer:** Name: Lisa Johnson Tel: 01273 291228  
E-mail: [lisa.johnson@brighton-hove.gov.uk](mailto:lisa.johnson@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE**

**Action Required of Policy & Resources Committee**

To consider the report and the recommendations from the Children Young People & Skills Committee.

**Recommendations:**

- (1) That it be agreed that the Council can enter into a non-legally binding Memorandum of Understanding with Brighton Youth Centre and OnSide as a basis to submit a funding application and to develop proposals for a Youth Zone in the centre of Brighton;
- (2) That it be agreed to submit a joint funding application with OnSide and Brighton Youth Centre to the Youth Investment Fund; and
- (3) That the revised funding arrangements as set out in the Central Youth Hub report and financial implications be approved.

**BRIGHTON & HOVE CITY COUNCIL**  
**CHILDREN YOUNG PEOPLE & SKILLS COMMITTEE**

**4.00pm 8 MARCH 2021**

**VIRTUAL**

**MINUTE EXTRACT**

**Present:** Councillor Clare (Chair) Hills (Deputy Chair), Allcock (Opposition Spokesperson), Brown (Group Spokesperson) Grimshaw, Hamilton, Lloyd, McNair, Nield and Simson.

**Co-optees:** Ms L Brown, Mr T Cristin, Mr B Lewis, Mr A Muirhead and Mr S Parr.

**77. Central Youth Hub**

- 77.1 The Committee considered the report of the Executive Director Families Children & Learning which provided information on the option to form a partnership with OnSide and Brighton Youth Centre (BYC) to bid for funding from the Government's Youth Investment Fund (YIF) to develop a Youth Zone in the city and outlined the Council's financial commitment if there was agreement to proceed. The report was introduced by the Head of Service - Integrated Team for Families, Youth & Parenting, and by Mr M Roe (BYC) and Ms C Kanakides (Onside).
- 77.2 Ms L Brown supported the idea of a youth centre but was concerned that if it were located in the centre of the City it may not be accessible for young people living further away, particularly with the cost of bus fares, and suggested that the funding be distributed to a number of projects across the whole City instead. The Head of Service said that was a good point, but data showed that young people did travel across the City to access youth centres. Ms Kanakides said that one of the issues being considered was providing a minibus and/or providing a bus pass to allow people to travel for free.
- 77.3 Councillor Simson noted that there may be an option of selling the Council the land and building and asked what the financial implications maybe for the Council. The Head of Service said that would need to be discussed further before any decision was made. Councillor Simson noted that OnSide Centres worked with 8 -19 yr olds and asked where the funding would come from to work with those aged 8 -11 as currently the funding from the Council that was given to youth provision was from age 11 upwards. Mr Roe said that they already worked with those aged 8-11 as funding came from a variety of sources so there would be no demand on the Council to provide finance for that age group. Councillor Simson was also concerned that having a Centre in the middle of the City could be detrimental to those living in the outlying areas who for various reasons may not be able to access it. The Head of Service said that there was a commitment to retain the neighbourhood projects, which would be linked to the Central Youth Hub and would support access.

- 77.4 Councillor Hamilton noted that this was the first step in a long process, and that a funding application was being made which may or may not be successful. The report said that ideally the venue would be built on land owned by the Council in the centre of the City, but he understood that the only possible sites were in Moulsecomb, Coldean and Portslade and so the Brighton Youth Centre was really the only viable option. He said that recommendation 2.3 was important and asked that the fringe areas were not sacrificed for a central venue.
- 77.5 Councillor Brown said that the Conservative Group did have some reservations, and whilst they fully supported the idea were concerned about the financial implications of such a large project. She noted that the capital investment required from the Council, even with a successful bid to the Youth Investment Fund, had increased from £2.1m to £2.7m since the pre-meet held a few weeks before this meeting, which was a concern. Only £30m of the £500m of the investment fund would be released and that made our chance of securing the money slimmer. The report said that the land could be bought for a nominal fee but there was no indication of what that fee would be or of the long-term financial implications for the Council. The Head of Service referred to the change to the finances and said that when the papers were prepared for the pre-meet the figure was £2.1m, but it had increased as usually councils would be asked to contribute £400k a year for the three years, and an agreement had been made previously that instead of paying £400k this Council would pay £200k and pay £600k up front in capital, so that was where the difference of £600k came from. The Chair added that the revenue money put in the budget this year covered that funding and that would cover the capital funding and but also some revenue which could be save up to the point that the revenue was available.
- 77.6 Councillor Hills said that it would be good to have a state of the art centre for young people in the City. She noted that the venue may be in the pilot low-traffic neighbourhood and asked if there would be provision to store bicycles and hoped that the building would have a low environmental impact. Mr Roe said that he hoped that there would be places to park bicycles and the building would be environmentally friendly.
- 77.7 Mr Muirhead said that youth investment could only be a good thing and was pleased that BYC would be a key provider.
- 77.8 Councillor McNair asked if the new partnership would work with other groups such as Scouts etc. Mr Roe said that the facilities would be available to all groups and expected there to be more interaction with other youth groups.
- 77.9 Councillor Allcock said that it was important to invest in young people and welcomed the investment from OnSide. It would be important to ensure that the project was as sustainable.
- 77.10 The Committee voted on the recommendations. The Conservatives confirmed that they would be abstaining, and all others were in favour of the recommendations.
- 77.11 **RESOLVED:** That the Committee –
- (i) Agreed that the Council could enter into a non-legally binding

Memorandum of Understanding with Brighton Youth Centre and OnSide as a basis to submit a funding application and to develop proposals for a Youth Zone in the centre of Brighton;

- (ii) Agreed to submit a joint funding application with OnSide and Brighton Youth Centre to the Youth Investment Fund;
- (iii) Noted that any revenue the council commits to this scheme would not detract from the existing neighbourhood focused Youth Service Grants to areas 1, 2 and 3.

<b>Subject:</b>	<b>Procurement of Services Social Value and Community Wealth Building</b>		
<b>Date of Meeting:</b>	<b>18<sup>th</sup> March 2021</b>		
<b>Report of:</b>	<b>Director of Housing Neighbourhoods and Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jo Player</b>	<b>Tel: 292488</b>
	<b>Email:</b>	<a href="mailto:jo.player@brighton-hove.gov.uk">jo.player@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

Note: By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason, given the need to progress this matter urgently, including the request in the Member letter, this matter cannot wait until the next scheduled meeting of the Committee and the Chair is has agreed that it can be added to the agenda as an urgent item.

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that a proper appraisal of the issues raised and an evaluation of the options could not be completed in time for the report to be despatched with the agenda..

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In Autumn 2020 Brighton & Hove City Council (BHCC) along with East Sussex County Council (ESCC) the Office of the Sussex Police and Crime Commissioner (OSPCC) launched a procurement exercise for the re-commission of Domestic Abuse, Domestic Violence and Sexual Violence services in the City and across East Sussex (the domestic abuse contract). Following the award of the contract in January 2021, concerns have been raised regarding the process and outcome of the procurement.
- 1.2 A petition has been presented to Policy & Resources Committee today 18<sup>th</sup> March 2021 setting out those concerns.
- 1.3 In a letter to the Chief executive, the chair of Tourism Equalities Culture and Communities committee (TECC) requested that a report be considered at the TECC meeting of 11<sup>th</sup> March setting out the process regarding the re-commission described in 1.1 above and recommending that a further report comes to Policy & Resources Committee requesting that a Member Working Group is set up.

This report confirms the recommendations from TECC and requests a Member Working Group is established, reporting to Policy & Resources Committee.

## **2. RECOMMENDATIONS: That Policy & Resources Committee:**

- 2.1 Notes the recommendations of TECC Committee on 11th March 2021, as set out at paragraph 3.4 below.
- 2.2 Agrees to establish a Cross Party Member Working Group to:
  - (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
  - (ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
  - (iii) Recommend any necessary changes and actions for improvement
- 2.3 Agrees the proposed Terms of Reference for the Members Working Group attached at Appendix 3.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The report that went to TECC setting out the background and the process for the Joint Commission of Domestic Abuse, Domestic Violence and Sexual Violence services in the City is attached at Appendix 1. This explains the process that was followed for that particular tender and provides an explanation of the procurement rules that had to be followed.
- 3.2 Concern has been expressed that the Member Working Group that was agreed to by councillors at Neighbourhoods Inclusion Communities and Equalities committee in October 2018, to oversee this process was not convened. The recommendations from that committee can be found in Appendix 1 at paragraph 3.2. An explanation of why this did not take place can be found in Paragraph 3.23 in Appendix 1.
- 3.3 Concern has also been raised that social value in line with the Council's Social Value framework was not included in the specification for the contract for Domestic Abuse services. Again, this is explained in Paragraph 3.14 of Appendix 1 setting out that it is the view of the council that social value was included in the specification.
- 3.4 An extract of the TECC Committee held on 11<sup>th</sup> March is attached at Appendix 2. The recommendations from TECC were as follows:-

### **TECC recommendations agreed on 11<sup>th</sup> March 2021:-**

That Committee

- (1) Notes the contents of the report.

- (2) Expresses concern that Audit & Standards Committee has declined to carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements over which tens of thousands of residents have petitioned the Council for action.
- (3) Recommends to Policy & Resources Committee the establishment of a cross-party Member Working Group to:
  - (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
  - (ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
  - (iii) Recommend any necessary changes and actions for improvement.

3.5 It is therefore proposed that a Cross Party Members Working Group is established to review the Council's policy and practice regarding social value and community wealth building from a commissioning and procurement perspective, including the Domestic abuse contract, and recommend any necessary changes and actions for improvement. It is proposed that draft Terms of Reference for the Cross-Party Members Working Group attached at Appendix 3 are agreed.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 Councillors may consider not establishing a Member Working Group as described above, having considered the information presented to TECC Committee regarding the procurement process as set out in Appendix 1.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 There has been a range of community and local concerns that have been expressed following the procurement process and the recommendations in the report seek to address these concerns.

#### **6. CONCLUSION**

6.1 This report provides a suggested mechanism for a councillor review of both a specific procurement and the application of the Council's Social Value Framework.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

There are no financial implications arising from this report

*Finance Officer Consulted: Michael Bentley*

*Date: 10/3/2021*

Legal Implications:

Policy & Resources Committee is the Committee with delegated responsibility in relation to procurement matters and is therefore the appropriate committee to set up the proposed task and finish Member Working Group.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 15/3/21*

Equalities Implications:

- 7.3 An Equalities Impact Assessment was undertaken in relation to the domestic abuse contract and this will be reviewed alongside the Social Value Framework as part of the proposed MWG.

Sustainability Implications:

- 7.4 None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Report to TECC Committee on the 11 March 2021 – Item 84 and associated appendices
2. Extract from the proceedings of the TECC Committee meeting held on the 11 March 2021
3. Proposed Terms of Reference for the Cross-Party Member Working Group

<b>Subject:</b>	<b>Commissioning of Domestic Violence and Abuse Services</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> March 2021</b>		
<b>Report of:</b>	<b>Director of Housing Neighbourhoods and Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jo Player</b>	<b>Tel: 292488</b>
	<b>Email:</b>	<b>jo.player@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that a proper appraisal of the issues raised and an evaluation of the options could not be completed in time for the report to be despatched with the agenda. Given the need to progress this matter urgently, including the request in the Member letter, this matter cannot wait until the next scheduled meeting of the Committee and the Chair is has agreed that it can be added to the agenda as an urgent item.

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Following the agreement to re-commission Domestic Abuse, Domestic Violence and Sexual Violence services by the Neighbourhoods Inclusion, Communities and Equalities Committee in October 2018, in Autumn 2020 Brighton & Hove City Council (BHCC) along with East Sussex County Council (ESCC) and the Office of the Sussex Police and Crime Commissioner (OSPCC) launched a procurement exercise for the re-commission of these services in the City and across East Sussex. Following the award of the contract in January 2021, concerns have been raised that the current incumbent had not been awarded the new contract.
- 1.2 A petition will be presented to Policy & Resources committee on 18<sup>th</sup> March 2021 setting out those concerns.
- 1.3 The Chair of Tourism, Equalities, Communities and Culture (TECC) requested that a report come to this committee setting out the process regarding the re-commission and recommending that a further report goes to Policy & Resources Committee requesting that a member oversight group is set up.

### **2. RECOMMENDATIONS:**

- 2.1 That the Committee notes the contents of this report.

- 2.2 That the Committee recommends to Policy & Resources committee the establishment of a Cross Party Member Working Group to:
- (i) Review the Council's policy and practice regarding social value and community wealth building from a commissioning and procurement perspective including the Domestic abuse contract
  - (ii) Recommend any necessary changes and actions for improvement.

### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Joint Unit for Domestic Abuse Service between Brighton & Hove and East Sussex has been in place for at least seven years. The Joint Strategic Commissioner is jointly funded by BHCC and ESCC to deliver work that benefits both organisations. East Sussex and Brighton & Hove provide 2 partnership development officers and jointly fund a MARAC (Multi Agency Risk Assessment Conference) team leader.

Having a joint unit reduces costs for the support team which can be put into the commissioning budget. A joint commission with East Sussex County Council allows both authorities to benefit from economies of scale and develop more efficient communication and integrated services with providers and partners for the benefit of those accessing the services.

The development of a new Pan Sussex Domestic Abuse/Violence strategy represents a commitment through partnership, to using the resources we do have most efficiently, and a commitment to improve cross sector and cross area working relationships to unlock new opportunities. A Pan Sussex DA framework has been in place since 2014.

- 3.2 The existing contract for Domestic Abuse, Domestic Violence and Sexual Violence services was due to end in September 2018 and so in July 2018 a report was considered by Neighbourhoods, Inclusion, Communities and Equalities Committee (NICE) setting out proposed re-procurement of Domestic Abuse services in the City. (Domestic and Sexual Abuse: Future Commissioning Options).

