

From: Sarah Hammond, Corporate Director of Children, Young People and Education

To: Sue Chandler, Cabinet Member for Integrated Children's Services

Subject: Commission a new Domestic Abuse Support Service for those residing in Safe Accommodation

Key Decision Overall service value exceeds £1m and/or affects more than two Electoral Divisions.

Decision Number: 23/00007

Classification: Unrestricted

Past Pathway of report: Children, Young People and Education Cabinet Committee – 17 January 2023

Future Pathway of report: Cabinet Member Decision

Electoral Division: All

Summary:

This report provides the Cabinet Member with the background and rationale of the proposal to procure a Domestic Abuse Service for Children and Young People that will meet statutory obligation to both recognise and support Children and Young People as victims of Domestic Abuse in their own right.

The proposed service will be offered to Children and Young People residing in Safe Accommodation and will be fully funded by the New Burdens Funding.

The funding states that any spend must support people who reside in 'Safe Accommodation' as defined by the Domestic Abuse Act 2021 and delivered by knowledgeable and/or experienced specialist providers, charities, and other voluntary organisations whose purpose is to provide support to victims of Domestic Abuse.

Recommendations:

The Cabinet Member for Integrated Children's Services is asked to agree the proposed decision to:

- A) Commence formal procurement activity to tender for a Domestic Abuse Support Service in Safe Accommodation for Children and Young People affected by Domestic Abuse,
- B) Delegate authority to the Corporate Director CYPE to take relevant actions to facilitate the required procurement activity
- C) Delegate authority to the Corporate Director CYPE to award the contract and take relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to

implement the decision.

1. Introduction

- 1.1 Part Four of the Domestic Abuse Act 2021 brings the statutory duty for local authorities to provide support for all victims and their children residing in all types of Safe Accommodation, which includes refuges, Sanctuary Schemes, move-on, and dispersed accommodation.
- 1.2 Domestic Abuse support for Children and Young People residing in Safe Accommodation in Kent is fragmented, inconsistent, and difficult to find. Many young people in Safe Accommodation rely on community services provided by Voluntary and Community Sector organisations, which are often grant funded and inconsistent across the county, giving a postcode lottery for levels of provision and support.

2. Background

- 2.1 The current Domestic Abuse (DA) provision commissioned by KCC, with multi-agency funding, is managed through the Kent Integrated Domestic Abuse Services (KIDAS) contract, which is managed by the Vulnerable Adults Commissioning Team. This contract provides support for adult victims and survivors (16+) both within the community and refuges.
- 2.2 There is currently no KCC commissioned Domestic Abuse support offer that specifically supports Children and Young People residing in Safe Accommodation.
- 2.3 Historically, Local Children's Partnerships Groups have set Domestic Abuse as a priority within their Districts and have grant funded organisations and projects accordingly.
- 2.4 The impact of not having a Domestic Abuse support offer in place specifically for Children and Young People will inevitably have far reaching impact both on the mental health and wellbeing of the young people but also on the family dynamic as a whole in an unstable and fractious time. It can often mean that the child's needs are not understood and are therefore not met, with the right support not identified.
- 2.5 Referrals to Integrated Children's Services (ICS) overwhelmingly are linked to either present or historic Domestic Abuse. This proposed service, whilst may not reduce caseload numbers, could alleviate some pressure on KCC's Children's Social Care Services that are supporting victims of Domestic Abuse and also ensure more children have access to dedicated and specialised support.

3. Co-production

- 3.1 A significant amount of activity has taken place to understand how we can commission a service that works for the Children and Young People who will be using it.

