

Executive

26.01.23

Report of the Director of Public Health

Portfolio of the Executive Member for Adult Social Care and Public Health

Recommissioning of Domestic Abuse Services in York

Summary

1. The purpose of this report is to seek authorisation to approach the market for the re-commissioning of Domestic Abuse Services in York. The procurement will be led by the North Yorkshire Police, Fire and Crime Commissioner (NYPFCC) who will act as the lead commissioner on behalf of City of York Council and North Yorkshire County Council.
2. The Executive agreed to the establishment of joint commissioning arrangements to deliver the requirements of the Domestic Abuse Act at the meeting of the Executive held on 9th December 2021.
3. Approval is being sought to enter into a joint commissioning agreement with NYPFCC, as the lead commissioner, for up to £21,832.75 per month to be paid in arrears to NYPFCC for the delivery of Domestic Abuse services. The proposed contract length will be for up to a maximum of 8 years (an initial contract period of 4 years, with options to extend for a further 2 years, followed by another option to extend for a final 2 years) making a maximum total financial commitment from City of York Council of £2,095,994 over the lifetime of the contract, starting from 1st April 2024.
4. In addition, approval is sought for the delegation of decision-making to the Director of Public Health in consultation with the relevant council statutory officers and Executive Member for Adult Social Care and Public Health.

Recommendations

5. Members are asked to:

a. Authorise officers within City of York Council to work in partnership with North Yorkshire County Council and NYPFCC to tender a new contract for the provision of domestic abuse services. City of York Council will have representation on the tender panels and be involved in developing the service specification through membership of the joint York and North Yorkshire Joint Commissioning Group.

b. Authorise the Director of Public Health, in consultation with the relevant officers in City of York Council and Executive Member for Adult Social Care and Public Health, to accept the bid for this contract which scores highest on the evaluation criteria, and to award and sign a contract on behalf of City of York Council.

Reason: To enable domestic abuse services to be available to York residents that are value for money and responsive to local need.

6. This proposal falls within key decisions due to the annual value of the contracts and as such will be presented to Executive for decision.

Background

7. The Domestic Abuse Act 2021 (the “Act”) places statutory responsibilities on local authorities in England to ensure provision of a range of services to support victims of domestic abuse.

8. The Act set out the recommended governance arrangements for implementation of these responsibilities at the level of upper tier or unitary councils. The governance arrangements for City of York were approved by Executive on 9th December 2021. This included the establishment of a York Domestic Abuse Local Partnership Board, chaired by the Director of Public Health, together with a joint York and North Yorkshire Joint Commissioning Group hosted by the Office of the Police, Fire and Crime Commissioner for North Yorkshire. The Joint Commissioning Group reports to the Domestic Abuse Local Partnership Boards for York and North Yorkshire.

9. The York Domestic Abuse Local Partnership Board, was established in January 2022 and provides strategic governance for

domestic abuse across York. A sub-group of the York Domestic Abuse Local Partnership Board is the Domestic Abuse Joint Commissioning Group, which was established to model and administer the commissioning approach for domestic abuse services. This partnership group consists of representatives from the North Yorkshire Police, Fire and Crime Commissioner (NYPFCC), North Yorkshire County Council (NYCC) and City of York Council.

10. The domestic abuse services commissioned were initially part of the Council's Supporting People Services and had been part of Adult Social Care "base" budget provision since April 2012, prior to being the responsibility of the Safer York Partnership. It was agreed in September 2021, following the introduction of the statutory responsibilities within the Domestic Abuse Act, that domestic abuse and associated budget would transfer to public health. This enables a preventative public health approach to domestic abuse, at a time when domestic abuse incidents have risen since the COVID-19 pandemic and continue to remain significantly high.
11. The funding contribution allocated from City of York Council includes £108,000 per annum for community victims support provision, £39,000 per annum for domestic abuse perpetrator provision and £114,993 per annum for refuge and accommodation-based services. Therefore, the overall annual contribution from City of York Council is £261,993 per annum.