At that committee the report was not agreed, and a further report was requested setting out more detail including full costings and options. This report is attached at Appendix 1. In October 2018 a further report was presented. This is attached at Appendix 2. This report was considered by NICE (Options for the Commission of Domestic Violence and Abuse and Sexual Violence Services) and the following recommendations were agreed:

- Note the intended timescales and development plan as set out in Appendix 3 of this report for the redevelopment of the Domestic Violence and Abuse and Sexual Violence Strategy will inform the recommissioning of Domestic Violence and Abuse and Sexual Violence services.
- Approve the extension of the current Portal contract until 30th November 2019.

- Grant delegated authority to the Executive Director, Neighbourhoods, Communities and Housing to participate in the joint commission of Domestic Violence and Abuse and Sexual Violence services in Brighton and Hove and East Sussex and refuge provision in Brighton and Hove only, and including the procurement process and contract award with services to commence in December 2019.
- Agree to establish a Cross Party Member Working Group to provide oversight on the commission and request that the officers report to the working group at key stages throughout the procurement process.

3.3 In March 2019 a further report – (Domestic and Sexual Violence and Abuse against Women and Girls Strategy and Action Plan) went to NICE regarding the Violence Against Women and Girls (VAWG) strategy. This report is attached at Appendix 3 and contains a copy of the draft strategy. The report indicated that the strategy had been developed reflecting government guidance (VAWG Commissioning Toolkit) by working with partner agencies across Brighton and Hove and East Sussex on a broad stakeholder engagement programme to develop the new strategy.

A small cross sector working group with representation from BHCC, ESCC, OSPCC and the local Voluntary Sector developed the Strategy Framework presented to the NICE Committee. The report included the draft strategy (the Partnership Domestic and Sexual Violence and Abuse and VAWG strategy) and explained how this linked to the re-commissioning of specialist domestic and sexual violence and abuse services across Brighton and Hove and how it was proposed to progress the commissioning process. The following recommendations were agreed:

- That the Committee approves the Strategy Framework as set out at Appendix 3;
- That the Committee notes the planned further stakeholder engagement work as set out at Appendix One to develop the full Strategy and Action Plan.

3.4 In June 2019 NICE committee was decommissioned and Tourism Equalities Culture and Communities committee was created. In July 2019 a report updating on the work of the community safety strategy (Community Safety and Crime in Brighton and Hove) was considered by TECC committee (which was now the committee with responsibility for this area). Whilst there were no recommendations about the re-commission of domestic abuse services, it did reference a stakeholder event to be held in November 2019 to start to engage with stakeholders to develop the specification of the commission based on the VAWG strategy.

3.5 In November 2019 the stakeholder event, involving existing service providers including RISE, victims of domestic abuse and key strategic partners such as the Police, Probation, Health colleagues and services such as Housing from within the council, took place. Alongside this main event there had been a series of other engagements with stakeholders between January 2019 and October 2019 which included a primary research report produced by Against Violence and Abuse (AVA -research carried out in 2018), followed by a structured programme

of stakeholder discussions, focus groups and workshops to explore key themes and the needs of people with a range of protected characteristics including women and girls, the LGBTQ+ community, people with a disability including mental health need, people from ethnic minorities, older people, children and young people, those involved in sex work, those with multiple and complex needs, and victims of harmful practices.

- 3.6 The initial contract for DA etc services started on 1<sup>st</sup> October 2015 and was due to run until end of September 2018. A six-month extension to 31<sup>st</sup> March 2019 was agreed by the then Executive Director to allow for the development of the strategy and commission as the Joint Strategic Commissioner felt that further engagement would be beneficial.

A further extension was agreed by councillors at NICE committee as set out above until November 2019. Officers had also had discussions with the then Executive Director about extending the existing contract to February 2020 as there had been some slippage on the process due to some personnel issues. This was agreed.

Due to the COVID pandemic it was further agreed with the Executive Director that it would be appropriate to further extend the existing contract until November 2020 so as not to put additional pressure on potential bidders. This was because of an increase in cases and staff shortages due to the pandemic.

These extensions were agreed with the Executive Director in line with the delegated authority granted to them by NICE committee in October 2018.

- 3.7 During September 2020, the legal and financial implications of the commission were signed off by both relevant legal and finance colleagues in both Brighton & Hove and ESCC. It had been agreed that ESCC would provide procurement support whilst BHCC would provide legal support to the process.

Following this, the Official Journal of the European Union (OJEU) notice was issued on 9<sup>th</sup> October 2020 and the Invitation to Tender was issued on the 12<sup>th</sup> October 2020. Included in the Invitation to Tender were the outcome of those engagement events mentioned above as a key reference document, along with Equality Impact Assessments which had been signed off by equalities lead officers for both authorities.

Bidders had until 28<sup>th</sup> October to seek clarification on the tender specification with bids to be submitted by 10.00am on 11<sup>th</sup> November 2020. The bidders had an opportunity to ask questions to clarify points which they were uncertain of.

During December 2020 evaluation and moderation of the bids took place. This involved, members of the evaluation panel scoring the bids individually and then meeting to finalise the scores.

On 6<sup>th</sup> January 2021 the contracts were awarded. The new contracts are due to go live on 1<sup>st</sup> April 2021. The successful bidders have been formally notified in accordance with the requirement of the Public Contracts Regulations 2015 that they are the successful bidders.

- 3.8 The existing contracts for DVA services terminate at the end of March 2021 and the council is required to re-procure them in compliance with the Public Contracts Regulations 2015. This requires officers to follow a formal, regulated process and

advertise the opportunity so that any service providers can submit a bid. The council must say at the start of the procurement how it will evaluate bids and will be in breach of the regulations if it does not apply that criteria.

- 3.9 The procurement principles underlying any procurement exercise are that each economic operator (i.e. potential bidder) is treated equally and without discrimination, and that the council as contracting authority acts both transparently and proportionally.

The contracting authority should seek to establish a level playing field as far as possible between potential bidders whether they are incumbent providers, those new to the market, whether they are small or medium sized enterprises or larger organisations. It is not permissible to favour local bidders.

Regulation 18 of the Public Contracts Regulations 2015 prevents contracting authorities from designing a procurement with the intention of narrowing competition by unduly favouring or disadvantaging certain economic operators. It would be unlawful to design the procurement to make it more likely that the incumbent provider won the contract or for the council to show bias towards RISE or any other organisation during the evaluation process.

- 3.10 The Procurement Regulations require contracting authorities to select the best tender which has the highest score based on the criteria set out at the start of the process. The contracting authority must assess objectively against the published criteria the responses of the providers to determine which is the most economically advantageous tender (Regulation 67). It is not permissible to take into account the performance of the incumbent provider in the evaluation process.
- 3.11 Councillors are not involved in evaluating bids and evaluation requires specialist knowledge of the services being procured.
- 3.12 Awarding public contracts is tightly regulated to ensure all bidders are treated equally and to ensure the process is non-discriminatory and transparent. It is unlawful to design a procurement to artificially narrow competition. The council must try to ensure a level playing field for all bidders and must evaluate tenders objectively.
- 3.13 Throughout the process, the Procurement Officer acting as moderator ensured that no information relating to external knowledge of any bidder was introduced into the discussion, and that no assumptions were made that could not be evidenced within a bidder's specific response to each specific question. Those involved in the scoring each part of the bid were not aware of the overall score so were not aware of the impact their score would have on the outcome.
- 3.14 The three contracting parties to the tender (ESCC, BHCC, Sussex Police and Crime Commissioner) considered that the services required as part of the tender were best let in separate Lots, not least because of the different geographic spread of the services, and so as to enable a wide variety of bidders with expertise in specific areas, such as stalking and sexual violence and abuse. It was also considered that not all bidders would have the experience to deliver effectively all the separate categories of services required. This approach was widely discussed during the engagement exercises with both incumbent service providers and broader

stakeholders and was both anticipated and welcomed. The lots were designated as follows:

1. Brighton & Hove community domestic violence and abuse services
2. East Sussex community domestic violence and abuse services
3. Pan-Sussex Sexual Violence and Abuse Services
4. Pan-Sussex Stalking and Harassment Services (new contract)
5. Brighton & Hove refuge service

3.15 The tender specification and quality questions were drafted in line with the Brighton & Hove Social Value Framework and the Social Value Act. The Council's Social Value Framework sets out the following definition of social value

**'Social Value is about securing maximum impact on local priorities from all public investment. The city will maximise social value by focusing particularly on strengthening communities through collaborative working across the public, private and community and voluntary sectors.'**

The Social Value Act considers social, economic and environmental benefits, within a procurement. BHCC is satisfied that it met its duty regarding consideration of Social Value. Social Value was embedded throughout the questions to bidders.

3.16 BHCC Council provides support to third sector organisations to complete funding bids through funding to Community Works. Following Budget Council approval in February 2021, a new role is being created in the council's Procurement team which will be solely focussed on creating Social Value and sustainability in the Council's procurement processes.

3.17 Following evaluation of the bids, Lot 1 was awarded to Victim Support and Lot 5 awarded to Stonewater. The contracts will last for five years with the possibility of an extension for a further two. Providers during the consultation phase had expressed a wish for longer contracts to ensure stability and continuity of funding.

3.18 The Victim Support team is Sussex-based and supported by over 79 Sussex resident volunteers. The organisation will take a proactive and collaborative approach to engaging stakeholders and developing the service to the needs of the service users. Last year Victim Support Sussex handled 3,402 referrals regarding survivors of domestic violence and abuse living in Brighton & Hove. Victim Support will be offering a 24/7 helpline which is above what was requested in the specification and webchat service along with online support tools 1-2-1, group and peer support. The service will include a programme of education, training, and community activities to promote safe and healthy relationships and the wider support services available.

3.19 Stonewater Ltd deliver services in Brighton & Hove and across the UK and are a provider of commissioned housing and support services. The service provides added value with move-on social housing options for refuge residents. They provide services nationally and deliver a number of specialist domestic abuse services embedded within their local communities. They evidenced track record

of working with survivors of domestic abuse, including those with multiple complex needs. They are also the providers of an industry leading LGBTQ+ Safe Space that provides accommodation and support for people who identify as LGBTQ+ and have experienced domestic abuse and/or hate crime.

- 3.20 Concern has been raised that services specifically for women will be affected by the new contract. This is not the case.

BHCC is aware that domestic abuse disproportionately affects women and women with children and we have commissioned services that prioritise women's safety as the highest group of people affected.

- 3.21 The commissioners from all three commissioning bodies (BHCC ESCC OSPCC) will support the new providers through the mobilisation/transition phase, when the contract goes live on 1<sup>st</sup> April 2021 and continue to monitor the contract and performance throughout its lifetime.

- 3.22 The Public Contracts Regulations 2015 require the council to award the contracts to the providers who had the highest scores based on the quality of their bids.

If the council was to reverse its contract award decision, the winning providers might bring a challenge under the Regulations. The outcome of a challenge could be either to force the council to award the contract to the winning bidder or to require the council to pay the winning bidder damages.

- 3.23 Concern has been expressed that a Cross Party Member Working Group referenced in paragraph 3.2 above which should have been set up was not arranged.

This was a result of the existing contract being extended to November 2019, key people leaving the organisation and unfortunately it coincided with a time when officer capacity was very stretched in dealing with the Covid 19 pandemic.

Nonetheless, the officer team are mindful of this oversight it is hoped that the Cross Party Member Working Group will consider how best to keep members informed of technical procurement processes in future.

- 3.24 Councillors may be aware that the city council has been awarded just over £600k by the Ministry for Housing Communities and Local Government (MHCLG) for domestic abuse services to ensure that we meet our duties under the new Domestic Abuse Bill. This money has not yet been received. The funding will be provided by way of a grant or contract following an appropriate selection process.

The awarding of this money will be a committee decision as a committee report is required to allocate funding of this size to comply with Contract Standing Orders (if it is a contract) or to establish a transparent and fair process (if it is a grant).

- 3.25 It is proposed that TECC recommend to Policy and Resources (P&R) committee that a Cross Party Member Working Group be established to:

- review the council's policy and practice regarding social value and community wealth building from a commissioning and procurement perspective including the Domestic Abuse contract

- recommend any necessary changes and actions for improvement including member oversight.

P&R committee will be asked to approve terms of reference for the Member Working Group. The terms of reference will propose that the Member Working Group works closely with the Procurement Advisory Board which is the permanent Member Working Group which advises the P&R on procurement matters.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The procurement process for commissioning DV services is complete and no actions are required to ensure services for DV victims in B&H can continue under the new contracts in line with the strategy agreed by NICE in March 2019. TUPE arrangements are in place for existing staff to transfer to the new providers if they chose.

#### 5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This is set out in the body of the report.

#### 6. CONCLUSION

- 6.1 This report is to provide an update of the current domestic abuse and violence commission and to invite any comment.

#### 7. FINANCIAL & OTHER IMPLICATIONS:

##### Financial Implications:

There are no direct financial implications arising from the recommendations made in this report.

The maximum total value of the BHCC commissioned contracts (*Lots 1 and 5*) over seven years (*contracts will last for five years with possibility of an extension for a further two*) is approximately £5.178m.

	Annual	Total contract Period 7 years (5+2)
	£	£'000
BHCCC element	£609,680	£4,267,760
OSPCC	£80,000	£560,000
Brighton & Hove CCG	£50,000	£350,000
<b>Brighton &amp; Hove Commissioned Contracts</b>	<b>£739,680</b>	<b>£5,177,760</b>

*Finance Officer Consulted: Michael Bentley*

*Date: 04/03/21*

Legal Implications:

The Council is required to comply with the Public Contracts Regulations 2015 when procuring contracts. Further details are set out in the body of the report. The council's Policy & Resources Committee has responsibility for procurement so is the appropriate committee to set up the working group.

*Lawyer Consulted: Alice Rowland*

*Date: 2/3/21*

Equalities Implications:

- 7.3 There are no equalities implications arising from this report. In depth equality impact assessments were carried out as part of the procurement process. The Council recognises the importance of these services to all of our communities, in particular women who are disproportionately affected by Domestic Abuse.

