

	<p>CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</p>
<p>Title</p>	<p>Domestic Abuse services – LOT 3 Perpetrator services and assessments Direct award of contract</p>
<p>Report of</p>	<p>Chris Munday – Executive Director Children and Family services</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>None</p>
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Summary

1. The original term of these contracts was for a three-year period from 1 April 2016 to 31 March 2019 followed by a 12-month extension period, specified in the original procurement and contracts, from 1 April 2019 to 31 March 2020. The contracts were then extended further via a single tender action authorised by Full (Chief Officer in consultation with Theme Committee Chairman) DPR up to 31 August 2021.
2. The contract was further extended for seven months to 31 March 2022 due to the essential nature of the services, the need to continue services during the Coronavirus pandemic and the need to plan the procurement.
3. Following market engagement, the Invitation to Tender (ITT) was published between the 5 August and 6 September 2021. However, there were no bidders who completed the tender for Lot 3 during the procurement period.
4. With no market interest in this Lot, and the need to continue this essential service, the council is proposing to offer a Direct Award of Lot 3 domestic abuse perpetrator services and assessments to the incumbent provider for a period of six months with

a contract value of up to £116,887 while it considers its options regarding the services.

Decisions

To authorise the direct award of the Lot 3 domestic abuse perpetrator services and assessments contract to RISE Mutual CiC for a six month period from 1 April 2022 to 30 September 2022 at an annual contract value of up to £233,775.

1. WHY THIS REPORT IS NEEDED

- 1.1 In order that the delivery of the essential services provided by this contract is not disrupted this report seeks authorisation to directly award the Lot 3 contract from the failed procurement to RISE mutual CiC for a 6 month period.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Following extensions to the domestic abuse services contracts until 31 March 2022, the services were put out to tender as Lot 1 Advocacy and support, 2 refuges and 3 perpetrator services and assessments in August 2021.
- 2.2 On closure of the tender writing period on 6 September no bidders had completed the tender within the agreed timescale for Lot 3, perpetrator services and assessments.
- 2.3 Following this a decision was taken to explore a direct award with RISE for 6 months to stabilise the service and ensure continuity of delivery was maintained while the council reviewed its options.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 To do nothing was considered but this would have meant that the service would have ceased. This is not an acceptable option considering the service provision is essential and their disruption could result in an increased risk of harm to victims of Domestic Violence and Abuse.
- 3.2 Restart the procurement process was considered but there was insufficient time to carry out a reprocurement within the contract period and further extensions of the contract were not legally viable.

4. POST DECISION IMPLEMENTATION

- 4.1 Following approval, the contract will be directly awarded to RISE Mutual CiC and the mobilisation phase will begin to align the services to the new service specification and performance metrics.
- 4.2 Barnet council will work with the Legal representative and RISE Mutual CiC to issue the new contract for six months of services.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1

The Council's Barnet Plan 2021-25 sets out four main priorities:

1. Clean, Safe and well run;
2. Family friendly;
3. Healthy;
4. Thriving.

5.1.2 Six key priorities have been set to support the delivery of the third outcome, Healthy.

- We aim to be the healthiest borough in London with fantastic facilities
- for all ages, enabling people to live happy & healthy lives by bringing health care together
- Supporting residents to maintain their strengths and independence
- Great facilities and opportunities to be physically active
- Focusing on mental health and wellbeing
- Tackling domestic abuse and gender based violence
- Addressing homelessness and the longer-term impacts of COVID-19

5.1.3 The services delivered by this contract supports the delivery of the Barnet Violence Against Women and Girls (VAWG) Strategy 2017-2020. This strategy sets out how the Barnet Safer Communities Partnership works to prevent and respond Domestic Abuse and underlines the partnership's commitment to working together to prevent all forms of violence against women and girls (VAWG). It also acknowledges the draft 2021 – 2024 strategy which is currently in development and consultation.

5.1.4 The Strategy was endorsed by the Community and Leadership Committee (CLC) on the 21st June 2017.

5.1.5 The effective implementation of the Violence Against Women and Girls Strategy supports Barnet in achieving the outcomes and priorities set out in the corporate plan by helping to keep residents of Barnet safe and protecting the most vulnerable.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The total cost of the contract for six months will be £116,887 which is within the budget set for the period. Directly awarding the contract to the incumbent provider ensures value for money as no transitional costs will be incurred and they are already set up to deliver the services.

