

**REPORT TITLE: New Commissioning approach for Domestic Abuse Support Services**

<b>Meeting:</b>	<b>Cabinet</b>
<b>Date:</b>	<b>20 February 2024</b>
<b>Cabinet Member (if applicable)</b>	<b>Cllr Pervaiz - Cabinet lead Portfolio holder Cllr Reynolds Cllr Kendrick Cllr Ramsay</b>
<b>Key Decision Eligible for Call In</b>	<b>Yes Yes</b>
<p><b>Purpose of Report</b>          To seek Cabinet approval to change the Councils approach to commissioning Domestic Abuse support services using external grant funding. The report outlines a proposal to commission an outcomes-based contract with Kirklees Better Outcomes Partnership (KBOP) to deliver Domestic Abuse support services.</p>	
<p><b>Recommendations</b>          It is recommended that Cabinet approve:</p> <ul style="list-style-type: none"> <li>To change the Councils approach to commissioning domestic abuse support services enabling 60-month outcomes-based contract to be entered into with Kirklees Better Outcomes Partnership (KBOP) part of Bridge Outcome Partnership (BOP), to commence on the 1<sup>st</sup> April 2024;</li> <li>To authorise legal officers (following their delegated authority) to execute the agreed contract between Kirklees Council and KBOP, part of Bridges Outcomes Partnerships (BOP)</li> </ul>	
<p><b>Reasons for Recommendations</b>          If approved, this should lead to better outcomes for Domestic Abuse service users, as delivery organisations are provided with the strongest possible incentives to deliver needs met services which will aim to:</p> <ul style="list-style-type: none"> <li>Reduce the risk of harm</li> <li>Reduce symptoms of trauma</li> <li>Improve independence and wellbeing.</li> <li>Improve multiagency co-ordination.</li> <li>Improve access to service</li> </ul> <p>These arrangements have been developed in collaboration with the sector and statutory partners, and the approach facilitates coproduction and codesign of service models. Furthermore, these arrangements allow flexibility in delivery arrangements and to allow providers to test different approaches and adapt in response to evidence of effectiveness and/or emerging best practice.</p>	
<p><b>Resource Implications:</b>          This approach is funded by external grants, there are no implications for Council budgets. The costs would be £900,000 per year for 5 years. The funding for this is annual grant from the Department of Levelling Up Communities and Housing (DLUCH) and Public Health grant</p>	

and this is in place for 2024/5. If the DLUCH grant was not available post 2025, service delivery would need to be reduced and this will be built into procurement and contracting arrangements.

<b>Date signed off by <u>Strategic Director</u> &amp; name</b>	<b>Tom Brailsford - Director of Childrens Services 09.2.2024</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Isabel Brittain - Service Director for Finance 09.2.2024</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Julie Muscroft - Service Director for Legal Governance and Commissioning 06.02.24</b>

**Electoral wards affected:**

**Ward councillors consulted:**

As part of initial engagement and consultation in 2022 ward councillors were offered the opportunity to inform the change in service model to outcomes-based commissioning.

**Public or private:** Public

**Has GDPR been considered?**

Yes. A Data Protection Impact Assessment (DPIA) will be completed in advance of any newly commissioned services commencing delivery. Providers are also required to sign information sharing and data sharing agreements with the partnership. DPIA, data flow mapping and privacy notices have been prepared in advance of work commencing.

**1. Executive Summary**

We are proposing to commission an outcomes-based contract (duration 60 months commencing on April 1<sup>st</sup>, 2024) with Kirklees Better Outcomes Partnership (KBOP) to deliver domestic abuse support services. KBOP will subcontract the frontline delivery on a fee recovery basis to the best placed local providers.

Outcomes-based contracts support more collaborative partnerships between commissioners and delivery organisations. They also allow specialist delivery organisations, community groups and service users to participate in the design process – their front-line expertise helps to ensure the service is fit for purpose and works with other local services in a more joined-up way. The approach being proposed enhances collaboration with the Voluntary and Community Sector (VCS) in ways that other commissioning doesn't.