Sustainability Implications:

- 7.4.1 None



<b>Subject:</b>	<b>Joint Commission of Domestic Violence and Abuse and Sexual Violence Services</b>		
<b>Date of Meeting:</b>	<b>2<sup>nd</sup> July 2018</b>		
<b>Report of:</b>	<b>Executive Director for Neighbourhoods, Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jo Player</b>	<b>Tel: 01273 292488</b>
	<b>Email:</b>	<b>Jo.player@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To seek committee approval to a joint commission of specialist and community based services for victims/survivors of Domestic Violence and Abuse (DVA) and Sexual Violence (SV) for Brighton & Hove by Brighton & Hove City Council (BHCC), East Sussex County Council (ESCC) and Office of the Sussex Police and Crime Commissioner (OSPCC). These services are currently collectively known as The Portal.
- 1.2 The commission will include: 1) pan-Sussex initial needs and assessment centre with a specialist DVA and SV service 2) community-based DVA and SV services and 3) refuge provision. The community based services will be commissioned for Brighton & Hove and East Sussex. The refuge provision will be Brighton and Hove only. The tender and contract arrangements will be developed as part of the new commission. The Council is not committed at this stage to tendering or contracting with either the OSPCC or ESCC.
- 1.3 This paper outlines the rationale for the joint commission, involvement of providers and service beneficiaries, and indicative timescales for the commission.

**2. RECOMMENDATIONS:**

That the Neighbourhoods, Communities, Inclusion and Equalities Committee:

- 2.1 Agree to the joint recommissioning of victim support services to include: a pan Sussex initial needs and assessment centre, community based DVA and SV services in Brighton and Hove and East Sussex and refuge provision in Brighton and Hove only as outlined in section 4 of the report.
- 2.2 A cross-party members group is established to provide oversight of the development of the commission.

- 2.3 Grant delegated authority to the Executive Director - Neighbourhoods Communities & Housing to participate in the joint commission of the services listed in section 4 including the procurement process and contract award following recommendations of the evaluation panel(s), reporting at appropriate times to the cross party members working group.
- 2.4 Approve the extension of the current Portal contract for six months (April 2019 to September 2019).

### **3. CONTEXT/ BACKGROUND INFORMATION**

#### **Drivers for New Commission**

##### **Increasing Demand**

- 3.1 SV and DVA reporting has increased substantially. Using reporting to the Police as an example, between 2013/14 and 2016/17, there has been an increase of 28% in reporting of domestic violence incidents and crimes and an increase of 115% in sexual offences in Brighton and Hove. In 2016/17 there were 4,703 domestic violence incidents and crimes reported to the police and 821 police recorded sexual offences in the city.
- 3.2 Although this increase is substantial, it is accepted that police recorded data is likely to under represent the scale of violence and abuse since as many numbers of people do not report. Applying the latest prevalence rates from the Crime Survey for England and Wales to 2015 mid-year population estimates shows that in Brighton & Hove:
- 7,639 women and girls aged 16-59, and 3,868 men and boys, are estimated to have experienced domestic violence and abuse in the last year
  - 2,515 women and girls, and 677 men and boys, are estimated to have experienced any sexual assault in the last year.
- 3.3 During 2016/17:
- In relation to support services accessed through The Portal <sup>1</sup>, 1495 clients who had experienced DVA were referred to RISE, with a further 221 clients who had experienced SV being referred to Survivors' Network.
  - 468 high risk clients were referred to the local Multi-Agency Risk Assessment Conference (MARAC)
  - 131 residents accessed the local Sexual Assault Referral Centre (The Saturn Centre).
- 3.4 These crime types have a significant impact on victims/survivors, their children and the wider community. Impacts can include: poor mental, sexual or physical health, behavioural problems, substance abuse, poor school achievement, reduced economic prospects and the risk of further violence.

---

<sup>1</sup> The Portal is a partnership of charities – including–

- 3.5 These crime types have a significant financial cost: The individual, economic and social cost of domestic and sexual violence and abuse to the city is estimated to be at least £143 million per annum.

### **Findings of the Domestic Homicide Review and the Business Improvement Review**

- 3.6 The current service model allows multiple access points for victims/survivors which whilst positive is resulting in inconsistency of referrals. There is a systemic issue with the design of victim care pathways from the Police to victim support services. Currently, those victims of DVA crime who are assessed as being at 'standard' risk receive support from Victim Support (commissioned by the OSPCC), while 'medium' and 'high' risk victims are supported through The Portal. This means there are different offers made to clients depending on their level of risk at the point of a report to the Police, and so the response is driven by a Police risk assessment rather than a specialist service assessment of victim risk and need. This is inefficient and creates parallel pathways (e.g. where risk levels change). There is also an inbuilt element of unmet need (those victims who are assessed as being at 'standard' risk but who have not been victims of crime are not referred to either service routinely).
- 3.7 Critically this issue has been the subject of findings of Domestic Homicide Reviews (DHRs) in both Brighton & Hove and East Sussex<sup>2</sup>. Recommendations from each have been made to simplify pathways and ensure that victims can access support regardless of level of risk or whether a crime has occurred. Specifically, that there is a need to map the victim journey and review triage and assessment processes to make best use of resources and that a review of the current pathways for referral / assessment relating to DVA, SV and safeguarding needs to be undertaken in order to identify opportunities to reduce parallel pathways, make best use of resources.
- 3.8 It should also be noted that efforts to manage the increasing demand means that the priority afforded to high risk cases has led to reduced availability of prevention and recovery services. This has been exacerbated by failure of agencies to obtain consent to refer victims of DV and SV to specialist services. A recent pilot to improve triage by the police has resulted in a significant reduction in the number of non- consensual referrals.

### **AVA Consultation**

- 3.9 Consultation is currently being undertaken by AVA a national organisation to inform the refresh of the VAWG strategy. The consultation will specifically seek the views of victims/survivors, their families and children, as well as providers of specialist services and identify barriers to services as well as what local provision is needed. This will be important information to help commissioners understanding of service users experiences of current provision and to inform the new specifications for future provision. The consultation is due to be completed at the end of June with the initial report due at the end of July.

---

<sup>2</sup> <http://www.safeineastsussex.org.uk/Domestic%20Homicide%20Reviews.html>

## **Current contracts and provision**

- 3.10 Brighton & Hove City Council currently has a contract with RISE (as lead partner) for the delivery of victim support services. This is known as '[The Portal](#)' and is delivered by a partnership of RISE, Survivors' Network and CGL. They provide a single point of access and help victim/survivors of DVA and SV to find advice and support in Brighton & Hove and East Sussex, principally through community based support services. The Portal was jointly commissioned across Brighton & Hove and East Sussex and is funded by B&HCC, ESCC and the OSPCC. BHCC manages the contract with a Memorandum of Understanding with the OSPCC and a service level agreement with ESCC.
- 3.11 The contract period for The Portal is 1 October 2015 to 30 September 2018. However, it has had a six month extension to allow sufficient time for a new commission to be designed and learning from a new triage pilot funded by the OSPCC to deliver. Therefore the contract currently ends 31<sup>st</sup> March 2019.
- 3.12 The combined spend on DVA and SV services by BHCC within The Portal in 2017/18 was £0.670m. Together with the investment by ESCC and the OSPCC and the Brighton & Hove Clinical Commissioning Group, the existing contract for The Portal was circa £1.4 million in 2017/18.
- 3.13 Within the Portal contract BHCC also contracts for refuge provision in Brighton and Hove. Therefore this is also due to end 31 March 2019.
- 3.14 ESCC has a separate contract with 'Refuge' to provide refuges in East Sussex.

## **4. Proposed Joint Commission: process, timescale and principles**

- 4.1 The OSPCC has commenced a commissioning process to implement a new contract to support victims of all crime types from April 2019. The proposed model makes provision for a countywide DVA and SV initial needs and triage service (to specifically include stalking also) – this represents a considerable change in current processes and is in direct response to the drivers outlined above notably the review of DHR findings and BHCC BPI Review. It is the DV and SV element of the proposed new needs and triage service which the Council will input into with the OSPCC. BHCC will review the final specification for the assessment centre and give consideration to pooling funding depending on the need and benefits to Brighton and Hove.
- 4.2 The DVA, SV and stalking aspect of the model has been designed in collaboration with BHCC, ESCC and counterparts in West Sussex County Council as well as other key stakeholders such as Sussex Police. This part of the model will need to work in conjunction with any local specialist support services and will build upon existing partnerships across service providers.
- 4.3 The intention is that the service will be in place by April 2019 and the commissioning arrangements will make provision for pooled budgets and/or joint commissioning with other partners, should for example BHCC wish to explore these.

4.4 Based on performance management of the current contract and the commission of a new assessment and triage service by the OSPCC, BHCC officers are recommending that a joint commission is carried out between BHCC and ESCC to ensure either a single or aligned specification(s) for community based DVA and SV services in Brighton and Hove and East Sussex and a Brighton and Hove refuge, as well as BHCC participating in the commission of the pan Sussex needs and triage service commission to feed in the city needs and ensure alignment between the specifications.

4.5 The proposed principles underpinning the commissioning will be:

- Point of contact – a single point of access with the response driven by risk and need, offering timely contact and triage.
- Passport through to community based DVA and SV services – enables providers to focus on activity which is their USP
- Multiple ‘points in’ – victim/survivors can still access the local DVA and SV services ; as can other statutory partners
- Connectivity – if additional services are commissioned / funded then they can be ‘plugged in’
- Flexibility – can scale up / down additional capacity
- Sustaining capacity for women, who constitute the majority of victim/survivors, within the context of women only provision, as well as delivering proportionate specialist capacity for Lesbian, Gay, Bisexual (LGB) and Trans (T) people, those from Black, Minority Ethnic (BME) communities and heterosexual me.

These will be tested as part of developing the specification(s).

4.6 Aligning these commissioning streams, and subsequent contracts, is part of developing a shared commissioning approach to provide specialist DVA and SV services from April 2019. This should:

- Ensure that the specification for each part of the SV and DVA service has a coherent relationship with the other parts
- Reduce duplication and inefficiencies between service providers as a result of different commissioning streams including realising economies of scale.
- Allow better management of increasing demand, making the most effective use of resources and supporting service providers.

4.7 Addressing these issues would be consistent with both national and local best practice, reflecting:

- The UK Government’s ‘National Statement of Expectations (NSE)’<sup>3</sup>. Appendix 1.
- The findings from the BHCC Business Process Improvement Review (BPI) of DV and SV in 2017. Appendix 2.

## **Process**

### **Pan Sussex Initial Needs and Assessment Centre**

4.8 As noted above the Head of Commissioning at the OSPCC will lead the commission of a pan Sussex wide assessment and triage centre which will include specialist DVA, SV and stalking provision. Market engagement for the

---

<sup>3</sup> <https://www.gov.uk/government/publications/violence-against-women-and-girls-national-statement-of-expectations>

design of the assessment centre started in June and a further event will be held later in July. Brighton and Hove City Council and current SV and DVA providers are feeding into the design of the centre to ensure it takes account of the needs of victims from Brighton and Hove and the experience of providers delivering community based services.

4.9 The principles for the centre will be:

- To improve triage of victims at point of contact
- To reduce unnecessary burdens on specialist community based services
- Proportionate and appropriate sharing of risk between Police, contact centre and specialist services

4.10 Feedback from the engagement events for the assessment and triage centre will be used to inform the commission of specialist community based provision and future engagement activity for developing the latter's specification.

4.11 The OSPCC is anticipating publishing the tender for the centre in August 2018 and the new service to go live April 2019.

4.12 A recommendation on whether this specification meets the needs of Brighton and Hove and if BHCC should pool funding will be sought from the cross-party members working group.

### **Community Based Services and Refuge**

4.13 From September 2018 through to February 2019 the joint strategic commissioner for SV and DVA for ESCC and BHCC will engage with current and potential providers, and victims and survivors to inform the specification for specialist community based services in East Sussex and Brighton and Hove, as well as a Brighton and Hove refuge. This will include specific detailed engagement with survivors and victims of SV and DVA (see section 6 for examples of the likely engagement). The tender will also be informed by the findings of the AVA<sup>1</sup> survey as well as the final tender and successful bid for the Sussex wide needs and assessment centre.

4.14 Intention is to publish the tender in February 2019 and the new services to go live September 2019. It is anticipated that the new contract term for the community based services will be for 3 years, with the possibility of an extension of up to 2 additional years at the council's discretion. However, this will be discussed along with preferred delivery models as part of developing the specification.

4.15 This process will help ensure that the three elements of SV and DVA provision across East Sussex, Brighton and Hove and Sussex wide are designed to align with each other and streamline the pathway for victims. It will also, importantly, provide time for the new assessment centre and triage approach to mobilise and inform the new specification for the community based services. It also provides staggered approach to the tendering process, enabling a level playing field between smaller and larger providers.

4.16 The above approach will require the current Portal contract to be extended for a further six months until September 2019.

## Timescale

Activity	Date
AVA consultation	Early April 2018
Current provider engagement for pan Sussex assessment and triage centre	April – July 2018
Publication of tender for assessment and triage centre	August 2018
Award of contract for assessment and triage centre	October 2018
Mobilisation for assessment and triage centre	November – March 2019
<ul style="list-style-type: none"> <li>• Victim and survivor engagement for community based services and refuge, including service standards</li> <li>• Provider engagement for community based services and refuge, including service standards</li> <li>• Feedback from national specialist organisations on community based services and refuge, including service standards</li> <li>• Stakeholder (police, health, CVS) engagement for community based services and refugee including service standards</li> </ul>	September – February 2019
Publication of tender(s) for community based services and refuge	February 2019
Award of contract(s) for community based services and refuge	April 2019
Mobilisation for community based services and refuge	May – September 2019

4.17 Tender applications will be assessed by an evaluation panel comprised of the officers responsible for DVA / SV from the commissioning bodies (B&H, ESCC and OSPCC), as well as Children, Adult and Housing Services from both authority areas. Tenders will be appraised against assessment criteria, based on price and quality, which will include Social Value. At this stage the intention is to award a three year contract with option to extend for a further two years and as per all BHCC contracts funding will be subject to annual budget setting. It is expected that the joint commission will result in two contracts. One, led by the OSPCC for the assessment and triage centre and one lead by BHCC for the community based services and refuge. However purchasing methods will be

tested as part of the development of the commission. The commissioning arrangements will make provision for pooled budgets and/or joint commissioning with other partners, should those options wish to be explored by, for example, the OSPCC.