5.3 **Legal and Constitutional References**

5.3.1 The Report is seeking authority to directly award a contract to RISE Mutual CiC for the provision of the Lot 3 domestic abuse perpetrator services and assessments contract. Rule 6.1 of Barnet's Contract Procedure Rules (CPR) provides that a contractor may be awarded a contract without undertaking a competitive tendering exercise (Single Tender Action). This is permitted only in exceptional circumstances and should be approved in

advance by the Director of Resources (S151 Officer) and Director Commercial & Customer Services and Procurement advice should be sought in all cases. The CPR further states that 'exceptional circumstances' may include where the works, supplies or services can be supplied only by a particular supplier. In view of the fact that a public procurement exercise was carried out and no bids were received for Lot 3, it is evident that no other supplier is able or willing to supply the services other than RISE Mutual CiC and that the current circumstances are therefore 'exceptional'.

5.3.2 The said approval has been sought and attained as well as advice from Procurement in compliance with CPR 6.1

5.3.3 The £116,887 value of this contract is below the threshold of £189,330 and therefore does not require a competitive exercise as set out in the Public Contract Regulation 2015 (PCR) provided the Council comply with the principles of fairness, non-discrimination and transparency.. The Conditions of contract will be based on those used in the Procurement process and no substantial alterations are envisaged.

5.4 Insight

5.4.1 This report is written within the context of the Councils Corporate plan 2019 – 2024 and with knowledge of the draft Violence against Women and Girls (VAWG) strategy 2021 – 24 which underlines the partnership's commitment to working together to prevent all forms of violence against women and girls (VAWG).

5.5 Social Value

5.5.1 The Public Services (Social Value) Act 2012 requires people who commission certain public services to think about how they can also secure wider social, economic and environmental benefits.

5.5.2 Services working together derive social capital from each other and this in turn supports a collaborative approach towards sustainability within an ever-changing economy.

5.6 Risk Management

5.6.1 Risk management varies according to the different initiatives. The partnership and appropriate agencies are made aware of risks and actions to mitigate the risk are agreed and put in place. There is always risk that the partnership may not achieve the targets set due to factors outside its direct control – however there is strong partnership working in place enabling agencies to identify and highlight risk and be open to addressing the risk collectively.

5.6.2 Agreeing the direct award mitigates the risks to the Council of ceasing the contract and not providing the services.

5.7 Equalities and Diversity

5.7.1 Section 149 of the Equality Act 2010 sets out the public-sector equality duty to which the authority must have due regard. The Council's public-sector equality duty is set out in s149 of the Equality Act 2010:

5.7.2 A public authority must, in the exercise of its functions, have due regard to the need to —

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.7.3 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The Barnet Safer Communities Strategy and the services delivered as part of this contract take into account the protected characteristics to ensure services are accessible and fair to all sections of the community.

5.8 Corporate Parenting

5.8.1 There are no implications for the London Borough of Barnet's corporate parenting responsibilities with this contract.

5.8.2 The domestic abuse VAWG services have responsibility to children in care who either are victims of domestic violence or enter care due to parental domestic abuse.

5.8.3 These services deliver preventative messages and support which benefit children in care.

5.9 Consultation and Engagement

5.9.1. The services detailed in this report support the delivery of the Barnet Violence Against Women and Girls (VAWG) Strategy. Extensive consultation was carried out during 2017 to support the development of the Barnet VAWG Strategy. Feedback from these consultations highlighted that service users wanted the process for accessing help, which can often involve multiple agencies, to be as straightforward and clear as possible with strong co-ordination between the agencies involved.

5.9.2. The quarterly VAWG Forum provides ongoing feedback from partner agencies and organisations on the implementation of the VAWG strategy.

6. Background papers

6.1. Decision to extend contract by 7 months to 31 March 2021 and procurement of contract April 2021

[Decision - Authorisation to Extend the Existing Domestic Abuse Perpetrator and DV Risk Assessor Contracts with R.I.S.E. for a period of Seven Months Beyond the Existing Contract Terms \(moderngov.co.uk\)](#)