- 3.2 Working in partnership with the District and Borough Councils, Commissioners analysed the Sanctuary Scheme provision to better understand levels of need.
- 3.3 The requirement for children to be recognised as victims in their own right has been mandatory since the publication of the Domestic Abuse Act 2021. Due to this, our inhouse data sets are not mature or consistent enough to have a full understanding of what demand will look like for this provision. This, in part, is due to data collection only occurring at point of referral, and as this is a service requested for and delivered to the adults in a property, in many cases the number of children is not collected.
- 3.4 The lack of data has created a barrier when determining the anticipated cost of this support, and therefore some assumptions were made regarding average numbers of Children and Young People residing in properties across the County.
- 3.5 Commissioners conducted initial market engagement workshops with the three providers in the KIDAS contract. Learning from the workshops has been used to shape the initial thinking on service design with providers focusing on the importance of support catering to individual needs of Children and Young People, recognising that a 'one size fits all' approach would not work.
- 3.6 The workshops also gave Commissioners insights into the three individual organisations and the idea of a contract variation was explored. However, it became apparent that if this offer was varied into the existing KIDAS contract, as some of the organisations do not specialise in support to Children and Young Peoples, there would be a need to sub-contract the provision. Commissioners were of the opinion that this would not only increase contract management costs (therefore retracting from the total value spent on front line provision) but also run the risk of diluted performance management and insight into provision.
- 3.7 Children's Commissioners also conducted a series of workshops with statutory partners (including representation from Social Workers, Senior Early Help Workers, and District and Borough Councils) to understand what Children and Young People need in a Domestic Abuse service, what the current gaps in provision are, and how the proposed service could be designed to meet those needs and gaps as much as practicably possible.
- 3.8 The findings from these workshops developed the overall service model including the key functions of the service (which were defined as support coordination, participation and engagement, and therapeutic work) were needed to deliver both one-to-one support and group support as it was essential to offer a range of support. The workshops also contributed to integrating Goal Based Outcomes into the service as this approach captures individualised outcomes of the Children and Young People in a meaningful way.
- 3.9 In September 2022, a Prior Information Notice was advertised on the Kent Business Portal requesting potential providers to feedback on the proposed delivery model and scope of provision.
- 3.10 A total of 40 providers expressed an interest in the model, some of whom participated in individual virtual meetings to discuss their views and feedback.

This feedback was used to further influence the specification and service design.

4. Voice of the Child

- 4.1 In 2021, one of Kent's DA organisations, Rising Sun, were commissioned by KCC to conduct a series of interviews with Children and Young People (aged 9-20) who had previously engaged in DA services to explore which aspects of support they found most effective. The findings from this were incorporated into the initial design of the proposed service.
- 4.2 In October 2022, Children's Commissioners worked with the Youth Participation Team and Kent Youth Council to consult with young people on the proposed service. A workshop was held to gain young people's feedback on the service by way of a case study of young people using the proposed service. The feedback provided by the young people was incorporated into the specification.
- 4.3 Through capturing the Voice of the Child, it became apparent that Children and Young People experiencing Domestic Abuse would not always be ready to engage in a service at the point of referral, for instance, residing in refuge is a turbulent time and starting a support programme may not be appropriate. To accommodate this, the proposed service has different types of support to suit the stage of recovery a young person may be at. The function of 'Participation and Engagement' will also ensure the young person is informed of what the service can offer and to remain in contact for when they are ready to engage.
- 4.4 The service is primarily based on the notion that support is determined by the young person through guided self-assessment and the completion of a Goal-Based Outcome toolkit.
- 4.5 It is expected that the number of young people will require therapeutic support through the service, in addition to this the model will also mirror the ethos of social prescribing, in that young people will have the option accessing additional support. The value of engaging in non-therapeutic activities to provide a holistic support framework around the young person is recognised in all parts of the assessment process from the first point of contact with the service.
- 4.6 Due to the sensitive nature of the subject and potential safeguarding issues, Commissioners have not included views of current users of Domestic Abuse services but have been able to include feedback and shared experiences from historical cases to influence decisions made in the specification. Therefore, Commissioners believed that incorporating findings from the Rising Sun research, feedback from front line workers in the workshops and consulting with the Youth Council was sufficient for capturing the voice of the child in the service design.

5. Options Appraisal

- 5.1 The following table sets out the options considered, along with the advantages and risks of each option:

Option	Advantages	Risks
<p>1. Do nothing: Continue to deliver support for adults through KIDAS and make no offer of support for children or young people</p>	<ul style="list-style-type: none"> • The New Burdens Funding (NBF) will be available to support other projects relating to support in Safe Accommodation 	<ul style="list-style-type: none"> • Children and Young People who have experienced trauma or whose wellbeing has been affected as a result of experiencing Domestic Abuse will continue to be left without the necessary support. • KCC will not be delivering its statutory duty to Children and Young People
<p>2. Build capacity in-house to provide support to children and young people who reside in Safe Accommodation</p>	<ul style="list-style-type: none"> • Can exercise greater control of in-house performance • Less susceptible to volatile market pressures • Potentially better join up with other in-house teams such as Early Help and Integrated Children's Services. 	<ul style="list-style-type: none"> • The Domestic Abuse Act 2021 guidance stipulates the support should be delivered by experienced specialist providers, charities, and voluntary organisations, therefore commissioning in-house support may result in disregard for the guidance. • Has proven extremely difficult to recruit staff to existing structure, given the specialist nature of Domestic Abuse therapeutic support. • May encounter complexities in terminating staff contracts if the services are not needed. • By using in-house teams, specialist Domestic Abuse knowledge may be lost and relationships with the market may lessen.
<p>3. Commission a provider to deliver the service.</p>	<ul style="list-style-type: none"> • Provision will be offered to all children and young people countywide residing in Safe Accommodation, therefore enabling KCC to meet its statutory obligations. • Contract termination procedures apply if performance is substandard or if service is unneeded. • A commissioned service may be able to provide better value for money. • A training function can be built into the service focusing on workforce development of KCC Integrated Children's Service staff. 	<ul style="list-style-type: none"> • Can exercise greater control of in-house performance • Less susceptible to volatile market pressures I delivered inhouse • There is uncertainty on the duration that KCC will continue to receive New Burdens Funding, however by integrating a training function of the contract it would upskill KCC workforce for sustainability.