Consultation

12. Consultation of stakeholders has taken place through the York Domestic Abuse Local Partnership Board and the Domestic Abuse Joint Commissioning Group, who will continue to be informed and consulted during key stages of the procurement process. The Domestic Abuse Local Partnership Board has representation from both internal and external stakeholders, including children's and adult's safeguarding, housing, community safety, North Yorkshire Police, health, probation and the voluntary sector.
13. A Domestic Abuse Needs Assessment has been jointly commissioned and is currently being carried out. The needs assessment will provide an evidence base of local need for service provision based on interviews and surveys of both professionals and survivors of domestic abuse. This will be used to inform the

future commissioning model and development of a service specification.

14. A pre-procurement event will take place in March 2023 prior to tender release, to ensure the authentic voice of victims and survivors informs future commissioning, as stated within the York and North Yorkshire Domestic Abuse Safe Accommodation Strategy. New services will start on 1st April 2024 to align with the expiry date of existing contracts.
15. Consultation has also taken place with the established Survivor Advisory Board to further ensure the voice of victims informs the future commissioning.

Options

16. Option 1 - to approve the re-commissioning of domestic abuse services and enter into a joint commissioning agreement with North Yorkshire County Council and the Office of the Police, Fire and Crime Commissioner to go out to competitive tender and award a contract to the successful bidder.
17. Option 2 - to not approve the re-commissioning of domestic abuse services.

Analysis

18. Option 1

This would ensure that the council fulfils the statutory responsibilities as outlined within Part 4 of the Domestic Abuse Act (2021), ensuring the appropriate provision of safe accommodation and necessary support for victims of domestic abuse and their children. This option would allow the council to re-commission services, in line with financial regulations, whilst also enabling a comparison of cost and quality across providers. The proposed length of contract will help ensure stability to the successful provider, enabling a sustained quality of service available to York residents. The inclusion of break clauses and ongoing contract management of key performance indicators will enable the council to end the contract early if required.

This is the recommended option.

19. Option 2

Failing to commit to the re-commissioning of domestic abuse services with NYPFCC and NYCC would mean that the council is failing to meet its statutory duty as outlined within the Domestic Abuse Act (2021). Consequently, a lack of domestic abuse support services available to victims and their children increases both the adults and children's safeguarding risk.

This option is not recommended.

Council Plan

20. This proposal and the re-commissioning of the domestic abuse services across York contributes to many aspects of the council plan, including good health and wellbeing due to the physical and mental impact that domestic abuse has on an individual's life.
21. Similarly, the recognition of children as victims of domestic abuse in their own right mean that the re-commissioning of the domestic abuse services following the publication of the Domestic Abuse Act 2021 contributes to ensuring a better start for children and young people. The provision of these services will also contribute to ensuring safer communities and culture for all, providing services to support individuals who may experience any form of domestic abuse.

Implications

22. The implications are outlined below:

- **Financial**

The annual value that the NYPFCC will be tendering for is approximately £1.8million per annum, of which City of York Council will contribute £261,993 per annum. The contract is likely to be a minimum of eight years to secure interest and value for money from the market. There will be appropriate clauses/breakpoints which allow assessment of whether the contract is still delivering value for money during the contract period.

There are no financial implications for the council since the costs are already included in the public health budget forecast

- **Human Resources (HR)**

There are no HR implications for the council arising from this report.

- **Equalities**

An Equalities Impact Assessment has been completed which shows that the proposal will have a positive impact.

- **Legal**

As the NYPFCC are the lead commissioner legal and procurement resource will be provided by the NYPFCC. However, Public Health will liaise with council legal and procurement officers to ensure that the proposed route to market will be compliant with legislation and our own contract procedural rules.

- **Crime and Disorder**

Rates of domestic abuse incidents remain high, both nationally and locally, following the COVID-19 pandemic. This further evidences the need for support services to be available for victims of domestic abuse.

- **Information Technology (IT)**

There are no IT implications.

- **Property**

There are no property implications.

- **Other**

There are no other implications.

Risk Management

23. There are no known risks with the proposed recommendation.

Contact Details

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Director of Public Health

**Report
Approved**



Date

17 January
2023

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

[Executive Report - Domestic Abuse Act 2021 Final.pdf \(york.gov.uk\)](#)

Equality Impact Assessment