This contract differs from traditional procurement approaches that pay providers to deliver a specific service. Instead, Kirklees Council (pending Cabinet decision) would be committing to paying KBOP for the achievement of delivery milestones that measure improvements in people's lives.

KBOP provide services at risk (they have social investors), which means they will not receive payment from the Council unless they can evidence that outcomes have been achieved. This should lead to better outcomes for service users, as delivery organisations are provided with the strongest possible incentives to deliver needs met services which will aim to:

- Reduce the risk of harm.
- Reduce symptoms of trauma
- improve independence and wellbeing.
- Improve multiagency co-ordination.
- Improve access to services

## **2. Information required to take a decision**

### **a. Background**

In 2016 Kirklees Council commissioned, through Public Health grant funding arrangements, an Independent Domestic Abuse Advisor service to coordinate support for high-risk victims of domestic abuse. This contract was re-tendered in 2020 for a further three-year contract. On both occasions, Pennine Domestic Abuse Partnership was the successful provider.

In 2020-21, Kirklees Council was allocated £918,922 from the Department of Levelling Up, Housing and Communities (DLUHC) to support victims of domestic abuse, and their children, in safe accommodation. There was significant uncertainty around future years' funding, so the Domestic Abuse Strategic Partnership (DASP) recommended using the first year's funding as an opportunity to gather evidence that could inform a broader commissioning exercise when we had more certainty around future years' funding.

The Councils Executive Leadership Team at the time approved this approach and Kirklees allocated this funding to provide additional support to victims in refuge and commissioned:

- Therapeutic support for children affected by domestic abuse, currently provided by Pennine Domestic Abuse Partnership in partnership with WomenCentre and Northorpe Hall
- Support for victims with complex needs, provided by WomenCentre
- Counselling for victims of domestic abuse, provided by Kirklees, Calderdale and Wakefield Rape and Sexual Abuse Centre

The existing arrangements have provided several challenges for local providers in terms of delivery. For example, services have at times overlapped, one service may refer to another service for therapeutic support when the referring service could have provided that within their own organisation and also the duplication of administration and IT systems. Similarly, duplication arose for the local authority in managing the various contracts. The move to outcome-based commissioning would ensure more effective working and improved support for victims of domestic abuse.

### **b. Cost breakdown**

DLUHC has now confirmed the grant allocation up to 2024-25, with the history to date of grant received as follows:

2021/22	£918,922
2022/23	£921,466
2023/24	£939,899
2024/25	£957,632

This approach is funded by external grants to the Council, there are no implications for Council budgets. The costs would be £900,000 per year for the overall outcomes-based contract with KBOP for 5 years. This would be in part funded by DLUCH and part Public Health grant. This would support a range of services from specialist providers to support high risk victims of Domestic Abuse.

### c. Timescale

We are proposing to commission an outcomes-based contract (duration 60 months) commencing on April 1<sup>st</sup>, 2024, or as soon as possible after that date pending a Cabinet decision.

### d. Expected impact / outcomes, benefits & risks (how they will be managed)

Developing an outcomes-based commissioning approach

With support from Procurement, the Domestic Abuse Team, within Communities and Access Services, facilitated workshops for existing local providers of domestic abuse support services (for victims, children and perpetrators). These sessions facilitated reflection on existing commissioning arrangements and explored how we could enable local services to work together even better to support victims and children, and encourage behaviour change in those who cause harm. This also focussed on how we evidence the outcomes and impact of those in receipt of the support.

Overwhelmingly, the sector has advised we should:

- **Review our commissioning arrangements to foster a culture of collaboration** rather than competition, resulting in a seamless offer for people affected by domestic abuse;
- **Build in the time to develop strong partnership arrangements and support the development of consortium bids** that consider how specialist organisations can concentrate and focus on their specific expertise rather than trying to cover everything in the contract;
- **Enable the opportunity to coproduce commissioning arrangements** and develop service delivery models with commissioners sat around the table; and
- **Allow flexibility in the delivery arrangements** to allow sufficient lead-in time, opportunities for workforce development and to test different approaches.

