

| <b>Safer Stronger Communities Select Committee</b> |   |                              |
|--|---|------------------------------|
| <b>Report Title</b>                                | Violence Against Women and Girls (VAWG) Service Review                              |                              |
| <b>Key Decision</b>                                | No  | <b>Item No. 5</b>            |
| <b>Ward</b>  | All   |                              |
| <b>Contributors</b>                                | Executive Director for Community Services.<br>Director Public Protection and Safety |                              |
| <b>Class</b>                                       |   | <b>Date:</b> 12 September 19 |

## 1. **Purpose of the Report**

- 1.1 This report provides an overview of the current policy context, prevalence of gendered-based violence and service provision to support victims of Violence against Women and Girls (VAWG) in Lewisham.
- 1.2 The report provides an overview of work undertaken by officers to review the current service model in order to inform future commissioning intentions.

## 2. **Recommendations:**

- It is requested to share views on the review and approach for future commissioning
- It is recommended that Members consider how the new VAWG Service can be supported through the committees work.

## 4. **Policy Context**

- 4.1 The United Nations (UN) has a Declaration on the Elimination of Violence against Women, which was adopted by the General Assembly in 1993. This was followed by a resolution of intensification of efforts to eliminate all forms of violence against women in 2009.
- 4.2 In 2018, the Mayor of London published '*A Safer City for Women and Girls*,' a pan-London strategy for ending gendered-based violence, a whole-systems approach spanning; prevention, protection and support for victims and their children and tackling perpetrators and the underlying causes for the perpetration of violence towards women and girls.
- 4.3 In 2019, the government released the new Domestic Abuse Bill 2019; introducing the first ever statutory definition of domestic abuse to include economic abuse and controlling and manipulative non-physical abuse and coercion.
- 4.4 In May 2019, the prime minister announced a new legal duty on councils to provide refuge accommodation and launched a consultation to determine how much funding is needed to meet the increasing demand for refuge provision.
- 4.5 The availability of specialist VAWG and refuge services directly contributes to *Lewisham's Corporate Strategy* which sets out the vision for Lewisham and the priority

areas for action between 2018 - 2022. VAWG services directly and indirectly contribute to all 7 of Lewisham's priority outcomes, but specifically;

- Building Safer Communities
- Giving Children and Young People the best start in life

The service also directly meets strategic commitments of;

- Combatting sexual violence and domestic abuse
- Supporting survivors who are able, and choose to, flee violence and domestic abuse through work with the voluntary sector.
- Combatting child sexual exploitation and peer on peer abuse

4.6 In 2019, Lewisham announced a new Public Health Approach to reducing violence. The approach acknowledges that young people who have experienced extensive childhood adversity- including exposure to domestic abuse- have an increased likelihood of perpetrating or being subject to violence within their lifetimes.

4.7 The authority is undertaking a review of our Early Help approach. The review is to clearly understand the needs of children and young people in Lewisham, empower resilient families and communities that are equipped to support and protect children, and design services that can respond and intervene early when needs arise to prevent escalation.

## 5. Background

### Violence against Women and Girls in Lewisham

5.1 Violence against Women and Girls (VAWG) has been defined by the United Nations (UN) as "any act of gender-based violence that is directed at a woman because she is a woman or acts of violence which are suffered disproportionately by women." This includes physical, sexual and economic abuse, violence or sexual exploitation.

5.2 VAWG has many strands including domestic violence and abuse, female genital mutilation (FGM), forced marriage, rape and sexual violence, honour based violence, stalking, harassment, prostitution and trafficking, and child sexual exploitation.

5.3 Although men can also be victims of violence, and the definition does not preclude this, research persistently shows the gendered nature of VAWG- that victims are disproportionately female and perpetrators male.

5.4 Lewisham consistently ranks highly for domestic abuse prevalence in comparison to other London boroughs. In April 2019, Lewisham ranked 6<sup>th</sup> highest in London, with 4524 reported incidents since April 2018- reflecting an 8% increase on the previous year.

