

## DMPC Decision – PCD 1234

**Title: 18 month extension to London Victim and Witness Service and Children and Young People’s Victim Service**

### Executive Summary:

MOPAC is responsible for arranging the provision of support services to all victims of crime in London. One of the main ways in which MOPAC discharges this responsibility is through the commissioning of the London Victim and Witness Service and the Children and Young People’s Victim and Witness Service. These services provide essential practical and emotional support for victims and witnesses, to enable them to cope and recover from their experience and give their best evidence in court if necessary. Funding for these services comes from an annual grant from the Ministry of Justice. Current arrangements for these services are due to expire on 31<sup>st</sup> March 2023.

This decision requests the authority to extend the current arrangements for these two services by 18 months until the end of September 2024. This extension is required in order to provide MOPAC with sufficient time to recommission these two services.

The total financial commitment for these two extensions will be £13,315,200 over eighteen months.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. approve the extension of the contract, and associated funding between MOPAC and Victim Support for the provision of the London Victim and Witness Service at a total financial commitment of £11,815,200 over eighteen months; and
2. approve the extension of the grant agreement, and associated funding, between MOPAC and Victim Support for the provision of the Children and Young People’s Victim and Witness Service at a total financial commitment of £1,500,000 over eighteen months;
3. Approve the associated Improvement Plan drawn up by Victim Support to ensure continuous improvement of the services over the course of the extension term; and
4. delegate responsibility for agreeing the specific terms and amounts relating to individual grants, contracts or extensions to the Director of Commissioning and Partnerships.

### Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature**

**Date 09/12/2022**

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## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **1. Introduction and background**

- 1.1. MOPAC has statutory responsibility for commissioning victims' services in London which are free of charge and accessible whether or not the victim has reported to the police.
- 1.2. To deliver this responsibility, MOPAC commissioned a partnership led by Victim Support to provide the London Victim and Witness Service (LVWS) which supports adult victims of crime and the Children & Young People's Victim and Witness Service (CYP Service) for young victims of crime.

#### **Overview of the London Victim and Witness Service**

- 1.3. LVWS is the main service for adult victims of crime in London. It provides:
  - Practical and emotional support for adult victims;
  - Specialist support for survivors of domestic abuse;
  - Pre-trial and outreach support for London-resident witnesses going to court;
  - Access to restorative justice; and
  - Support to anyone impacted by Major Crime Incidents in London.
- 1.4. The initial LVWS contract ran from 1 April 2019 to 31 March 2021 (PCD 516). Clause 2.2 of the contract allowed for further two-year extension at MOPAC's sole discretion, which was awarded in 2021 (PCD 878).
- 1.5. The LVWS has met the required service standards throughout its contract and adapted well to the COVID-19 pandemic. The service supports over 50,000 victims of crime a year. An evaluation of the mobilisation of the service has been carried out and a further evaluation is due to be finalised by the end of the year.

#### **Overview of the CYP Service**

- 1.6. The CYP Service is the main service for children and young people who are victims of crime and provides:
  - support to young people who have been affected by crime to cope and recover; and
  - support to young witnesses attending court.
- 1.7. The CYP Service grant started in 2017, decoupling from the multi-crime service which pre-dated the LVWS. This grant has had a series of annual extensions over the last few years. The service has continued to achieve the required service standards, supporting over 3000 young victims every year.
- 1.8. The LVWS contract and CYP Service grant are both due to expire on 31<sup>st</sup> March 2023 and this decision seeks authority to extend existing arrangements by 18 months at a total cost of £13,315,200.

### **2. Issues for consideration**

- 2.1. Extensions to these arrangements are necessary to enable the phased recommissioning of support provision for both adult and young victims and witnesses of crime, taking into account the learning from the evaluation of the current services and pursuing an outcomes-based approach to recommissioning services.
- 2.2. Victim Support has developed an Improvement Plan (see Appendix 1) to ensure the continuous improvement of the LVWS and CYP services over the course of the extension term. MOPAC officers have worked with Victim Support on this plan to ensure that it covers agreed areas for development and is aligned, where relevant, to the Police and Crime Plan.
- 2.3. MOPAC has worked with the MPS and London Victims Commissioner to develop a comprehensive business for establishing a “Victim Care Hub” model in London. Given the scale of complexity of this project, the final organisational composition is still being designed, but MOPAC remain committed to delivering on the Mayor’s transformative ambition as soon as practically possible. The timeframes for recommissioning of these services have been impacted by this work because of the interdependencies between any future potential Victim Care Hub and the future of the LVWS and CYP Service. This extension provides sufficient time to ensure alignment and integration across these provisions for victims in London.
- 2.4. A further key dependency for this recommissioning programme is the future of the devolution arrangement with the Ministry of Justice for local provision of the pre-trial and outreach service for victims and witnesses in London. This was agreed as part of the Memorandum of Understanding between the Mayor’s Office for Policing and Crime, the Ministry of Justice and London Councils in March 2018. This devolved service is currently being delivered by the LVWS and CYP Service. The Ministry of Justice has indicated they would like to review these arrangements as part of the LVWS evaluation in Summer 2022. The continuation, or not, of this devolved arrangement will have a significant impact on the scope of the recommissioning programme.
- 2.5. The recommissioning process will be complex, with multiple dependencies, and represents a significant portion of MOPAC’s overall victim services budget. To allow sufficient time to carry out the recommissioning process diligently, and to align with the timeframes for the interdependent projects, MOPAC is seeking approval to extend the current services by 18 months to the end of September 2024. The three months’ notice period for terminating the contract will be retained and can be invoked if it were possible to mobilise alternative provisions on shorter timescales.
- 2.6. The Mayor has also recently published his Police and Crime Plan, a Strategic Needs Assessment for Victims in London and a refreshed Violence Against Women and Girls Strategy. MOPAC is considering its approach to recommissioning its core victim services within this context.
- 2.7. The performance of the current services has also been taken into account. The performance to date is satisfactory and this extension therefore does not present a risk.