Traditional procurement approaches, that outline a set service specification to be delivered, do not facilitate opportunities for coproduction and codesign of service models in the same way. Furthermore, it can be difficult for traditional procurement arrangements to allow flexibility in delivery arrangements that allow providers to test different approaches and adapt in response to evidence of effectiveness and/or emerging best practice.

Local providers, when asked to identify good models of partnership working and collaboration identified the Kirklees Better Outcomes Partnership (KBOP) as a good working model. KBOP already have established outcomes-based arrangements that address these challenges for Kirklees Housing Related Support providers. Feedback from a presentation of their approach to the 19 July 2023 DASP was overwhelmingly positive

and providers strongly endorsed the principles and learning from this model or similar as their preferred option.

Providers particularly welcomed the opportunity for an independent organisation to lead in developing the partnership arrangements and establishing contractual and monitoring arrangements with commissioners. Specialist organisations suggested that this approach reduced the risk to them as organisations and would free them up to concentrate on the delivery of services rather than the administration of commissioning arrangements.

Given this feedback, Communities and Access Services worked closely with Procurement and Housing Related Support to identify options for procuring a design and delivery partner to co-develop a contract and then co-ordinate the eventual delivery partnership.

Research indicated that the range of providers was very limited. During this research Bridges, the social investment partner for KBOP, indicated that they would be interested in developing an outcomes-based contract for a domestic abuse support service. Therefore, we used the 'negotiated procedure without prior publication' procedure (Reg 32), which allows a commissioner to select a provider directly on the basis that no other requests to participate were received and only one organisation can deliver the contract. The procedure was followed, and Bridges were the only organisation to submit an expression of interest to coordinate the delivery partnership. As a result, we confirmed our intent to award an outcomes-based contract and have been working with Bridges and local partners to codesign the commissioning arrangements.

Kirklees Council would be committing to paying KBOP for the achievement of delivery milestones that measure improvements in people's lives. This will lead to better outcomes for service users, as delivery organisations are provided with the strongest possible incentives to deliver the best possible results for service users.

We are still codesigning the outcomes to be achieved, but early feedback from service users, delivery organisations and statutory partners indicates that we will be working with people affected by domestic abuse to reduce the risk of harm, trauma and improve multi agency coordination and improve independence and well-being of victims.

KBOP will be required to collate evidence of the impact of services on the people who use them, and the Council will then pay via the DHLUC grant and Public Health grant for the successful achievement of positive outcomes. This approach requires the Council to have the flexibility to draw down funding across the life of the contract, rather than committing to allocated spend within financial years.

The groups who will be involved in the service delivery will not be at risk financially. The contract will include a 12-month initial period of fee for service payments (services remain the same) during the initial design, development and mobilisation phase as KBOP supports delivery partners in the transition to an outcomes-based contract. This protects delivery to individuals, children and families during this transition. This initial phase will allow for more detailed modelling to ensure confidence of outcomes and working within the budget envelope.

Also, local service providers will be paid by KBOP, and it will be the Council then monitoring the contract that will inform the decision as to whether the outcomes have been achieved and therefore whether KBOP would or wouldn't be paid.

**e. Monitoring and Evaluation (incl Governance and accountability of the outcomes-based commissioning contract**

A quality assurance and monitoring outcomes-based contract approach will collect feedback throughout the delivery phase so that the model can be adjusted to achieve greater impact. The contract will include robust quality assurance arrangements to evidence that outcomes are being achieved, and to create the data driven insight that leads to continuous improvement. Delivery organisations are provided with the strongest possible incentives to deliver the best possible results for service users. Robust governance arrangements, that will include partnership oversight of outcomes being achieved, will be built into contractual arrangements.

The contract will work towards supporting people to achieve their goals, whatever they may look like for them, at a pace that is appropriate to the individual.

KBOP will clearly set out their performance management arrangements and share these with the Council. The Council may request amendments to these arrangements as part of contract monitoring and performance review arrangements.

Performance management processes will include arrangements to listen and respond to feedback provided by service users, referring agencies and other stakeholders to drive continuous improvement.