- 4.18 It is essential that the voice of the service user is at the heart of the process. We are therefore proposing that the service user voice is part of the development of the specification as well as being part of the evaluation process, and if appropriate, a representative from a national DVA or SV specialist service to bring specialist sector expertise. The commissioning process and contract management will be overseen by the VAWG joint commissioning group.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 Alternative options include:

**Option A** - the joint strategic commissioner for SV and DVA for ESCC and BHCC lead two separate commissioning process for the respective councils for specialist community based services for East Sussex to the same timescale as the assessment and triage centre (award in October 2018) and a longer timescale for Brighton and Hove (award in April 2019) as per the timetable in section 4. This would mean commissioning specific Brighton and Hove only services within our own boundaries.

- 5.2 This would require extension of the current contract until September 2019 with re-negotiated provision and outcomes as a result of ESCC withdrawing their funding. This would most likely result in reduced opportunities for efficiency savings; loss of specialists' capacity, and less likely that specialist BME, LGBT or Male posts will be sustainable within a contract solely from BHCC.

- 5.3 If BHCC extend the contract and ESCC withdraw BHCC will potentially be liable for the whole funding until the extended period (September 2019) which is not budgeted for. It could also lead to duplication of service offer, as victim/survivors could potentially be accessing both ESCC commissioned services and BHCC commissioned services. It may also require providers to both mobilise and bid for community services at the same time.

- 5.4 Option B - the joint strategic commissioner for SV and DVA for ESCC and BHCC renegotiates the current contract with current providers. However, the value of the potential contracts (either individually for the City Council at £670,000 or collectively circa £1.5m) are such that a procurement exercise must be completed. This is in accordance with the Public Contract Regulations 2015 and Brighton & Hove City Council's Contract Standing Orders.

- 5.5 The commissioning process as outlined in section 4 is the preferred option by ESCC and the OSPCC.

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 As part of the refresh of the DVA, SV and VAWG Strategy a series of community engagement and consultation events are taking place (run by AVA). These will have a focus on future delivery and will inform the development of the specification(s).

- 6.2 The first stage of consultation with professionals and local statutory and voluntary sector services has been completed (in December 2017). In February and March 2018 there was a further round of consultation, including online consultation with victim/survivors, residents and communities and a number of follow-up focus groups with sample of victims / survivors. The aim is to understand and assess the impact of DVA, SV and VAWG and the services available locally, including identifying which services are needed locally and including questions in relation to current service provision and the design of council commissioned services including The Portal. The consultation process is being undertaken by an external consultant (a national specialist service, AVA<sup>4</sup>).
- 6.3 Detailed involvement of victims and survivors will be carried throughout the engagement period for developing the community based and refuge specifications. These will likely take the form of several different engagement methods, developing a victim/survivor steering/reference group, focus groups, online surveys, drop-ins, piggybacking other engagement activity by relevant service providers. The joint strategic commissioner will be responsible for drafting and delivering the engagement plan. It is vital that victim and survivors voice is heard in the development of the specification.

## **7. CONCLUSION**

- 7.1 The council has several options in taking forward the commission all of which have timetable provides the council with a strong opportunity to maximise its investments and ensure high quality services for residents
- 7.2 A competitive tender process will achieve the best outcomes for victim/survivors, whilst meeting legislative requirements and enabling a long term contract to be let. This option is more likely to secure the stability of the specialist provision in the long term.

## **8. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 8.1 The council has an indicative budget of £0.670m for 2019/20, subject to annual budget council approval in February 2019. At this stage a standstill budget is anticipated for future years of the new commission, however this will be subject to council's annual budget setting process. The same will be applicable for ESCC and the OSPCC. Both have indicated at this stage that budget will be at least the same for the first year. If Option A in section 5 is pursued there is a financial risk that BHCC will potentially be liable for the total funding for The Portal until the extended period (September 2019). This is not budgeted for and provision would need to be made when budget setting in February 2019.

*Finance Officer Consulted: Michael Bentley*

*Date: 06/06/18*

### Legal Implications:

- 8.2 Contracts valued at sums in excess of £500,000 <sup>[i]</sup> require approval to tender and award from the relevant Committee (the Neighbourhoods, Inclusion, Communities & Equalities (NICE) Committee) <sup>[ii]</sup>. If the value the of each of proposed contracts also exceeds the EU threshold for a Light Touch Regime service, being £615,278, the services must be procured in accordance with the Public Procurement Regulations 2015 and advertised in the OJEU (Official Journal of the European Union). Light Touch contracts are subject to less strict procedural regulations but must be compliant with the treaty principles of transparency and equal treatment and be conducted in conformance with the information provided in tender documentation including the award procedure. In order to comply with these principles the time allowed for the preparation and submission of a bid must be reasonable and commensurate with the complexity of the service being procured.
- 8.3 Re-commissioning a service or commissioning a new service may result in a TUPE event (Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014). The TUPE Regulations apply when there is a relevant transfer either as a result of a business transfer or when there is a service provision change. Prospective tenderers must be notified of this consideration at the time of tendering and legislative requirements must be complied with.

*Lawyer Consulted:*

*Judith Fisher*

*Date: 6 June 2018.*

### Equalities Implications:

- 8.4 An equality impact assessment will be carried as part of developing the specification for the community based services and the refuge.

### Sustainability Implications:

- 8.5 The proposed approach has implications for sustainability including support for victim/survivors in achieving Safety, Health & Happiness: Encouraging active, sociable, meaningful lives to promote good health and wellbeing.

### Crime & Disorder Implications:

- 8.6 Creating opportunities for safe disclosure and pathways to support survivors and victims will have a positive impact on community safety and reduce the impact of crime and disorder.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- 1. National Statement of Expectations**
- 2. Business Process Improvement Review**

## Appendix 1: National Statement of Expectations

The NSE are intended to reinforce the importance of bringing local service providers together, understanding local needs, commissioning services accordingly and publishing data about their local needs, and how services are being provided to meet them, and setting out clear leadership and accountability for delivery.

The key principles within the NSE are:

- *The victim at the centre*: Every victim, whether adult or child, is an individual with different experiences, reactions and needs. Local areas should ensure that services are flexible and responsive to the victim's experience and voice.
- *A clear focus on perpetrators*: In order to keep victims safe, local areas should ensure that there are robust services in place which manage the risk posed by perpetrators and offer behavioural change opportunities for those willing and able to engage with them.
- *A strategic, system-wide approach to commissioning*: Good commissioning always starts with understanding the issue and the problem you are trying to solve.
- *Is locally-led and safeguards individuals at every point*: Commissioned services should make use of local initiatives and services already in place to utilise resource, share best practice and ensure that there are coordinated pathways of support.
- *Raises local awareness of the issues and involves, engages and empowers communities to seek and deliver solutions*: Commissioners should work with local partners to provide a multiplicity of reporting mechanisms to better enable victims to come forward and access the support they need.

## **Appendix 2:**

### **Draft recommendations from BHCC Business Process Improvement Review**

#### **Strategic Recommendations**

1. Refresh the partnership structure, reviewing representation from statutory and non-statutory partners to ensure it is relevant and inclusive, to enable the delivery of a Coordinated Community Response so that partners can coordinate their activities, review their performance, identify gaps, and support improvement.
2. Ensure that the Local Safeguarding Children's Board (LSCB) and Safeguarding Adults Board (SAB) are able to make the best use of the partnership structure to support local priorities (see recommendation 1) and additionally consider having a common slot for joint Board business related to this agenda.
3. As a minimum, all BHCC services in scope, statutory partners and commissioned providers to ensure effective protocols / referral pathways are in place to provide interventions to victims, and to manage perpetrators.
4. Review the current pathways for referral / assessment relating to DVA, SV and safeguarding in order to identify opportunities to reduce parallel pathways, make best use of resources and ensure a 'Whole Family' approach. E.g. scope capacity and feasibility to review DVA and SV in one hub.
5. Revisit the Memorandum of Understanding (MoU) between FCL and DVA SV Commissioning Team in relation to the Domestic Violence Perpetrator Programme (DVPP) to make amendments as necessary to reflect revised programme.
6. Review the current commissioning group with reference to other joint commissioning arrangements within the council, and across local partners, and agree how to deliver integrated commissioning in relation to this agenda.

#### **Other recommendations**

7. As part of the refresh of the partnership structure (see recommendation 1), BHCC should explore opportunities to streamline structures with East Sussex and Pan-Sussex groups to reduce duplication in the current set-up and improve clarity in terms of decision making.
8. Further monitor levels of demand for victim/survivors (and their families) and consider:
  - Whether the current investment in specialist services is sufficient to meet need
  - Explore future funding options including how best to meet increase in demand
  - Where there is unmet need, work with statutory services to manage unmet need
  - Identify other opportunities to increase options for earlier intervention (e.g. the role of field officers)
9. Complete the current work with the specialist service to map the victim journey and review triage and assessment processes to make best use of resources
10. Implement recommendations emerging from the Sussex review of the SARC conducted by NHS England
11. Clarify and communicate our offer for clients who are vulnerable and seek external funding to meet the unmet need.
12. Work with the CCGs in Brighton & Hove and East Sussex to develop business case(s) for role of CCGs in MARAC, including representation at MARAC, as well as the specialist service training and support offer in primary and secondary care (e.g. Health Independent Domestic Violence Advisor (HIDVA)), from 2018/19 onwards.
13. Clarify funding and commissioning arrangements for the Trauma Pathway for those affected by DVA and SV, from 2018/19 onwards.

14. Review the outcome of the bid to the Police Transformation Fund for perpetrator provision and associated provider support and, if successful, identify how this can be aligned to existing local provision
15. Undertake a review of pathways for perpetrators to clarify the programme offer(s), including existing provision through children and criminal justice providers and areas of unmet need within the community and substance misuse services, and address issue around pathways, unmet need and outcomes
16. Ensure the recommendations for the sexual assault Health Needs Assessment are shared and inform the commissioning of provision as agreed by statutory agencies at the Pan-Sussex Executive Board
17. Set baseline data monitoring protocols with commissioners and partners and streamline the reporting of key data to have consistent recording and to reflect the true measures of DVA and SV
18. Use the recommendations from the Business Improvement review, alongside with local needs assessments, service mapping and stakeholder and community consultation, to inform the development of a DVA, SV and VAWG Strategy
19. Ensure there is a robust action plan to deliver partnership priorities as part of a Coordinated Community Response with joint working between statutory partners, commissioners and providers. This could be held in the annual Community Safety and Crime Reduction Strategy and Action Plan.
20. Complete the planned review of the Joint DVA SV Unit in accordance with BHCC procedure and principles which includes customer and communities insight.
21. Review co-commissioning arrangements to inform future commissioning cycles, including decision making in relation to The Portal after September 2018 and other areas such as refuge and wider victim support pathway
22. Carry out a refresh and review of contract monitoring arrangements to maximise resources and capacity, looking at both the requirements of the commissioner and the needs of the provider
23. Continue to deliver a DVA SV and Harmful Practices multi-agency training programme through the integrated training prospectus, ensuring this is co-produced with statutory and Voluntary and Community Sector partners and refreshed annual in light of national and local policy / guidance and outcome from various reviews. Ensure that there is clear communication regarding mandatory requirements
24. Review findings of Pan Sussex MARAC Review and agree / implement changes to local process to manage volume, in particular considering MARAC chairing, structure of MARAC meetings and administration of the MARAC process.
25. Review findings of Pan Sussex DHR Review and, building on existing local good practice, explore options for a collaborative approach to commissioning, conduct and learning from reviews with East and West Sussex County Councils.
26. Continue to work with the CCG to ensure that GPs receive training in relation to domestic and sexual violence and this is rolled out within practices.
27. Ensure that there is a clear understanding of the training needs of council offers from the Directorates in scope who deliver universal and targeted services and that staff can access to the appropriate levels of training relating to DVA and SV.

---

<sup>i</sup> <http://www.avaproject.org.uk/>

<sup>[i]</sup> CSO 8.3 “...the value is the value of the Contract including the period of the extension.”

<sup>[ii]</sup> CSO 3.1 “...Above this sum [£500,000] and before inviting expressions of interest from potential bidders, Council Employees must seek approval from the relevant Committee”



<b>Subject:</b>	<b>Options for the Commission of Domestic Violence and Abuse and Sexual Violence Services</b>		
<b>Date of Meeting:</b>	<b>8<sup>th</sup> October 2018</b>		
<b>Report of:</b>	<b>Executive Director - Neighbourhoods Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jo Player</b>	<b>Tel: 29-2488</b>
	<b>Email:</b>	<b>Jo.player@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In July 2018 the NICE Committee requested that officers provided options for the effective development of commissioned services for Domestic Violence and Abuse (DVA) and Sexual Violence (SV) provision in the City. This paper reports on aspects of the current service known as The Portal and the proposal to involve service users and providers from all sectors in the co-production of a strategy to address the needs of those requiring support as a result of DVA and SV and which will inform the re commissioning of services.
- 1.2 To seek committee approval to the joint commission of specialist and community based services for victims/survivors of Domestic Violence and Abuse (DVA) and Sexual Violence (SV) for Brighton & Hove and East Sussex by Brighton & Hove City Council (BHCC) and East Sussex County Council (ESCC) which services are to commence on expiry of the current contract arrangements.

**2. RECOMMENDATIONS:**

That the Neighbourhoods, Communities, Inclusion and Equalities Committee:

- 2.1 Note the intended timescales and development plan as set out in Appendix 3 of this report for the redevelopment of the DVA and SV Strategy will inform the recommissioning of DVA and SV services.
- 2.2 Approve the extension of the current Portal contract until 30th November 2019.
- 2.3 Grant delegated authority to the Executive Director, Neighbourhoods, Communities and Housing to participate in the joint commission of DVA and SV services in Brighton and Hove and East Sussex and refuge provision in Brighton and Hove only, and including the procurement process and contract award with services to commence in December 2019.