5.5 Lewisham has also seen a rise in reported sexual offences, with 738 reported incidents in the year 18/19, reflecting a 9% increase on the previous year.

5.6 From January 2018- January 2019. 497 high risk VAWG cases were discussed at Lewisham's Multi-agency Risk Assessment Conference (MARAC), 28.4% of which were repeat cases.

5.7 Many forms of VAWG are prevalent in communities where disclosing abuse can lead to isolation from the family or community, or a fear of sanctions or stigma. 77% of victims that do access the Athena service experience more than one type of VAWG, with domestic abuse being the key presenting issue.

- 5.8 In November 2018, with the current contract expiring, it was agreed that the service model would be reviewed by officers, to ensure the model is still relevant to the needs within the borough and to inform commissioning intentions for 2020 onwards.

### **Current service model**

- 5.9 Since 2015, Refuge have delivered the Athena Service, one of the country's first single point of access services, where victims can access support through a single referral route, are assessed and allocated expert advocacy support.
- 5.10 The service currently provides; advocacy support for high risk victims, outreach support for medium-low risk victims. As well as specialist workers addressing familial abuse and support for young female victims. The service also provides a peer support group and training for agencies across Lewisham, including Project IRIS within primary care.
- 5.11 Refuge also manage 40 beds of emergency refuge provision for victims and their children who are fleeing abuse.
- 5.12 During year 18/19, Athena received 1695 referrals, representing a 19% increase on the previous year.
- 5.13 Since 2015, funding for the single VAWG service has decreased by 33%. The table below reflects the current projected funding stream for year 20/21.
- 5.14 There is current uncertainty whether all four funding streams will be maintained at their current value- the table below therefore reflects the maximum possible value for the contact.
- 5.15

| <b>Funding Source</b>          | <b>Value</b>    |
|--------------------------------|-----------------|
| LBL Base Budget                | £21,427         |
| MOPAC grant                    | £47,700         |
| Public Health Grant            | £400,000        |
| MOJ Justice Reinvestment Grant | £11,800         |
| <b>Total:</b>                  | <b>£480,927</b> |

### **Review**

- 5.16 To inform commissioning intentions, officers undertook a review of the commissioned service. Review activities included; service shadowing, data analysis, equalities analysis and stakeholder engagement.
- 5.17 Officers undertook a number of engagement activities with service users within both the community and refuge service. This included shadowing service delivery, attending a peer support group and observing caseworker 1:1 meetings. Officers also undertook a series of focus groups to talk directly to service users about their experiences of accessing the service and how they would like to see the service improved. This engagement has directly informed many of the recommendations laid out in 5.21 and the future commissioning intentions for the service.

- 5.18 The review sought to understand whether the single point of access service adequately meets the needs of Lewisham's VAWG victims, and sought the perspectives of victims and stakeholders on their experiences of accessing and working with the service, how the current service could be improved and recommendations for how VAWG can better be addressed moving forward.
- 5.19 The key recommendation from the review was to continue providing a service through a single point of access.
- 5.20 However, the review also acknowledged a number of gaps in the current support offer, including;
- Support for young victims, including those in peer-on-peer abusive relationships
  - Support for children living within refuge provision
  - Co-location and partnership working with the wider voluntary community sector to provide a substantial, wrap-around offer for victims
  - Training and workforce development
  - Counselling, therapeutic and peer support
- 5.21 The review also acknowledged that the demand for the service is overwhelmingly from victims of domestic abuse and sexual violence, where the perpetrator is an intimate partner. The review acknowledged the multiple barriers that can prevent a victim voluntarily accessing an advocacy service and therefore the need for a substantial workforce development offer to ensure agencies across Lewisham are equipped with the confidence and skills to recognise abuse in all of its forms and support victims to access services, as well as exceptional partnership working with culturally specific services to ensure referral pathways are clear.
- 5.22 The review also made a number of recommendations relating to the boroughs wider multi-agency approach to addressing VAWG and officers will ensure all other recommendations are taken forward to, and actioned with, the relevant agencies. The review was taken to the Safer Lewisham Partnership Board in June 2019.