KBOP will establish a programme board, which will include key partners of the DASP, to monitor performance against identified outcomes and the commitments outlined above. It is anticipated that the Programme Board shall meet every three months initially. This may need to be more frequent in the first 18 months as the approach develops. KBOP will establish clear terms of reference for the Programme Board, which will be agreed with the Council and the DASP. The terms of reference may be subject to change with the agreement of both parties. The council will have a key role on the Programme Board.

The Programme Board will be overseen by the Kirklees DASP who will report into the Communities Board and will also provide updates to the Safeguarding Adults Board and Safeguarding Children Partnership.

KBOP will introduce a clear and detailed performance management process with specific Key Performance Indicators (KPIs) and deliverables across each provider. This framework will introduce consistency in delivery of outcomes but will also include flexibility to respond to the individual specialisms of each delivery organisation.

There will also be monthly contract meetings between Customer and Access Services (Communities Service) and KBOP to ensure progress is closely monitored and any challenges are identified and resolved at the earliest opportunity.

The Council and KBOP will work together to collect and analyse partnership data to evidence the broader systemic impact of the service and to drive improvements in our collective response.

#### **f. Sustainability**

This approach will only be sustainable if external grants remain available. As referred to earlier in the report this risk is in view and reduced grant will mean reduced service delivery and this will be built into contract arrangements working alongside the Councils Procurement Team.

#### **g. Services & agencies involved.**

There are a wide range of services and partners involved in the development of this proposal: Council Services, Police, Health partners, Criminal Justice, Housing providers alongside specialist providers in the voluntary and community sector. All have been involved in the engagement, consultation phases and will continue to be involved in its development.

### **3. Implications for the Council**

This proposal and anticipated outcomes will support the delivery of the Councils strategic outcomes by supporting Children to have the Best Start, keeping individuals and families safe from harm (Safe and Cohesive) and support individuals and families to feel confident, Independent and stay Well.

#### **3.1 Working with People**

Communities and Access Service have offered a range of opportunities for our communities to contribute to new commissioning arrangements, including through an online survey and in regular consultation with users of specialist services.

The new arrangements aspire to improve outcomes for people affected by domestic abuse, and to support the vision of the 2022-27 Kirklees Domestic Abuse Strategy, which was endorsed by Cabinet on 17 January 2022):

*Our vision for Kirklees is to work together around individuals, families and communities to prevent, respond to and repair the damage caused by domestic abuse, with a range of services that are accessible and available to anyone who may need them.*

#### **3.2 Working with Partners**

Existing delivery organisations have been instrumental (partners of the DASP and wider) in shaping this approach to commissioning. The Communities and Access Service has received overwhelmingly positive feedback for taking this approach to designing our commissioning arrangements, reporting that they feel listened to and that their expertise is valued. Delivery partners have shared this both with the Communities and Access Service and in various partnership forums across the region.

Statutory partners have also been consulted and regularly updated in the development of new commissioning arrangements.

#### **3.3 Place Based Working**

Commissioned services will be required to demonstrate the impact of their services at Place. Robust governance arrangements will be overseen by a partnership board and data broken down by Place and will enable partners to scrutinise and challenge the achievement of outcomes by Place. This will also be reported in to the DASP on a quarterly basis.

#### **3.4 Climate Change and Air Quality**

No anticipated implications.

#### **3.5 Improving outcomes for children**

Domestic abuse is the primary reason that people contact Children's Social Care to report child protection concerns in Kirklees and nationally domestic abuse has also been identified by the NPSCC, Ofsted and the Department for Education as the most common characteristic of situations where children are at risk of serious harm, and the most common reason for children to be assessed by children's social care services. Improving our response to people affected by domestic abuse will lead to better outcomes for children.

Our commissioning arrangements are informed by the Safe and Together About the Safe & Together™ Model | Safe & Together Institute ([safeandtogetherinstitute.com](https://safeandtogetherinstitute.com)) which provides skills-based training and tools for professionals that increase accountability for perpetrators as parents, reduce victim-blaming and improve outcomes for children and families.