5.2 Based on the above options appraisal the recommended option is **Option 3 – Commission a provider to deliver the service**. The reasons for this recommendation are as follows:

- It will enable KCC to meet the statutory duty outlined in the Domestic Abuse Act 2021.
- It meets the requirement for support to be delivered by experienced specialist providers, charities, and other voluntary organisations.
- Workforce development is built into the specification to promote sustainability of the model beyond the life of the contract.
- The service will be offered on a two-year contract with the potential of a two one-year extensions and will provide an opportunity for Commissioners to gather data and outcomes to influence the design of a support offer that could potentially be embedded into wider services in the future.

5.3 Following feedback from CYPE Divisional Management Team, a workforce development element was incorporated into the service design for option three to increase the sustainability of the model. This aims to develop the skills of the wider KCC Integrated Children’s Service (ICS) workforce when interacting with cases where Domestic Abuse is present. Work is due to be undertaken to determine the scope of this function and what is needed for ICS staff.

6. Commissioning Intentions

6.1 The initial contract term will be two years with the option to extend for a further two one-year periods. There will be a requirement to include flexibility within this term to ensure delivery is fit for purpose, can be maintained through New Burdens Funding and meets any change in demand.

6.2 Part of any Invitation to Tender will include but not be limited to:

6.2.1 A requirement for the service to meet three main functions, although how the service offers these will be at the discretion of the successful tenderer. The three functions are:

- Children’s Therapeutic Work – responsibilities include offering the therapeutic support, developing exit strategies for the intervention, determining Goal-Based Outcomes alongside the Children and Young People.
- Participation and Engagement Work – responsibilities include building relationships with potential Children and Young People who are eligible for the service and obtaining feedback from them to plan and inform future sessions.
- Support Coordination – responsibilities include reviewing new referrals into the service, coordinating the support needed by the children and/or their families, and maintaining and updating data records.

6.2.2 Previous experience in working against a backdrop of relevant legislation to ensure providers are able to interpret the latest guidance and policies to understand what is required to meet the statutory duty.

6.2.3 A track record of embedding the Voice of Children and Young People in the development of provision. It is essential that the provider has specialist experience of obtaining feedback from Children and Young People as this varies (for example, in terms of consent and safeguarding protocols) when compared to obtaining feedback from adults. Contract Managers will require demonstratable experience of building such feedback into service design and improvement to ensure the service remains effective.

6.2.4 The ability to adapt the model of delivery to accommodate fluctuating numbers of referrals. As this is a new service and there is a lack of data evidence the demand for support, the Provider will be expected to adapt their mode of delivery to meet the needs of changing priorities and workloads across different areas of the service.

7. Timelines

7.1 Should the recommended option be agreed, the proposed timeline for contract award would be April 2023.

7.2 Should the Key Decision be taken, publication of an Invitation to Tender will commence following the appropriate stand still period.

Procurement Stage	Date
Market Engagement	September 2022
PIN Published for EOIs	September 2022
ITT Issued	February 2023
Evaluation and Moderation	March 2023
Contract Award	March 2023
Contract Start Date	April 2023

8. Financial Implications

8.1 A maximum annual contract value applies to this contract of £760,446 and will be funded in full by the New Burdens Funding. The proposed contract length is two years (24 months) giving a contract value of £1.52m. The contract will have the potential to be extended for one plus one year (12+12 months). Should the two one year (12+12 months) extensions be granted, the value of the total contract would amount to £3.04m.

8.2 The cost of staffing resource to the Local Authority to procure this service would be £16,774.15. This is primarily tendering, evaluating, and awarding a contract and finalising mobilisation plans. This process will be managed by a

Commissioner and Project Officer with contract management undertaken post contract award.