## **6. Proposed Service Model**

- 6.1 The proposed commissioning model will continue to see a single point of access service and refuge provision managed by a single provider. However, commissioners will also welcome partnership bids/subcontracting arrangements to enable elements of the service to be provided by specialist agencies. These could include;
- Specialist support for younger victims (age 13+)
  - a substantial training package for Lewisham agencies addressing all strands of VAWG
  - counselling, therapeutic and peer support interventions
- 6.2 Lewisham officers are undertaking a market warming and consultation event with national, regional and small specialist charities and organisations to consult on the proposed model, and encourage innovative partnership bids for the elements listed above.

## **7. Expected Outcomes**

- 7.1 Outcomes of the proposed model are;
- Victims are supported to improve safety and reduce their vulnerability to violence and abuse

- Victims are supported to access the right legal support and support in court proceedings
  - Victims are supported to access services and negotiate statutory services; e.g. housing and benefits
  - Women and their children have a safe place of sanctuary to escape violence and abuse, and are supported to rebuild their lives.
- 7.2 The service will have a presence at; Lewisham Hospital, MASH and Lewisham police station, and other sites as agreed with the commissioner, supporting these agencies to screen cases, identify victims and make referrals to the single service.
- 7.3 The provider will manage 40 beds of emergency refuge provision. Women and children will be supported to a place of safety, and supported through a caseworker to rebuild their lives and ultimately move on to independent living.
- 7.4 The new service will be specified to work effectively with Lewisham's voluntary community sector and statutory agencies to build pathways of support for victims of VAWG. The service will also be specified to collocate and host voluntary community groups at a central hub to provide a wraparound offer for victims.
- 7.1 The service will support victims of all strands of VAWG regardless of gender and sexual orientation. The service will work with local agencies and referral partners to identify victims of abuse and ensure the service is accessible for all.
- 7.2 The service will include an offer for young victims of abuse aged 13+
- 7.3 The service will provide an offer for primary care in Lewisham, supporting practitioners to identify victims and make referrals to the single service.
- 7.4 The service will provide expert training and awareness raising on *all* strands of VAWG, ensuring agencies across Lewisham are knowledgeable about the issues and are able to refer into the service- commissioners will welcome subcontracting/partnership arrangements with specialist agencies to support this delivery.
- 7.5 Quarterly monitoring meetings will take the format of contract monitoring reports, meetings with management and staff, feedback from other agencies/professionals and where appropriate with service users. Client file audits and site visits (both to the community and refuges) will also be conducted at regular intervals.
- 7.6 If awarded to a consortia, the expectations around a lead partner and single negotiating representative to ensure effective management and resources focussed upon the front line service delivery will be included in the contract.
- 7.7 The management of the contract will be undertaken by commissioners and will work with them to monitor progress against a service development plan.

#### Key risks and dependencies

- 7.8 A key risk associated with the procurement of the service is providers lacking the expertise to work across all policy strands of VAWG. This is being mitigated through a market warming and consultation event to encourage partnership bids or subcontracting arrangement with specialist organisations.
- 7.9 Officers recognise the ambitions laid out for additional services (5.21) may be challenging for providers, and will work with the provider to secure added value or

resource from additional funding streams to meet these requirements where these cannot be met within the current resource.

- 7.10 The service has clear dependencies on other services given the complexity of VAWG and links with multiple vulnerabilities, including; substance misuse, mental health, children's social care and housing. Officers will continue to work with the service to establish effective referral pathways between agencies. These referrals will continue to be monitored closely.
- 7.11 To ensure the service aligns with priorities of other procurement activity, the evaluation panel will ensure broad membership from key partners including; children services, substance misuse and housing.
- 7.12 Due to the specialist nature of the provision, the well-developed voluntary community sector market to address VAWG, and the need for anonymity and independence from the council, the service is not being recommended for in-house delivery.