- 2.4 Agree to establish a cross party member working group to provide oversight on the commission and request that the officers report to the working group at key stages throughout the procurement process.

### **3. CONTEXT/ BACKGROUND INFORMATION**

#### Drivers for a New Commission:

##### Increasing Demand

- 3.1 SV and DVA reporting has increased substantially. Using reporting to the Police as an example, between 2013/14 and 2016/17, there has been an increase of 28% in reporting of domestic violence incidents and crimes and an increase of 115% in sexual offences in Brighton and Hove. In 2016/17 there were 4,703 domestic violence incidents and crimes reported to the police and 821 police recorded sexual offences in the city.
- 3.2 Although this increase is substantial, it is accepted that police recorded data is likely to under represent the scale of violence and abuse since as many numbers of people do not report. Applying the latest prevalence rates from the Crime Survey for England and Wales to 2015 mid-year population it is estimated that in Brighton & Hove:
- 7,639 women and girls aged 16-59, and 3,868 men and boys, will have experienced domestic violence and abuse in the last year
  - 2,515 women and girls, and 677 men and boys, will have experienced sexual assault in the last year.
- 3.3 Between October 2017 and March 2018 across East Sussex and Brighton and Hove:
- The Portal Services received 3502 referrals, of which 9% were internal referrals between different elements of the service, leaving 3184 external referrals recorded: an average of 27 new referrals per working day.
  - In October and November 2017 referral levels rose by 24% and have remained consistent at this level.
  - The number of people referred who engaged with the service rose by 13% compared to the previous 6 month period.
  - 934 (30%) Domestic Violence and Abuse referrals were of Brighton and Hove residents (35% in the previous 6 month period)
  - 200 (42%) Sexual Violence referrals were for Brighton and Hove residents, consistent with the previous year's data
- 3.4 These crime types have a significant impact on victims/survivors, their children and the wider community. Impacts include: poor mental, sexual or physical health, and behavioural problems such as substance abuse, poor school achievement, reduced economic prospects and the risk of further violence.
- 3.5 These crime types have a significant financial cost: The individual, economic and social cost of domestic and sexual violence and abuse to the city is estimated to be at least £143 million per annum.

## Findings of the Domestic Homicide Review and the Business Improvement Review

- 3.6 Although the current service model allows multiple access points for victims/survivors which, whilst positive, has resulted in an inconsistency in the application of referral guidelines. There is a systemic issue with the design of victim care pathways from the Police to victim support services. Currently, those victims of DVA crime who are assessed as being at 'standard' risk receive support from Victim Support commissioned by the Office of the Sussex Police and Crime Commissioner (OSPCC), while 'medium' and 'high' risk victims are referred for support through The Portal. This means there are different offers made to clients depending on their level of risk at the point of a report to the Police. The response is therefore driven by a Police risk assessment rather than a specialist service assessment of victim risk and need. This is inefficient and creates parallel pathways (e.g. where risk levels change). There is also an inbuilt element of unmet need as those victims who are assessed as being at 'standard' risk but who have not been victims of crime are not referred to either service routinely.
- 3.7 Domestic Homicide Reviews (DHRs) in both Brighton & Hove and East Sussex<sup>1</sup> have each recommended action be taken to simplify pathways and ensure that victims can access support regardless of level of risk or whether a crime has occurred.

Work to further map the victim journey, and review triage and assessment processes to make best use of resources is continuing as part of necessary service review: pathways for referral and assessment relating to DVA, SV and safeguarding need further exploration in order to reduce parallel pathways and make best use of resources.

- 3.8 It is noted that efforts to manage the increasing demand means that the priority afforded to high risk cases has led to reduced availability of prevention and recovery services. This has been exacerbated by failure of referring agencies to obtain consent of victims of DV and SV to their referral to specialist services.

Since July 2018 work has continued to review triage and assessment processes, which has included an OPCC funded triage pilot project involving providers from the Portal (RISE and CGL) working in partnership with Victim Support. Whilst the pilot is ongoing, evidence shows that the introduction of the triage process for crimed incidents has resulted in a marked reduction in the number of non-consenting referrals, immediately reducing demand on Portal services at initial contact stage.

The pilot works with victim choice and a consent or vulnerability led referral approach. There is a need to better understand flow in demand for DV and SV specialist support services, and the relationship between prevention and demand for services at all levels of risk. This includes focus on early intervention with both victims (and potential victims) and perpetrators (e.g. Pilot projects with

---

<sup>1</sup> <http://www.safeineastsussex.org.uk/Domestic%20Homicide%20Reviews.html>

perpetrators are showing early evidence of direct and positive impact for victims in their own ability to access services and make progress in recovery).

### Stakeholder Engagement and Involvement

- 3.9 There is a commitment to ensure that service user and service provider insight is central to service review and commissioning, and in overall partnership management of DVA and SV issues. There is also opportunity to explore the relationship between DVA and SV commissioning and other service commissioning to ensure targeted and best use of resources. These amongst other recommendations have been highlighted in the BHCC Business Process Improvement Review response to which will form part of the development work required to plan for and enable continuous service improvement (Appendix 1) along with the National Statement of Expectations for Domestic Abuse and Sexual Violence services.
- 3.10 In April 2018, AVA (Against Violence and Abuse), a national organisation, was jointly commissioned by BHCC and ESCC to undertake a consultation to inform the development of a joint strategy for Domestic Abuse and Sexual Violence, and Violence Against Women and Girls. The consultation sought the views of victims/survivors, and their families, as well as providers of specialist services, and referring services with a view to identifying the value in services, and where there are gaps in or issues with and barriers to the effectiveness of existing services. This work has been completed. However the report makes admission to significant missing data and insight, and commissioning officers for the work consider that the report exhibits shortcomings with regard to both methodology and reach. There is therefore a need for further consultation and engagement with stakeholders to verify the findings and explore and understand development requirements for services in order to meet the needs of victims and survivors. The AVA report will form part of the information set that will be used to produce a comprehensive needs and service assessment to inform new specifications for services.
- 3.11 Further stakeholder engagement will take place alongside strategic data review to inform development of the joint strategy and future required service model which would include the joint commissioning of DVA and SV services. The proposed approach and associated timeline for this work is attached at Appendix 3, which works towards commissioned services going live in December 2019.

### Current Contracts and Provision

- 3.12 Brighton & Hove City Council currently has a contract with RISE (as lead partner) for the delivery of victim support services. This is known as '[The Portal](#)' and is delivered by a partnership between RISE as lead provider, Survivors' Network and CGL. They provide a single point of access and help victims/survivors of DVA and SV to find advice and support in Brighton & Hove and East Sussex, principally through community based support services. The Portal was jointly commissioned across Brighton & Hove and East Sussex and is funded by B&HCC, ESCC and the OSPCC. Additional funding is provided for targeted provision by Brighton and Hove CCG, delivery of which is managed as part of The Portal programme. BHCC manages the contract with a Memorandum of Understanding with the OSPCC and a service level agreement with ESCC.

RISE and its subcontracted partner, Survivors Network, raise and invest significant funds in their own right to deliver services for victims and survivors outside The Portal and should be noted as key contributors to the funding landscape.

- 3.13 The initial contract period for The Portal is 1 October 2015 to 30 September 2018. The contract was extended in conformity with the contract for six months to 31<sup>st</sup> March 2019, to allow sufficient time for learning from the triage pilot funded by the OSPCC and other new initiatives to come forward so as to inform the redevelopment of the strategy and the design of a needs-led new commission. Within the Portal contract BHCC also contracts for refuge provision in Brighton and Hove. Therefore this is also currently due to end 31 March 2019.
- 3.14 It should be noted that due to the post vacancy of the Joint Strategic Commissioner (vacant from April-August 2018), and additional pressures due to staff shortage within the Joint Unit, opportunity to develop the strategy has been delayed for a period of 6 months.
- 3.15 At the time of writing this report, BHCC, ESCC and the OSPCC had agreed to extend the contract to September 2019.
- 3.16 The combined spend on DVA and SV services by BHCC for The Portal in 2017/18 was £0.670m. Together with the investment by ESCC and the OSPCC and the clinical commissioning group, the value of the existing contract for The Portal was circa £1.4 million in 2017/18. Appendix 4 (Not Public) shows a breakdown of the funding contributions from partner agencies for 2018/19
- 3.17 The OSPCC has commenced a commissioning process to implement a new contract to support victims of all crime types from April 2019. The proposed model makes provision for a countywide DVA and SV initial needs and triage service (to specifically include stalking also) – this represents a considerable change in current processes and is in direct response to the drivers outlined above notably the review of DHR findings and BHCC BPI Review. The PCC wishes to work with partners to develop the DVA and SV response for victims following the initial needs and triage service.
- 3.18 East Sussex County Council has also indicated it would consider further extension to December 2019 (subject to the main funding partners doing the same) to facilitate the best outcomes for victims, survivors and their families.

## **4 OPTIONS**

- 4.1 The original service contract for The Portal was for 3 years until 30 September 2018. The contract allows for a two year extension from September 2018 until September 2020. An extension to March 2019 has already been agreed with the commissioners and providers.
- 4.2 As noted above the Head of Commissioning at the OSPCC will lead the commission of a pan Sussex wide assessment and triage centre which will create a needs and consent led referral pathway into onward specialist support services. The OSPCC has confirmed that it will support an extension to the Portal contract and the PCC will maintain funding at a sustainable level toward the contract extension which will be managed through the pooled budget arrangements. A

new grant agreement between the PCC and BHCC will come into force following the expiration of the current MOU at the end of March 2019.

- 4.3 In the light of the change in funding priorities of the current joint commissioners of the Portal Service it is appropriate for the new Joint Strategic Commissioner for DVA and SV for ESCC and BHCC to lead a strategic cross-sector partnership project to develop the strategy. This work would take place between September 2018 and April 2019 and include comprehensive stakeholder engagement and cross-sector involvement with current partners, specialist providers and voluntary and community sector organisations. It is the intention of the Strategic Commissioner to bring the resultant draft strategy back to the Committee in March 2019 for approval.
- 4.4 The strategy will inform the development of the service requirements which will be incorporated in a specification for a robust procurement process for specialist community based DVA and SV services in East Sussex and Brighton and Hove, as well as a Brighton and Hove refuge. Whilst this work would take a number of months to complete, the value in undertaking a meaningful partnership development approach will come through securing commitment across sectors to work together towards sustainable services to support victims and survivors and reduce incidence of Domestic Abuse and Sexual Violence, in a climate of reducing local authority budgets.
- 4.5 It is estimated that the commission of new DVA and SV Specialist Services can be completed by the 30th November 2019 to go live on the 1st December 2019, and that the commissioning arrangements will make provision for pooled budgets and/or joint commissioning with other partners the terms of which will be set out in a service level agreement.

In order to ensure continuity of service provision until the establishment of a new service provision the committee is asked to consider two options as set out below.

#### Option 1- Extend current contract until the 30<sup>th</sup> November 2019

- 4.6 The extension of the current contract until the 30<sup>th</sup> November 2019 would allow sufficient time for robust stakeholder engagement, cross-sector co-production of the joint strategy and multi-agency cross-sector partnership working to develop the new service specification that meets the needs of B&H residents and uses effectively the available resources across the relevant sectors. It also provides sufficient time for a procurement process to take place in accordance with the Public Contract Regulations 2015 and Council Standing Orders.
- 4.7 ESCC has indicated its support of a contract extension to the 30<sup>th</sup> November 2019 and the OSPCC has also indicated continued funding until the end of 2019.

#### Option 2- Extend current contract until September 2020

- 4.8 This option would be to extend the contract by the full 2 years permitted under the contract, thereby allowing additional time to develop and procure a new contract. The Council's commissioning partners have indicated they will not commit to funding the current contract beyond the 30<sup>th</sup> September 2019 (and potentially the 30<sup>th</sup> November 2019 subject to negotiation). Therefore if BHCC chooses to extend the current contract a reduction in scope reflecting the shortfall in funding would need to be negotiated and formalised by way of a contract variation which could lead to an overall reduction in the services for B&H residents.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 All options with potential viability have been set out in section 4 of the report above. Officers do not consider that the option of allowing the contract to terminate at the end of March 2019 is a viable alternative because it would leave many B&H residents without or with very limited access to the support services, and would put the council in breach of its statutory crime and disorder duties and its health responsibilities.
- 5.2 A joint commission with East Sussex County Council allows both authorities to benefit from economies of scale and develop more efficient communication and integrated services with providers and partners for the benefit of those accessing the services.
- 5.3 The Joint Strategic Commissioner is currently jointly funded by B&H and ESCC to deliver work that benefits both organisations. The partnership work with East Sussex also provides a joint training and development officer, a partnership development officer and a MARAC (Multi Agency Risk Assessment Committee) team leader. Should it be deemed necessary to commission services just for B&H the joint strategic commissioner would have to undertake two separate commissions. If BHCC chose to commission services independently it would need to budget for a support team to include commissioning, training and project development the funding for which would have a direct impact on the funding available for commissioned services. The extent of impact is not known at this stage, but could result in loss of specialist service capacity. It would also be less likely that specialist BME, LGBT or Male posts would be sustainable within a contract solely from BHCC.

## **6. CONCLUSION**

- 6.1 The council currently has one viable option (Option 1) that would provide additional security to contracted specialist services and their service users during a period of review and service commissioning. Whilst this may not be an ideal scenario for commissioned services who wish to continue delivering the existing contract until September 2020, it offers the best outcome possible in an environment of necessary service and budget review. Officer view is that a joint commissioning process provides the council with a strong opportunity to maximise the benefit of its investment in the service so as to ensure high quality services are available for residents.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The council has an indicative budget of £0.670m for 2019/20, subject to annual budget council approval in February 2019. At this stage a standstill budget is anticipated for future years of the new commission, however this will be subject to council's annual budget setting process. The same will be applicable for ESCC and the OSPCC.
- 7.1 Both of the options set out in Section 4 highlight the potential financial risks to BHCC. Option 1 represents the most viable option, but there is a possible

requirement that additional funding is provided by BHCC and ESCC to meet the 3 month shortfall in OSPCC contribution. There would be no financial implications arising from a contract variation.