9. Legal implications

- 9.1 The Local Authority has a statutory obligation to meet the duties set out in Part Four of the Domestic Abuse Act 2021 including to provide support for all victims in Safe Accommodation. Under Section three of the Domestic Abuse Act 2021, children are seen as victims in their own right if they have experienced, witnessed, or heard Domestic Abuse.
- 9.2 There is currently no KCC commissioned service to meet this statutory duty.
- 9.3 Procuring the proposed service will ensure KCC is meeting the statutory duty to provide support for victims in Safe Accommodation, set out in Part Four of the Domestic Abuse Act 2021.
- 9.4 Legal advice will be obtained in relation to the procurement exercise required to secure the services required to discharge the Council's obligations.

10. Equalities implications

- 10.1 An Equalities Impact Assessment has been completed and identified no high negative impacts on any of the recognised protected categories.
- 10.2 Whilst, by its nature, the service will exclude those who do not fulfil the eligibility criterion of residing in Safe Accommodation (as defined by the Act), the choice of these restrictions is justified due to funding restrictions, and any other protected groups are not affected.

11. Other corporate implications

- 11.1 The existing Data Protection Impact Assessment will be reviewed and amended as necessary for a new service.
- 11.2 Future work is being planned within Commissioners for Adult Social Care to standardise the Sanctuary Scheme provision across the County, although this is currently in the scoping phase and is not expected to be mobilised by the time this Domestic Abuse Safe Accommodation Support Service starts. Future work is needed in collaboration with the Commissioners for Adult Social Care to ensure these two projects are aligned.
- 11.3 The New Burdens Funding has strict requirements as to how it must be spent in response to the duties outlined in Part Four of the Domestic Abuse Act 2021, these are outlined below.
 - 11.3.1 Authorities must ensure that support commissioned under the Domestic Abuse duty is provided to victims of Domestic Abuse, including their children, who reside in relevant Safe Accommodation. Definitions of 'Safe Accommodation' as defined by the Domestic Abuse Act 2021.

11.3.2 The Domestic Abuse Act 2021 guidance states support should be delivered by experienced specialist providers, charities, and other voluntary organisations whose purpose is to provide Domestic Abuse support to victims.

11.3.3 The statutory duty under the Act is limited to accommodation-based support and does not include other support which may be provided to victims of Domestic Abuse for example in community-based locations.

11.3.4 The Domestic Abuse Act guidance describes support for children as play therapy, child advocacy or a specialist children worker, and counselling. However, this is not an exhaustive list.

12. Governance

12.1 Accountability of the Domestic Abuse Safe Accommodation Support Service sits with the Corporate Director for Children, Young People and Education. Responsibility sits with the Director of Integrated Children's Services, North and West Kent (Early Help and Preventative Service Lead).

12.2 Robust reporting mechanisms are in place to the Department for Levelling Up, Housing and Communities (DLUHC). This includes regular updates on spend associated with the New Burdens Funding in addition to the number of individuals support through initiatives, led by Strategic Policy, Risk and Corporate Assurance.

12.3 Overview of the scoping exercise has been reported to the Divisional Management Team and Directorate Management Team in the Children, Young People and Education Directorate. Contract oversight will be monitored through regular updates with the Director for Integrated Children's Services.

13. Conclusions

13.1 Despite the short-term nature and the rigid requirements for spending the New Burdens Funding, the proposed service provides an opportunity for KCC to explore levels of need, potential outcomes, and data associated with victims and survivors in Safe Accommodation.

13.2 Commissioners will explore how, beyond the lifetime of New Burdens Funding; the service could be integrated into a wider delivery system.

13.3 Information, lessons learnt, and outcomes will be shared with Commissioners for Adult as they develop the specification, scope, and outcomes for the 2024 procurement of a new Domestic Abuse service (currently known as Kent Integrated Domestic Abuse Services (KIDAS) Contract).

13.4 The preferred option is Option three – **Commission a provider to deliver the service.**

14. Recommendation(s):

The Cabinet Member for Integrated Children's Services is asked to agree the proposed decision to:

- A) Commence formal procurement activity to tender for a Domestic Abuse Support Service in Safe Accommodation for Children and Young People affected by Domestic Abuse,
- B) Delegate authority to the Corporate Director CYPE to take relevant actions to facilitate the required procurement activity
- C) Delegate authority to the Corporate Director CYPE to award the contract and take relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

15. Background Documents

- 15.1. [Decision - 21/00040 - Domestic Abuse Act - New Burdens Funding \(kent.gov.uk\)](#)

16. Contact details

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