## **8. Financial Implications**

- 8.1 The funding available to commission a VAWG service for Lewisham residents covering community and emergency accommodation services currently is £480,927 pa (para 5.15).
- 8.2 The service will be for a duration of 3 years from April 2020, with the option to extend for 2 years and maximum total expenditure (including extension) at £2,404,635.
- 8.3 Not all of the funding set out in 5.16 above is guaranteed for the full length of the contract. If any elements reduce from current levels it will be necessary to either identify additional funding from elsewhere or to reduce the scope of the contract.

## **9. Legal Implications**

- 9.1 The proposed contract is a Category A contract under the Council's Contract Procedure Rules and is a contract under the Light Touch regime and above the OJEU limits and falls under the Public Contracts Regulations 2015.
- 9.2 The contract must be subject to a formal tender exercise and bidders must be invited to tender by a public advertisement. The tender and award must follow the OJEU advertising and reporting procedures.
- 9.3 The Public Services (Social Value) Act 2012 requires that when the Council is procuring services above the EU threshold – as is the case here - it must consider, before commencing a procurement process, how the procurement might be conducted so as to improve the social, economic and environmental wellbeing of the area. The matters to be considered must only be those relevant to the services to be procured and it must be proportionate in all the circumstances to take those matters into account. The Council has adopted a Social Value policy which must also be applied; and the Council's Sustainable Procurement Code of Practice will need to be applied to the contract. The report sets out the social value issues which arise, and any future decision by the decision maker will also need to take those matters into consideration.
- 9.4 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

9.6 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

9.7 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

9.08 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

9.09 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/The> European procurement regulations do not apply to these services, as they fall within Part B of the Services Regulations. An award notice was published in OJEU on the award of the original framework.

## **10. Crime and Disorder Implications**

10.1 The management of the caseload may involve a variety of cases such as domestic violence and abuse, rape and sexual assault, trafficking etc.

10.2 Reducing VAWG is a key priority for the Safer Lewisham Partnership and Lewisham’s Corporate Strategy 2019- 2022.

- 10.3 Officers will seek to ensure the award winner has a proven impact in reducing levels of VAWG amongst service users.

## **11. Equalities Implications**

- 11.1 During the tendering process, applicants will be expected to provide details of their equalities policy. Officers will ensure that the contractor complies with Lewisham Council's code of practice for contractors, which sets out the Council's expectations and includes guidance on Lewisham's equality and diversity policy.
- 11.2 At all stages of the award, delivery and operation of the contract, officers will make sure that due regard is shown to the Council's comprehensive equalities scheme and the requirements of the 2010 Equality Act.
- 11.3 Officers will also seek to ensure the nine protected characteristics are covered across all three boroughs.

## **12. Social Value**

- 12.1 Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured.
- 12.2 the evaluation of tender submissions will ensure the provider delivers a number of social value outcomes throughout course of the contract. Tenderers will be required to submit details of how they will deliver social value within the local area and social value will carry a 10% weighting in the tender evaluation process.
- 12.3 Projected social value outcomes may include; local employment outcomes, educational benefits and SME usage for subcontracting arrangements.
- 12.4 The council is also an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or services within Lewisham pay their staff at a minimum rate equivalent to the LLW rate. Successful contractors will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the tender documents.
- 12.5 The incorporation of Social Value into Lewisham contracts will significantly help the Council to deliver on its strategic corporate and Mayoral priorities and deliver added value for the borough as a whole.

## **13. Environmental Implications**

- 13.1 There are no environmental implications to consider.

## **14. Conclusion**

- 14.1 This report sets out the procedure to tender a VAWG service for Lewisham covering community and emergency accommodation services. The service will provide an advocacy and advice service for victims of VAWG in Lewisham, supporting victims to improve their safety, reduce their vulnerability to abuse and support in accessing statutory and voluntary

services to improve health and wellbeing. The service will be for a duration of 3 years, with the option to extend for 2 years, at the total maximum value of £480,927 P/A.