The model is based on the following principles:

- keeping a child safe and together with their non-abusing parent is usually the best way to promote their safety and stability.
- professionals should aim to develop a “strengths-based partnership” with non-abusing parents; and
- professionals should aim to engage perpetrators and hold them accountable for their behaviour and its impact on their child.

There is evidence from the UK, US and Australia about the positive impact of the model, including a reduction in the need for statutory intervention; a reduction in the number of cases that are subject to legal proceedings; a reduction in repeat referrals; improvements in assessments and information gathering; and improvements in staff confidence and wellbeing.

### **3.6 Financial Implications**

There are no financial implications for the people living or working in Kirklees.

The commissioning arrangements are funded through existing grant arrangements so there are no additional resource implications for the Council, but the DLUCH grant funding is only in place until the end of March 2025 currently. Monthly formal contract meetings will be in place with KBOP and risks will be logged and mitigated at the earliest stage and escalated as necessary to the governance structures in place to oversee the contract and its performance.

The Finance Manager for Adults & Health has been consulted to provide confidence that there will be no additional requirement for budget and that the scheme would work within existing envelope. Work will be undertaken with Finance through the initial phase to build more detailed modelling of the potential costs over subsequent years.

It is noted that based on previous schemes of a similar nature, the timing of the outcomes-based model (and the way it might build up over time) may mean that earlier years may be below the budget level, with later years being over, the expectation being that the totality of the 5-year spread will be within budget.

The ability to hold a rolling balance in a reserve would allow for the rightsizing in any year, and over the course of the programme. This is reliant on the totality of the programme not exceeding the planned 5 x £900k total. It is also reliant on the ability to roll forward unused



grant where applicable. Officers will ensure that use of the grant (and the timing of such) is compliant with relevant criteria.

### **3.7 Legal Implications**

Kirklees Council has followed a lawful procurement process under the Public Contracts Regulations (PCRs). Having regard to the PCRs, Kirklees Council published a Prior Information Notice (PIN) on the 14<sup>th</sup> December 2022 setting out what Kirklees Council required for Domestic Abuse Support Services and stated “The level of interest in this PIN notice will determine the procurement process and timeline”. Only one request to participate was received and that was received from KBOP being part of Bridges Outcome Partnerships (BOP).

Kirklees Council decided to use the Negotiated Procedure Without Prior Publication (Regulation 32 of the Public Contracts Regulations 2015) which allows a commissioner to select a provider directly on the basis that no other requests to participate were received and only one organisation can deliver the contract. As KBOP part of Bridges Outcomes Partnership (BOP) was the only organisation to submit an expression of interest to coordinate the delivery partnership Kirklees Council confirmed its intent to award an outcomes-based contract and has been working with Bridges Outcomes Partnership (BOP) to negotiate a contract for the delivery of the Domestic Abuse Support Services.

Legal Officers are involved in the drafting of the contract documentation.

### **3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)**

#### **Risk**

There is a risk register in place for managing the implementation of the outcomes-based commission. The main risk is financial, the DLUCH grant is not guaranteed in future years. To mitigate this, this will be in the contract arrangements will KBOP and the service delivery would need to be scaled back to the Public Health grant funding only.

Lack of partnership buy in, and support could be highlighted as a risk. The partnership approach to developing this innovative response to supporting high risk victims of Domestic Abuse means that working together and buy in to a new way of working to achieve better outcomes for victims and families has been built in from the outset.

Any new risks would be logged, mitigated and where mitigation isn't possible this would be escalated within Communities and Access Service and escalated on to the Corporate Risk register as required.

#### **Integrated Impact Assessment (IIA)**

An integrated impact assessment has been completed and has informed the development of governance and monitoring arrangements.

### **4. Consultation**

Representatives of the DASP, which include criminal justice, health, social care, education and housing colleagues, were engaged, consulted and then collaborated to develop these

arrangements. Workshops with these statutory partners continue to shape the service design. Statutory partners will also participate in monitoring the outcomes of this contract.

The KBOP Management Team also worked closely with their Kirklees Coproduction Forum hosting a number of consultation and then design workshops exploring their experiences with existing services, stakeholders and ambitions for a new approach. This evidence was used to shape the service design and conversations with current Specialist Services and Stakeholders, as part of numerous workshops to explore the mode, partnership, outcomes, reporting matrix's and governance structures.