*Finance Officer Consulted: Michael Bentley*

*Date: 06/09/18*

Legal Implications:

7.3 The Council has a statutory duty under S17 Crime and Disorder Act 1998 to consider the crime and disorder implications in the exercise of its functions. DVA and SV impact on the Council's responsibilities under the Act which requires Council involvement as a statutorily responsible authority. Additionally the Council has a responsibility under the Health & Social Care Act 2012 to reduce health inequalities and improve the health of their local population. Contracts valued at sums in excess of £500,000 require approval to tender and award from the relevant Committee (the Neighbourhoods, Inclusion, Communities & Equalities (NICE) Committee). If the value of each of proposed contracts also exceeds the EU threshold for a Light Touch Regime service, being £615,278, the services must be procured in accordance with the Public Procurement Regulations 2015 and advertised in the OJEU (Official Journal of the European Union). Procurements of Schedule 3 or "Light Touch" contracts which include social and health care services such as these are subject to less strict procedural regulations but the process must be compliant with the treaty principles of fairness, transparency and equal treatment and be conducted in conformance with the information provided in tender documentation including the award procedure. In order to comply with these principles the time allowed for the preparation and submission of a bid must be reasonable and commensurate with the complexity of the service being procured.

7.4 Re-commissioning a service or commissioning a new service may result in a TUPE event (Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment ) (Amendment ) Regulations 2014). The TUPE Regulations apply when there is a relevant transfer either as a result of a business transfer or when there is a service provision change. Prospective tenderers must be notified of this consideration at the time of tendering and legislative requirements must be complied with.

*Lawyer Consulted: Judith Fisher  
2018.*

*Date: 10 September*

Equalities Implications:

7.5 An equality impact assessment will be carried out as part of developing the specification for the community based services and refuge.

Sustainability Implications:

7.6 Decisions made may have implications for sustainability including support for victims/survivors in achieving Safety, Health & Happiness: Encouraging active, sociable, meaningful lives to promote good health and wellbeing.

Crime & Disorder Implications:

- 7.7 Creating opportunities for safe disclosure and pathways to support survivors and victims will have a positive impact on community safety and reduce the impact of crime and disorder.

**SUPPORTING DOCUMENTATION**

**Appendices:**

- 1. Business Process Improvement Review**
- 2. National Statement of Expectations**
- 3. Proposed Strategy Development and Recommissioning Timetable**
- 4. The Portal Funding Contributions**

### Appendix 1: National Statement of Expectations

The NSE are intended to reinforce the importance of bringing local service providers together, understanding local needs, commissioning services accordingly and publishing data about their local needs, and how services are being provided to meet them, and setting out clear leadership and accountability for delivery.

The key principles within the NSE are:

- *The victim at the centre*: Every victim, whether adult or child, is an individual with different experiences, reactions and needs. Local areas should ensure that services are flexible and responsive to the victim's experience and voice.
- *A clear focus on perpetrators*: In order to keep victims safe, local areas should ensure that there are robust services in place which manage the risk posed by perpetrators and offer behavioural change opportunities for those willing and able to engage with them.
- *A strategic, system-wide approach to commissioning*: Good commissioning always starts with understanding the issue and the problem you are trying to solve.
- *Is locally-led and safeguards individuals at every point*: Commissioned services should make use of local initiatives and services already in place to utilise resource, share best practice and ensure that there are coordinated pathways of support.
- *Raises local awareness of the issues and involves, engages and empowers communities to seek and deliver solutions*: Commissioners should work with local partners to provide a multiplicity of reporting mechanisms to better enable victims to come forward and access the support they need.

### Appendix 2: Draft recommendations from BHCC Business Process Improvement Review

#### Strategic Recommendations

1. Refresh the partnership structure, reviewing representation from statutory and non-statutory partners to ensure it is relevant and inclusive, to enable the delivery of a Coordinated Community Response so that partners can coordinate their activities, review their performance, identify gaps, and support improvement.
2. Ensure that the Local Safeguarding Children's Board (LSCB) and Safeguarding Adults Board (SAB) are able to make the best use of the partnership structure to support local priorities (see recommendation 1) and additionally consider having a common slot for joint Board business related to this agenda.
3. As a minimum, all BHCC services in scope, statutory partners and commissioned providers to ensure effective protocols / referral pathways are in place to provide interventions to victims, and to manage perpetrators.
4. Review the current pathways for referral / assessment relating to DVA, SV and safeguarding in order to identify opportunities to reduce parallel pathways, make best use of resources and ensure a 'Whole Family' approach. E.g. scope capacity and feasibility to review DVA and SV in one hub.
5. Revisit the Memorandum of Understanding (MoU) between FCL and DVA SV Commissioning Team in relation to the Domestic Violence Perpetrator Programme (DVPP) to make amendments as necessary to reflect revised programme.
6. Review the current commissioning group with reference to other joint commissioning arrangements within the council, and across local partners, and agree how to deliver integrated commissioning in relation to this agenda.

#### Other recommendations

7. As part of the refresh of the partnership structure (see recommendation 1), BHCC should explore opportunities to streamline structures with East Sussex and Pan-Sussex groups to reduce duplication in the current set-up and improve clarity in terms of decision making.
8. Further monitor levels of demand for victim/survivors (and their families) and consider:
8. Whether the current investment in specialist services is sufficient to meet need
9. Explore future funding options including how best to meet increase in demand
10. Where there is unmet need, work with statutory services to manage unmet need
11. Identify other opportunities to increase options for earlier intervention (e.g. the role of field officers)
9. Complete the current work with the specialist service to map the victim journey and review triage and assessment processes to make best use of resources
10. Implement recommendations emerging from the Sussex review of the SARC conducted by NHS England
11. Clarify and communicate our offer for clients who are vulnerable and seek external funding to meet the unmet need.
12. Work with the CCGs in Brighton & Hove and East Sussex to develop business case(s) for role of CCGs in MARAC, including representation at MARAC, as well as the specialist service training and support offer in primary and secondary care (e.g. Health Independent Domestic Violence Advisor (HIDVA)), from 2018/19 onwards.
13. Clarify funding and commissioning arrangements for the Trauma Pathway for those affected by DVA and SV, from 2018/19 onwards.

14. Review the outcome of the bid to the Police Transformation Fund for perpetrator provision and associated provider support and, if successful, identify how this can be aligned to existing local provision
15. Undertake a review of pathways for perpetrators to clarify the programme offer(s), including existing provision through children and criminal justice providers and areas of unmet need within the community and substance misuse services, and address issue around pathways, unmet need and outcomes
16. Ensure the recommendations for the sexual assault Health Needs Assessment are shared and inform the commissioning of provision as agreed by statutory agencies at the Pan-Sussex Executive Board
17. Set baseline data monitoring protocols with commissioners and partners and streamline the reporting of key data to have consistent recording and to reflect the true measures of DVA and SV
18. Use the recommendations from the Business Improvement review, alongside with local needs assessments, service mapping and stakeholder and community consultation, to inform the development of a DVA, SV and VAWG Strategy
19. Ensure there is a robust action plan to deliver partnership priorities as part of a Coordinated Community Response with joint working between statutory partners, commissioners and providers. This could be held in the annual Community Safety and Crime Reduction Strategy and Action Plan.
20. Complete the planned review of the Joint DVA SV Unit in accordance with BHCC procedure and principles which includes customer and communities insight.
21. Review co-commissioning arrangements to inform future commissioning cycles, including decision making in relation to The Portal after September 2018 and other areas such as refuge and wider victim support pathway
22. Carry out a refresh and review of contract monitoring arrangements to maximise resources and capacity, looking at both the requirements of the commissioner and the needs of the provider
23. Continue to deliver a DVA SV and Harmful Practices multi-agency training programme through the integrated training prospectus, ensuring this is co-produced with statutory and Voluntary and Community Sector partners and refreshed annual in light of national and local policy / guidance and outcome from various reviews. Ensure that there is clear communication regarding mandatory requirements
24. Review findings of Pan Sussex MARAC Review and agree / implement changes to local process to manage volume, in particular considering MARAC chairing, structure of MARAC meetings and administration of the MARAC process.
25. Review findings of Pan Sussex DHR Review and, building on existing local good practice, explore options for a collaborative approach to commissioning, conduct and learning from reviews with East and West Sussex County Councils.
26. Continue to work with the CCG to ensure that GPs receive training in relation to domestic and sexual violence and this is rolled out within practices.
27. Ensure that there is a clear understanding of the training needs of council offers from the Directorates in scope who deliver universal and targeted services and that staff can access to the appropriate levels of training relating to DVA and SV.

## **Domestic and Sexual Violence and Abuse Services Partnership Improvement Programme 2018/19**

### **1. Strategic Objectives**

- 1.1. Redefine strategy to reflect local needs and context
- 1.2. Develop cross-sector partnership working opportunity and commitment
- 1.3. Broaden market place/service capacity to engage in the agenda
- 1.4. Re-commission services with focus on service user need and sustainable quality service provision

### **2. Governance**

#### ***A Domestic and Sexual Violence and Abuse Strategy and Commissioning Executive Board***

would operate on behalf of Brighton and Hove and East Sussex areas to ensure the programme is delivered (*VAWG Commissioning Group?*) and report in to the statutory Community Safety Executive Boards in each area.

Beneath this oversight board, a ***Strategy Task/Finish Group*** (to produce the draft strategy and delivery plan), and a ***Service Commissioning Task/Finish Group*** (to agree procurement approach/s and service specification/s) would be established consecutively to deliver the programme. Task/finish working groups and sessions would enable appropriate engagement of partners in shaping and delivery of key components that bring development forward:

#### **2.1. Component Task/Finish Work**

- Data analysis
- Stakeholder insight by theme (Place/Geography, Identities, Issues (DVA/SVA/S&H/HBV etc), Experience) including service user and victim/survivor involvement: experiences, 'real pathways', needs and gaps
- Service/intervention mapping (Specialist services and access point services including prevention (including training and awareness raising), acute response and recovery, and including how they fund their work)
- Commissioned services review including the Joint Unit (including MARAC administration), MARAC, The Portal, and Talking Therapies. This in addition to consideration of existing audit and review outcomes and recommendations including DHRs and SARCs.
- Best Practice and Innovation: research on partnership governance, procurement methods, service capacity and sustainability, service systems/procedure, urban and rural response in the context of specialist services and access to services
- Strategy and Action Plan
- Develop outline specification of component services and developments required to respond to the needs of victims and survivors and their families in relation to violence and abuse in line with the strategy, and including prioritisation for commissioners
- Commissioners develop service specification/s for procurement process (best mode to be determined through evidenced based work above).

### **3. Outline Programme Delivery Plan and Timescales**

A detailed project plan will be developed to include component task/finish work and project costs. At the time of writing this paper, negotiation is taking place to secure 'in-kind' resources

to deliver the work from BHCC, ESCC, and voluntary and community sector partners, led by the Safer Communities - Joint Domestic, Sexual Violence & Abuse and Violence against Women & Girls (VAWG) Unit Brighton & Hove and East Sussex. The outline plan below is indicative only, and seeks to provide information and context for partners.

**Table 1: Outline Programme Delivery Plan and Timescales**

<b>Month</b>	<b>Activity</b>
August 2018	Collaboration with AVA to update and complete Stakeholder Consultation Report
September 2018	<p>Engage VCS infrastructure providers to support strategy development</p> <p>Engage cross-sector partners to set up multi-agency cross sector steering group for strategy development</p> <p>Engage members in gathering initial data and insight: what have we got already?</p> <p>Develop stakeholder contacts for the purposes of strategy development</p> <p>Agree approach with funding partners and commissioned services to complete review of function and pathways including: The Joint Unit, The Portal, MARAC, Talking Therapies and Victim Support Triage</p> <p>Arrange stakeholder engagement events as key milestones in the strategy development process.</p>
October 2018	<p>Steering Group work to develop and finalise project plan and initiate task/finish work</p> <p>Complete data based needs assessments for Brighton and Hove and East Sussex</p> <p>Begin light touch review of services: service led</p>
November 2018	<p>Undertake task/finish work</p> <p>Continue light touch review of services: service led</p>
December 2018	<p>Launch event for Strategy Development Programme:</p> <ul style="list-style-type: none"> <li>- Present AVA findings</li> <li>- Present Data Needs Assessment</li> <li>- Present partnership insight to date</li> <li>- Identify and confirm key themes of interest for further exploration during strategy development process (For targeted workshops and task/finish work)</li> </ul> <p>Plan and run targeted thematic workshops and collate findings</p> <p>Plan stakeholder strategy verification conference</p>
January 2019	

	<p>Undertake Task/Finish Work including complete light touch review of services: service led</p> <p>Progress report to NICE Committee</p>
February 2019	<p>Draft Joint Strategy, and partnership delivery plan (East Sussex and Brighton and Hove components) and associated governance/infrastructure.</p> <p>Run stakeholder strategy verification conference</p> <p>Present draft strategy and delivery plan to NICE committee</p>
March 2019	
April 2019	<p>Review membership of Strategy and Commissioning Executive Board and associated governance</p> <ul style="list-style-type: none"> <li>- Strategy Development Task/Finish Group ends</li> </ul>
May 2019	<p>Formation of Service Commissioning Task/Finish Group under direction from Executive Board</p> <p>Task/Finish group commences development of specification/s for required services including specialist support services based on findings of service review and emerging strategy.</p>
June 2019	<p>Procurement Process: activity and milestones to be confirmed dependent on commissioning model/s chosen</p>
July 2019	
August 2019	
September 2019	
October 2019	
November 2019	
December 2019	

For more information please contact Lindsay Adams, Strategic Commissioner:  
[Lindsay.adams@brighton-hove.gov.uk](mailto:Lindsay.adams@brighton-hove.gov.uk)/[lindsay.adams@eastsussex.gov.uk](mailto:lindsay.adams@eastsussex.gov.uk)



<b>Subject:</b>	<b>Domestic and Sexual Violence and Abuse and Violence Against Women and Girls Strategy</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> March 2019</b>		
<b>Report of:</b>	<b>Executive Director, Neighbourhoods, Communities and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Lindsay Adams</b>	<b>Tel: 01273 291032</b>
	<b>Email:</b>	<b>Lindsay.adams@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek approval from the committee on the framework for the Domestic and Sexual Violence and Abuse and VAWG Strategy for Brighton and Hove and East Sussex and to update the committee on planned development work to finalise the Strategy 2019-2024, and associated governance and partnership action plan.
- 1.2 The strategy is a partnership strategy to which the Council will sign up through the Community Safety Partnership, recognising Domestic and Sexual Violence and Abuse including Harmful Practices as one of the partnership's priorities.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee approves the Strategy Framework as set out at Appendix 3;
- 2.2 That the Committee notes the planned further stakeholder engagement work as set out at Appendix One to develop the full Strategy and Action Plan.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 It was agreed at the NICE Committee meeting on the 9<sup>th</sup> October 2018 that officers would present the refreshed Domestic and Sexual Violence and Abuse and VAWG Strategy to the committee.
- 3.2 Since October 2018 and reflecting government guidance (VAWG Commissioning Toolkit) the Joint Unit has been working with partner agencies across Brighton and Hove and East Sussex on a broad stakeholder engagement programme to develop the new strategy. There is further stakeholder engagement work planned until May 2019 to utilise local insight and expertise in developing the full partnership strategy document and detailed 5 year action plan; agree new partnership governance structures that will support delivery of the work; and

enhance local collaboration to meet the needs of those affected (adults and children) by domestic and sexual violence and abuse.

