

# Independent Domestic Violence Advocate (IDVA) support to victims-survivors of domestic abuse: Ministry of Justice Victim Fund 2022/23: Request to accept receipt of grant and to vary contract with LDVS

Date: 11<sup>th</sup> July 2022

Report of: Head of Commissioning (Housing and Public Health)

Report to: Director of Communities, Housing and Environment

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

West Yorkshire Combined Authority (WYCA) has awarded £160,608 (from the Ministry of Justice Victim Fund) to Leeds City Council to fund IDVA (Independent Domestic Violence Advocate) provision during 2022/23:

- £70,000 is for general IDVA support
- £90,608 is to continue funding 2 specialist IDVAs (Children and Young People and Complex Needs)

Approval is being sought to accept receipt of the grant and to award this funding to Leeds Domestic Violence Service (LDVS) - through a variation to their existing contract - to provide IDVA resource for existing partnership structures in place to support victims-survivors of domestic abuse.

## Recommendations

- Accept receipt of a grant of £160,608 from WYCA (from the Ministry of Justice Victim Fund).
- Approve an allocation of £160,608 to Leeds Domestic Violence Service (via Leeds Women's Aid as the lead agency) to provide additional IDVA support through the existing community based domestic abuse service. This will be done as a variation to existing contract 9Y9N-Z2LOII – (DN194503) (Lot 1) under the provisions of the Public Contracts Regulations (PCR) 2015 Regulation 72(5).
- The decision will be implemented by the Head of Commissioning (Housing and Public Health) with support from Procurement and Commercial Services (PACS).

## What is this report about?

- 1 Leeds City Council has received £160,608 from the West Yorkshire Mayor's Ministry of Justice Fund to provide IDVA support for victims-survivors of domestic abuse. This report sets out the intention for how the funding will be allocated and seeks authority from the Director of Communities, Housing and Environment to proceed with this proposal.
- 2 The proposal in this report directly contributes to the Best Council Plan's overarching vision of tackling poverty and reducing inequalities. It addresses the Best Council Plan's priority of keeping people safe from harm and protecting the most vulnerable.

## What impact will this proposal have?

- 3 This proposal will allow LDVS to continue to manage the IDVA support required for high-risk clients, as identified at Daily Risk Assessment Meetings (DRAM) and Multi-Agency Risk Assessment Conferences (MARAC), resulting in more victims-survivors receiving this specialist support. LDVS works with over 300 families at any one time and there is continually high demand for support.
- 4 The addition of the 2 specialist IDVA posts to the LDVS IDVA Team means that more people from these priority groups (children and young people and people with complex needs) are being supported. Previous funding for these 2 posts expired on 31<sup>st</sup> March 2022, and this funding allows the provision to continue.
- 5 These IDVAs work closely with other partners – for example housing providers and drug and alcohol services – which will result in more people gaining knowledge and skills relating to supporting victims-survivors of domestic abuse from those client groups.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 6 Supporting individuals and families to recover from their experiences of domestic violence and abuse has a positive impact on health and wellbeing.

## What consultation and engagement has taken place?

Wards affected: City-wide

Have ward members been consulted?

Yes

No

- 7 The West Yorkshire Combined Authority has been consulted on and is in agreement with this proposal.
- 8 Partners involved in the DRAM and MARAC processes were involved in the decision that a Children and Young People's IDVA and a Complex Needs IDVA would add value to the DRAM/MARAC arrangements.

## What are the resource implications?

- 9 The West Yorkshire Combined Authority has paid the funding to Leeds City Council. It is WYCA's expectation that this funding is used for the delivery of IDVA support during 2022/23, specifically to include the 2 specialist IDVA posts.

10 There are no longer-term resource allocations for Leeds City Council. LDVS is aware of the short-term nature of the funding and the length of employment contracts reflects the period of the funding allocation.

### **What are the key risks and how are they being managed?**

11 The funding proposal in this report is being allocated to LDVS to deliver IDVA support to victims-survivors of domestic abuse. Should the service fail to deliver this support then there is a risk that Leeds City Council could have to repay the funding to WYCA. This will be mitigated by payment in instalments, through robust monitoring by Adults and Health Commissioning Team and through ongoing updates and communication with WYCA.

### **What are the legal implications?**

12 The modification of contracts during their term is governed under the PCR at Regulation 72. Regulation 72(5) of the PCR provides that where the value of the modification is below both of the following values:

- a) the relevant threshold mentioned in Regulation 5 of the PCR, and
- b) 10% of the initial contract value for service contracts,

The variation is permitted provided that the modification does not alter the overall nature of the contract.

13 The above conditions are considered satisfied for the following reasons:

- (i) the value of the modification (i.e. £160,608) is below the relevant Regulation 5 threshold;
- (ii) the value of the modification represents an increase of 3.7%, and therefore does not exceed 10% of the initial contract value; and
- (iii) LDVS is already providing IDVA support under its existing contract 9Y9N-Z2LOII – (DN194503) (Lot 1) and the modification to allow LDVA to provide additional IDVA support services does not change the overall nature of the contract.

14 However, if Regulation 72(5) is used incorrectly, and it is subsequently determined that the conditions have not been met, the Council will be open to legal challenge that it has breached the procurement rules. Further, an aggrieved party could potentially argue that it has missed out on a competitive opportunity and thereby seek damages for that loss of opportunity. However, this risk is considered low.

15 This decision is a Significant Operational Decision and is not subject to call-in.

16 Although there is no overriding legal obstacle preventing the use of Regulation 72(5) the above comments should be noted. In making their final decision, the decision maker should be satisfied that the course of action chosen represents best value for the Council.

## **Options, timescales and measuring success**

### **What other options were considered?**

17 An alternative option was to undertake a competitive exercise to award the funding. This was rejected due to the short-term nature of the funding and the fact that there is already a contract in place with LWA to provide IDVA support – that contract went through a competitive tender process and the provider is performing well.

### **How will success be measured?**

- 18 Victims-survivors of domestic abuse will feel safer as a result of the IDVA support – this will be measured through client consultation and feedback.
- 19 The numbers of repeat presentations at DRAM and MARAC will be reduced due to the additional support of the 2 specialist IDVAs.

### **What is the timetable and who will be responsible for implementation?**

- 20 The contract variation will be issued upon confirmation of approval from the Director of Communities, Housing and Environment.
- 21 The majority of the funding is being used for a continuation of existing provision so activity will continue without interruption.

### **Appendices**

- ECDI screening

### **Background papers**

- Award letter from WYCA