All proposals have been continuously reviewed and adapted as developed. The Kirklees Coproduction Panel, entirely populated by individuals with lived experience will continue to hold service development and implementation to account and support with ongoing recruitment, mobilisation and accountability.

## **Cllr Consultation**

Communities Portfolio Holder briefing date January 22<sup>nd</sup> 2024

Adults Portfolio Holder briefing January 22<sup>nd</sup>, 2024

Childrens Portfolio Holder briefing 10<sup>th</sup> January 2024

As part of initial engagement and consultation in 2022, both the public, place partnership leads and ward councillors were offered the opportunity to inform the change in service model. 3 Councillor Consultation sessions held in North and South Kirklees and virtually in October 2022.

Ward Cllrs will continue to be updated on the developments of the approach via Communities Service Councillor Please Based and Ward Cllr briefings.

## **5. Engagement**

Domestic Abuse Commissioned Services Provider first engagement workshop took place on 9th August 2022 around opportunities for commissioning approach. A subsequent two workshops also took place alongside KBOP and providers.

Public engagement and consultation questionnaire administered in October 2022. Some views were the need for an improved referral system and reduce time from referral to support, improving relationships with different services, unaware of services available / specific interventions.

Engagement with representatives of the DASP started in 2022 and they have continued to collaborate to develop these arrangements.

Multiple co-design and engagement workshops have occurred with Kirklees Council Domestic Abuse Specialist and Statutory Services & KBOP from September 2023 – December 2023 to explore the mode, partnership, outcomes, reporting matrix's and governance structures. Including ongoing shadowing work between services and KBOP.

KBOP have hosted a number of design workshops with their Coproduction Forum exploring experiences with services, lived experience will support service development.

## 6. Options

### 6.1 Options considered

The alternative option is not to move forward with a new outcomes-based commissioning way of working that has been co designed with a range of partners and those who have accessed Domestic Abuse Service and therefore retain the existing arrangements.

### 6.2 Reasons for recommended option

The existing arrangements have provided a number of challenges for local providers in terms of delivery. For example, services have at times overlapped, duplicated etc as outlined earlier in the report. By progressing this option which has the full support of those working to support victims of Domestic Abuse, the anticipated outcome is providers working more effectively together and ultimately through this achieving improved outcomes for high-risk victims of domestic abuse.

## 7. Next steps and timelines

Below is a timeline of next steps.

Immediately following Cabinet	Contract with KBOP signed Governance and monitoring arrangements implemented by Domestic Abuse Strategic Partnership
1 April 2024	Delivery commences on a fee for service basis to allow sufficient mobilisation period to support delivery organisations in the transition to outcomes-based arrangements.
2024-25	Robust monitoring of contractual arrangements to ensure delivery milestones are met
2024-25	The outcomes will be signed off by the Domestic Abuse Strategic Partnership, Childrens and Adults Safeguarding partnerships and the Communities Board and reporting arrangements with the boards agreed
1 April 2025	Outcomes based contract commences (requires flexibility to draw down funding across the life of the contract, rather than committing to allocated spend within financial years)
2025-2029	Robust monitoring of contractual arrangements to cover the costs of outcomes being met
1 April 2028	Commence review of existing arrangements to consider extension of contract for a further 5 years.

As outlined within the report the approach will aim to improve the outcomes of victims of Domestic Abuse and the outcomes will be developed and co designed with the services providers and those who have accessed services.

## 8. Contact officer

Chani Mortimer  
Service Manager, Domestic Abuse  
[chani.mortimer@kirklees.gov.uk](mailto:chani.mortimer@kirklees.gov.uk)  
extn: 72781

Sarah Mitchell  
Head of Service, Communities  
[sarah.mitchell@kirklees.gov.uk](mailto:sarah.mitchell@kirklees.gov.uk)  
extn: 71209

## 9. Background Papers and History of Decisions

N/A

**10. Appendices**

N/A

**11. Service Director responsible**

Jill Greenfield Service Director – Customer and Access Services