- 3.3 A small cross sector working group with representation from BHCC, ESCC, OSPCC and the local Voluntary Sector has developed the Strategy Framework presented to the NICE Committee, and will continue to support development of the full strategy and action plan. It is committed to extending opportunity for further stakeholder involvement through consultation, participation and involvement to:
- Shape the final document
  - Create 'fit for purpose' governance arrangements that perpetuate ongoing stakeholder involvement from grassroots to strategic level;
  - Develop and agree a SMART partnership action plan that acknowledges agencies/organisations' responsibility, and opportunity for new collaboration.
- 3.4 Strategy Development will be advised and monitored by an officers meeting with cross sector membership, called the Domestic Abuse and Sexual Violence Partnership Board (Formerly VAWG Commissioning Group) This will provide the necessary sectoral conduits to ensure effective stakeholder involvement, as well as senior level representation from agencies providing local resources and specialist expertise. This partnership will be engaged in designing fit for purpose governance going forward, and in sharing the framework and subsequent drafts for comment and input.

#### **4. DEVELOPING THE STRATEGY**

- 4.1 From the outset of development it has been important to consider who and what the strategy is for and how we balance ambition for change with realistic objectives. Stakeholders have said:
- The Strategy is for everyone with an interest in seeing a reduction in domestic and sexual violence and abuse and should be written so that people 'get it' and feel motivated to get involved;
  - It should also be accessible for the public;
  - It should be an investment in capacity building- understanding how we can work better together;
  - And driven by a clear and easily understood set of principles behind which clear commitments will be made- we need to move away from trying to achieve everything and be targeted in our commitments and associated actions.
  - It should recognise the considerable existing expertise and seek to build on this
  - It should speak to a future without violence and abuse not just to a crisis response.
- 4.2 At the heart of the new strategy is an acknowledgement of the increasingly challenging financial environment in which we all work and the impact this can have on service scope and flexibility to meet the needs of those we try to support.

- 4.3 Whilst there is cross party commitment to maintain resources for the victims of domestic and sexual violence and abuse, since 2015, when the last service commission took place there has been an unprecedented rise in the number of people seeking support. This currently sees commissioned specialist services at times working 140% above the numbers they were contracted to support.
- 4.4 The strategy represents a commitment through partnership, to using the resources we do have most efficiently, and a commitment to improve cross sector and cross area working relationships to unlock new opportunities through: understanding our local picture and our shared and individual priorities; sharing resources; being prepared to fight for new funding resources; acknowledging the central role of the voluntary and community sector, and trying new collaborative approaches to service delivery in order to sustain core services and remain responsive to changing needs and levels of demand.
- 4.5 The strategy will directly influence the recommissioning of specialist domestic and sexual violence and abuse services across Brighton and Hove and East Sussex, but due to necessary timescales in place for the recommission, there is parallel work underway whilst the strategy is finalised to review some aspects of service recognising the central role that specialist services play in core service delivery. Information about the work being completed is available at Appendix One.
- 4.6 The framework for the Partnership Domestic and Sexual Violence and Abuse and VAWG Strategy can be found at Appendix Two.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 There is already a significant commitment from cross sector partners to prevent or disrupt domestic and sexual violence and abuse across the city and to provide the best support possible for victims and survivors as they: take proactive action to build on their existing strengths, to find safety from their abuser, flee harm, navigate the criminal justice system, create space for recovery and to lead the life they choose. The strategy development process has enabled a reflection of good practice happening all over the city, and elsewhere, which will be represented in the final strategy document, along with a comprehensive strategic needs assessment.
- 5.2 It has also enabled us to galvanise support for collective review of what we currently provide including: mapping existing services and resources and considering sustainability; identifying gaps in provision and opportunities for innovation, and additional intelligence for a full analysis of issues and needs. This work is supported by partners and has begun.

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 Appendix one outlines the stakeholder engagement intentions around development of the strategy and recommissioning of services. It is important that those affected by domestic and sexual violence and abuse and their families (including perpetrators) have a voice both now, and going forward and there is intention to engage victims and survivors in the process. Service user voice is central to understanding how to deliver the right services and we work with

specialist services to ensure that engagement is accessible, and undertaken in a sensitive way that recognises that potential impact that involvement can have on recovery.

## **6. CONCLUSION**

- 6.1 Progressing development of the Partnership Domestic and Sexual Violence and Abuse and VAWG Strategy for Brighton and Hove and East Sussex is key to developing more sustainable and responsive services doing forward.
- 6.2 The Strategic Commissioner for DV/SV and VAWG is available for further enquiry and discussion on the development and finalisation of the strategy; and ongoing delivery of services should elected members request it.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The council's contribution towards developing the Partnership Domestic and Sexual Violence and Abuse and VAWG Strategy is largely in the form of staff time and will be met from within the current budget resources.

*Finance Officer Consulted: Monica Brooks*

*Date: 07/02/19*

### Legal Implications:

- 7.2 There are no legal implications arising from this report.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 19/02/19*

### Equalities Implications

- 7.3 A full Equality Impact Assessment is being completed reflective of identified issues that have been raised during stakeholder consultation. Development of the strategy and detailed partnership action plan will be a response to identified issues and will seek to mitigate them.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix 1:

Partnership and Stakeholder Engagement Programme

Appendix 2:

Strategy Framework: Brighton and Hove and East Sussex Partnership Domestic and Sexual Violence and Abuse and VAWG Strategy 2019-2024

## **Domestic and Sexual Violence and Abuse and Violence Against Women and Girls:**

### **Partnership Strategy and Service Commissioning Programme**

The following paper sets out the partnership and stakeholder engagement programme that will be used to inform the partnership strategy and future partnership service development and service commissioning.

Work will progress in line with best practice guidance provided in the Government's VAWG Commissioning Toolkit, focusing on effective stakeholder engagement, full needs assessment, co-production of the strategy, and appropriate modes of funding and commissioning that strengthen collaborative service delivery. This could include pooled budgets, grant funding, and within the realms of procurement, innovation partnerships- and there is a need to understand the opportunities for creative procurement that exist in the area.

There are three strands of engagement/collaboration work that have emerged as a consequence of needs assessment and previous stakeholder engagement:

1. Evidence Base for Strategy Development and Service Redesign: Understanding Community Needs
2. Strategic Planning and Review Strand
3. Service Improvement Strand

The work will be coordinated by the Joint Unit for Domestic and Sexual Violence and Abuse and VAWG, and supported by BHCC Business **Improvement Team, and the Safer East Sussex Team.**

#### **1. Evidence Base for Strategy Development and Service Redesign: Understanding Community Needs**

Within the context of strategic focus on Violence Against Women and Girls, initial victim and survivor engagement and engagement with service providers has confirmed themes for further investigation. These often relate to communities of type and their ability to access services. It is important that representatives from these groups/communities, and professionals with insight/involvement are given the opportunity to shape recommendations that can influence specifications for services going forward.

- i. **Understanding the needs of the LGBTQ community**, how well services are currently responding, and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice
- ii. **Understanding the needs of men and boys**: whilst recognising the gendered/sex specific nature of Domestic and Sexual Violence and Abuse, there is a need to explore the needs of men and boys, how well services are currently responding, and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice.
- iii. **Understanding the needs of older people**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice

- iv. **Understanding the needs of people with disabilities including mental health**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice
- v. **Understanding the needs of people from ethnic minorities**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice.
- vi. **Understanding the impact of the rural geography of East Sussex**, how well services are currently addressing this impact for service access, and how partnership working can enhance the current service offer leading to a set of partnership recommendations for best practice
- vii. **Understanding the needs of children and young people who have experienced family violence and abuse**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice
- viii. **Understanding the needs of people with Multiple Complex Needs in the context of Domestic and Sexual Violence and Abuse, and their ability to access services**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice.
- ix. **Understanding the needs of those involved in sex work who require support**, how well services are currently responding and how partnership working can enhance the service offer to them leading to a set of partnership recommendations for best practice.
- x. Understanding the needs of women and girls
- xi. Understanding patterns and responses to perpetration of abuse and violence

## 2. Strategic Planning and Review Strand

**There is a need to underpin all of the work we will do together in partnership with clear, shared objectives, and plans to improve sustainability of services.**

- xii. **Strategy Development**- small working group led by the Joint Strategic Commissioner to produce a draft strategy for comment: to link in to Domestic and Sexual Violence and Abuse Operational Groups, Stalking and Harassment Working Group, Rape and Sexual Violence Operational Group; Harmful Practices Subgroup, and reflecting national guidance and best practice in working to address violence against women and girls.
- xiii. **Cross Sector Partnership Resource Assessment**: Understanding partnership and funding opportunities to inform service commissioning approach- what has changed in the funding landscape since the last commission? What are the risks? What are the opportunities? How might we work better together to use resources efficiently?
- xiv. **Models of Commissioning- Best Fit**: consideration of best practice commissioning approaches in line with Home Office guidance in relation to the VAWG strategy- identifying realistic options for the area

## 3. Service Improvement Strand

Central to the work will be consideration of existing data, service user and wider stakeholder insight, and active service pathways mapping and gap analysis:

- xv. **Redesign of the MARAC Process and victim service pathways** to accommodate increased demand and service improvements by partners (supported by Brighton and Hove City Council's Business Improvement Team) to improve response for victims of Domestic Violence and Abuse and Stalking and Harassment.
- xvi. **Prevention Focus: Training, Awareness Raising and Extending Support in to the Community:** Developing sustainable responsive training and awareness-raising to support delivery of the strategy, including the growth and development of champions/ambassadors in services and communities that support victims of all forms of violence, particularly in relation to violence against women and girls.
- xvii. **Developing Services for Perpetrators:** With a focus on Violence Against Women and Girls, and including consideration of male victims of violence and abuse. Mapping and assessing the current service offer to perpetrators and its impact on outcomes for victims; understanding opportunities for joint working and resulting in recommendations for service development. This work also requires coordination of existing data and research/insight about perpetrators, and additional engagement with perpetrators to help shape strategic approach.
- xviii. **Housing Needs:** Identify opportunities for partnership working for sustainable refuge provision that meets need- negotiate and develop commissioning programme with realistic timescales. In addition, bring relevant partners together to understand how best to meet housing needs where domestic and sexual violence and abuse are a factor.
- xix. **Domestic Violence and Abuse, Sexual Violence and Abuse, Stalking and Harassment and Harmful Practices Service Requirements**  
Using the findings from the 'understanding community needs' work, and other service improvement strands, develop service requirements for recommissioning, maintaining focus on the specific requirements for each aspect of the work. It is important to ensure that any grouping of services for commissioning purposes is evidence based for service user benefit/service improvement. Service requirements will inform commissioning/funding models adopted.

A conference will be organised in Spring 2019 where the draft strategy and emerging findings will be presented to the wider stakeholder group for verification. We hope many of you will have had the opportunity to participate in the investigations over the coming months and feel that you have influenced the plans being presented.



## **Strategy Framework: Brighton and Hove and East Sussex Partnership Domestic and Sexual Violence and Abuse and VAWG Strategy 2019-2024**

### **1. Our Vision for Brighton and Hove and East Sussex**

There is a future where everyone can live safe lives, without the threat or experience of domestic and sexual violence and abuse (including stalking and harassment and harmful practices) because it is not tolerated by our communities or our organisations....

AND where, when someone becomes a victim they are believed, not blamed, treated with dignity and respect and supported to feel safe within their community, whilst seeing their offenders worked with to change their behaviour or brought to justice.

This MUST be our long term vision! And we are more likely to achieve this with another vision that we believe is achievable in the short to medium term:

Across Sussex, we work together, breaking down barriers between sectors and services, in neighbourhoods and communities, recognising that Domestic and Sexual Violence is everyone's business; and that responsibility for tackling the issue is truly shared.

### **2. Our Strategic Ambitions**

- Prevent violence and abuse happening in the first place or from happening again by changing attitudes and challenging behaviours
- Promote a listening and believing approach: in what victims tell us; in what we share with each other as providers; that we will work with victims and each other to solve issues and challenge actions and behaviours that blame victims of abuse and violence
- Provide quality training and development for a multi-agency taskforce that includes our communities, dedicated to prevention and early help
- Provide the quality, accessible help that people want and need, including reactive intervention to keep people safe from harm perpetrated on them
- Enable recovery: Recognise the impact and outcomes of violence and abuse on **all** (children and adults) those affected and provide holistic, victim centred services

### **3. Defining and Understanding Domestic Abuse and Sexual Violence**

The impact of domestic and sexual violence and abuse is personal to every victim, so in addition to the formal definitions provided later in this section, below are some very honest statements from recovering victims. Special thanks go to the DVA Survivor members of the RISE Recovery Group.

"...Emotional and physically trapped and unable to leave, so it continues.... Manipulative and really gets in your head."

"...Both emotionally and psychologically destabilising...."

"...I believed no one would listen to me or believe me so what's the point of doing anything about it? Put up and shut up...."

"... Being drained and sapped of everything- almost stripped naked and thrown out in to the street..."

### **Domestic Violence and Abuse**

Domestic abuse is “an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour... in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common, and in the vast majority of cases is experienced by women and is perpetrated by men. Domestic abuse can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical or sexual violence and abuse
- Economic Abuse
- Harassment and stalking
- Online or digital abuse” (Women’s Aid)
- Harmful cultural practices

### **Sexual Violence and Abuse**

“Sexual violence and abuse is any behaviour (physical, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful, or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, ability/disability or sexual orientation) without their informed consent or understanding.

There are many different kinds, including: rape, sexual abuse (including in childhood), sexual assault, sexual harassment, forced marriage, so-called honour-based violence, female genital mutilation (FGM), sexual exploitation (including child sexual exploitation), and others.

Sexual violence and abuse can take place in the community or be carried out online by people who are either acquaintances or strangers to the victim as well as take place within family and partner relationships” (Survivor’s Network)

### **Violence Against Women and Girls**

In its declaration on the Elimination of Violence Against Women and Girls, the UN states that the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

It states that violence against women shall be understood to encompass, but not be limited to, the following:

- Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

“Violence against women is both a consequence of and a cause of inequality between men and women. As well as being a health problem of epidemic proportions, it's also a human rights problem of equal severity. Depending on the violation, it can deprive a woman of

- her right to health and physical and mental integrity
- her right to be free from torture, inhuman and degrading treatment
- her right to life” (Women’s Aid)

“Women are more likely than men to experience multiple incidents of abuse, different types of domestic abuse (intimate partner violence, sexual assault and stalking) and in particular sexual violence. Any woman can experience domestic abuse regardless of race, ethnic or religious group, sexuality, class, or disability, but some women who experience other forms of oppression and discrimination may face further barriers to disclosing abuse and finding help.”(Women’s Aid)

#### **4. Responding to Domestic and Sexual Violence and Abuse and VAWG in East Sussex and Brighton and Hove: What we know...**

*Work is currently underway to finalise reviews and assessments for inclusion in the strategy document and will include:*

- The current picture: what our data tells us
- Victim and Survivor Engagement
- Service Provider Engagement
- Perpetrator Profile
- Messages from Inspections and Reviews
- Links to other priority areas of need
- Our Previous Strategy: What did we do and how has it made a difference?
- National Development and Influences

#### **5. Equality at the Heart of Our Response**

Women and girls are without question, most likely to be victims of domestic abuse and sexual violence. However, it is important to recognise that anyone, whatever their gender, age, ethnicity, capacity or sexual orientation can be a victim or perpetrator of domestic and sexual violence and abuse. The programme of services we provide should enable access for everyone. They should respond to differing needs both in terms of the support needed and how it is provided; whilst respecting the need for positive action when it is necessary to protect those at risk.

National and local data and research overwhelmingly identifies that the following groups in society are **most affected as victims**.

- Women and Girls
- Children and Young People: Differing forms of violence within the family unit
- Older People
- People with illness and disability, including mental illness

- People with multiple and complex needs

Perpetrators are most often adult males but in responding to the challenge of enabling behavioural change and effective prosecution we must also recognise that anyone can be a perpetrator.

Consideration must also be made to the geographical areas our strategy covers and in particular, the different challenges that present in urban and rural areas both in how we seek to prevent incidence, improve access to services, and our ability to meet the needs of those affected by violence and abuse.

## 6. Our Commitment to Partnership Working

### *What we believe in!*

**Collaboration** across all sectors and with a wide variety of stakeholders: acknowledging the value of passion, interest, knowledge and ideas wherever they come from; co-production and co-design; and the benefits of sharing resources to respond more effectively. It is important to minimise competition between agencies to enhance victims' experience of support provided.

**Taking responsibility** both individually and collectively: the challenges and the risks are shared in a supportive no blame environment.

**Mutual trust and respect:** valuing different perspectives that provide better insights and lead to better, more robust solutions.

**Fairness and openness:** We keep each other informed of our work contexts and understand how we can accommodate and work through changes to collectively maintain and improve our response to domestic abuse and sexual violence.

### *How we intend to work together!*

#### **We will**

- Always put those affected by domestic violence and abuse and sexual violence and wider experiences of violence against women and girls, and their voice at the centre of our work
- Be aware of the context in which domestic violence and abuse and sexual violence takes place, in line with safeguarding policy and frameworks for children and families, and adults
- Maintain a focus on equality, recognising that anyone can be affected by domestic abuse and sexual violence
- Prioritise effective dialogue and communication between services, and with those affected by violence and abuse
- Be brave in our innovation where evidence tells us to do things differently including how we respond to service demands and commission services.

## 7. Governance and Accountability

It is proposed that responsibility for delivery of the strategy and its associated delivery plan would lie with a new multi-agency formal partnership: the **Domestic Abuse and Sexual Violence Partnership Board**. It is anticipated that the board will oversee a structure of partnership subgroups that enable continuous stakeholder engagement and fair influence on decision making, where focus remains on preventing/disrupting the perpetration of abuse and keeping the experience of the victim and those affected by violence and abuse central. The board terms of reference and membership will be developed by the Domestic and Sexual Violence and Abuse Strategy and Commissioning Partnership and this may influence the flow of upward

accountability, but we do know that this will include the Brighton and Hove and East Sussex Community Safety Partnerships. Challenge and scrutiny will be provided by the Adults Safeguarding Board and Local Safeguarding Children Board in each Local Authority Area.



**Subject:** Commissioning of Domestic Violence and Abuse Services – Extract from the proceedings of the Tourism, Equalities, Communities & Culture Committee meeting held on the 11 March 2021

**Date of Meeting:** 18 March 2021

**Report of:** Executive Director for Housing, Neighbourhoods & Communities

**Contact Officer:** Name: **Greg Weaver** Tel: **01273 291**  
E-mail: [greg.weaver@brighton-hove.gov.uk](mailto:greg.weaver@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE**

**Action Required of Policy & Resources Committee**

To consider the report and the recommendations from the Tourism, Equalities, Communities & Culture Committee.

**Recommendations:**

That the Policy & Resources Committee be recommended to approve the establishment of a Cross Party Member Working Group to:

- (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
- (ii) Review the Council's policy and practice regarding social value and community wealth building from a commissioning and procurement perspective including the above-mentioned services.
- (iii) Recommend any necessary changes and actions for improvement.

**BRIGHTON & HOVE CITY COUNCIL**  
**TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE**

**4.00pm 11 MARCH 2021**

**VIRTUAL**

**MINUTE EXTRACT**

**Present:** Councillor Powell (Joint Chair), Osborne (Joint Chair), Ebel (Joint Deputy Chair), Evans (Opposition Spokesperson), Nemeth (Group Spokesperson), Grimshaw, Mac Cafferty, Mears, O'Quinn and Simson.

**Other Members present:** Joanna Martindale, Lola Banjoko, Nick May and Stephanie Prior.

**84. COMMISSIONING OF DOMESTIC VIOLENCE AND ABUSE SERVICES**

- 84.1 The Committee considered a report of the Executive Director of Housing, Neighbourhoods and Communities which sought to inform members of the process regarding the re-commissioning and recommending that a further report goes to Policy & Resources Committee requesting that a member oversight group is set up. The report was provided by the Head of Safer Communities.
- 84.2 Councillor Evans expressed support for the working group.
- 84.3 Jo Martindale noted that social value was key and requested that the working group focus on collaborative commissioning and to be more creative in developing a strategy while making sure the voluntary sector was included. Support regarding financial assistance was expressed. It was noted that there was an opportunity to make an investment in to refuges services and to bring cohesion to these services.
- 84.4 The Head of Safer Communities stated that BHCC were committed to support organisations through the transition period.
- 84.5 The Executive Director for Housing, Neighbourhoods and Communities stated that work was undertaken to make sure no one fell through any gaps.
- 84.6 Councillor Evans proposed the Labour Amendment to amend recommendation 2.2 and include a new item 2.3 as shown below in strikethrough and bold italics:
- 2.1 Notes the contents of the report.
- 2.2 Recommends to Policy & Resources Committee the ***immediate*** establishment of a cross-party Member Working Group to:
- (i) Review the Council's policy and practice regarding social value and community wealth building from a commissioning and procurement

perspective including the ~~Domestic abuse contract~~

**(ii) Including reviewing in full detail the sequence of events around the procurement of the Domestic Abuse contract;**

(iii) Recommend any necessary changes and actions for improvement.

**(iv) Consider the imminent new funding of £606k awarded to BHCC by MHCLG to meet our obligations under the new Domestic Abuse Bill and make a recommendation to TECC Committee on the process for awarding this funding.**

**2.3 That the Committee recommends to P&R that the Cross Party be made up of five members in a 2/2/1 configuration**

84.7 Councillor Grimshaw formally seconded the Labour Amendment.

84.8 Councillor Simson proposed the Conservative Amendment to insert a new recommendation 2.2 and to amend the wording preceding the recommendations in item 2.3 as shown below in strikethrough and bold italics:

2.1 Notes the contents of the report.

**2.2 Expresses concern that Audit & Standards Committee has declined to carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements over which tens of thousands of residents have petitioned the Council for action.**

2.3 Recommends to Policy & Resources Committee the establishment of a cross-party Member Working Group to:

**(i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.**

(ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the ~~Domestic abuse contract~~ **above-mentioned services.**

(iii) Recommend any necessary changes and actions for improvement.

84.9 Councillor Nemeth formally seconded the Conservative Amendment.

84.10 Councillor Evans clarified that the Chair of Audit and Standards did not decline a full investigation and quoted his comments at Audit and Standards to the effect that given the reports going to TECC and P& R and the proposals to set up a working group to review the Council's approach, he did not consider it necessary or proportionate to establish yet another work stream but that they would keep this under review and should issues come to light which were of legitimate interest to Audit and Standards Committee they would look at them.

- 84.11 Councillor MacCafferty thanked the survivors who attended the committee and provided a brief overview of the events leading to the issue. It was clarified that the Green Party had met with campaigners and the Chief Executive of Rise to help develop a way forward. It was stated that the focus was on working collaboratively with all parties to find answers and solutions that asserted the importance of domestic violence services.
- 84.12 Councillor Powell noted the myriad of issues highlighted by public speakers and noted that it would be the focus of the Member Working Group to scrutinise what had happened.
- 84.13 Joanna Martindale expressed support for the third sector and stated that this had occurred during NICE Committee not TECC. It was clarified that the Labour Party had decided to close the NICE committee.
- 84.14 Councillor Ebel noted concern with regard to the Labour Amendment which would limit the ability for the Policy & Resources Committee to set up terms of.
- 84.15 Councillor Simson noted that it was important that this be non-political.
- 84.16 The Chair then put the Labour Group Motion to the vote that failed.
- 84.17 The Chair then put the Conservative Group Motion to the vote that passed.
- 84.18 The Chair then put the recommendations as amended to the vote that were agreed.
- 84.19 **RESOLVED** – that Committee:
1. Notes the contents of the report.
  2. Expresses concern that Audit & Standards Committee has declined to carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements over which tens of thousands of residents have petitioned the Council for action.
  3. Recommends to Policy & Resources Committee the establishment of a cross-party Member Working Group to:
    - (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
    - (ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
    - (iii) Recommend any necessary changes and actions for improvement.

# **TERMS OF REFERENCE FOR PROCUREMENT, SOCIAL VALUE AND COMMUNITY WEALTH BUILDING MEMBER WORKING GROUP**

## **1. Name**

*Procurement, Social Value and Community Wealth Building Working Group.*

## **2. Purpose**

- (i) To carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements in January 2021.
- (ii) To review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
- (ii) To recommend to Policy & Resources Committee any necessary changes and actions for improvement

## **3. Status**

The Procurement, Social Value and Community Wealth Building Member Working Group (the MWG) shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis

## **4. Areas of focus**

1. The first meeting of the MWG will review the background and process leading to the contract award decisions relating to the Domestic Abuse, Domestic Violence and Sexual Violence service contracts in January 2021. The MWG will seek representations from survivors and representative organisations and will involve their accounts in its deliberations. Arrangements will be made in order that anonymity can be requested by survivors to allow them to participate without fear.
2. Subsequent meetings of the MWG will consider how the Council's social value framework is reflected in the procurement of contracts and services and how this should be achieved in future.

## **5. Reporting**

The MWG will report to Policy & Resources Committee, with recommendations as appropriate, which may include changing or improving policy and practice in

ensuring social value benefits are achieved in the procurement of contracts and services.

## **6. Membership**

The Chair of the MWG will be appointed from the largest political group, unless Policy & Resources Committee has made other express provision.

Membership of the MWG shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

MWGs are expected to achieve consensus where possible, however the Chair shall have the right to exercise a casting vote.

The political groups may change any of its nominees or provide substitutes for any of its nominees to the MWG.

## **7. Quorum**

A minimum of two MWG members, inclusive of the Chair, are required for the MWG meetings to proceed.

## **8. Meetings and ways of working**

It is anticipated that the MWG will meet no more than 4 times, however, in order that the work of MWG is pursued to an adequate level, it may be felt necessary to hold more meetings than this; the MWG will be supported by the Chief Executive to complete its final report within three months.

The MWG will agree ways of working appropriate to the role and remit of the Group.

## **8. Review**

This is an ad hoc Member Working Group established for a limited time. The work of the Group is expected to finish by July 2021 when it will report back to the P&R Committee.