The extension has also been considered as part of MOPAC’s wider commissioning, budgets and priorities.

### 3. Financial Comments

- 3.1. This decision requests approval to extend the LVWS contract and CYP Service, both delivered by Victim Support, at a total indicative maximum financial commitment of £13,315,200 from 1<sup>st</sup> April 2023 to 31st September 2024 (18 months).
- 3.2. This expenditure is budgeted from the Ministry of Justice Victims Grant (£13,015,200), and an additional £300k from the Mayoral VAWG uplift. This is set out in the table below:

Service Name	23/24 Allocation	24/25 Allocation	Total	Funding Source
London Victim and Witness Service (LVWS)	£7,676,800	£3,838,400	£11,515,200	MoJ Victims Grant
	£200,000	£100,000	£300,000	Mayoral £5m VAWG uplift
CYP Service	£1,000,000	£500,000	£1,500,000	MoJ Victims Grant
Total	£8,876,800	£4,438,400	£13,315,200	

- 3.3. Payments will be made in line with current arrangements in the contract and grant agreement, following satisfactory performance and contract management meetings.

### 4. Legal Comments

- 4.1. MOPAC’s general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3(6) of the 2011 Act provides that MOPAC must “secure the maintenance of the metropolitan police service and secure that the metropolitan police service is efficient and effective.” Under Schedule 3, paragraph 7 (1) MOPAC has wide incidental powers to “do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office.” Paragraph 7(2) (a) provides that this includes entering into contracts and other agreements.
- 4.2. Section 143 (1) (b) of the Anti-Social, Behaviour Crime and Policing Act 2014 provides for MOPAC to provide or commission services “intended by the local policing body to victims or witnesses of or other persons affected by, offences and anti-social behaviour.”
- 4.3. There are further relevant powers set out in the Crime and Disorder Act 1998 at sections 17(1) (a) to (c) which place MOPAC under a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it can to prevent, crime and disorder (including anti-social and other behaviour adversely affecting the local environment), reoffending in its area, and the misuse of drugs, alcohol and other substances in its area. The proposed arrangements are consistent with MOPAC’s duties in the Crime and Disorder Act 1998.

- 4.4. Under MOPAC's Scheme of Delegation, the approval of business cases for revenue or capital expenditure of £500,000 and above, are for the DMPC. The strategy for contract extensions are also for the DMPC.
- 4.5. Officers confirm that sufficient assurance has been carried out to this decision to determine that the DMPC has legal authority to agree the recommendations on funding and the extension of this contract.

## 5. **Commercial Issues**

- 5.1 This decision requests authority to extend existing contracts. Specialist procurement advice has been obtained to provide assurance that any potential risk of challenge to this proposed extension is minimal because this is to allow recommissioning to take place.
- 5.2. The TfL Legal Team were consulted on the original contract for LVWS, and the terms are based on the standard contract for services template used by TfL and the GLA. Where appropriate this template has been amended and updated to ensure it reflects MOPAC's requirements, and this was done in consultation with MOPAC's Chief Financial Officer and TfL's Legal Team. Nothing in this decision commits MOPAC funding the service beyond the life of the existing contract until the contract variation for this extension has been signed by both parties. These will detail the new performance and payment schedules, in line with previous arrangements.
- 5.4. As per paragraph 4, the extension to the contract is compliant with the MOPAC Scheme of Delegation and Consent.
- 5.5 Further details on the commercial issues relevant to this contract can be found in decision PCD 516 and PCD 878.

## 6. **Public Health Approach**

- 6.1. This service has been commissioned in line with the Mayor's public health approach to violence reduction and therefore part of MOPAC's contribution to overall efforts led by the Violence Reduction Unit.

## 7. **GDPR and Data Privacy**

- 7.1 MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.

## 8. **Equality Comments**

- 8.1. The demographics of the services users and staff of the LVWS and CYP Services is a key consideration of MOPAC's ongoing oversight of performance. MOPAC and Victim Support regularly access the service data for any gaps in engagement or satisfaction

across demographics and take action to address these. Both services work in close partnership with a range of 'by and for' services, ensuring victims have choice and access to support that best meets their needs. The demographic make up of the staff in both services is also very diverse and multi-lingual. Cultural competency and EDI training are core training requirements of the service staff.

9. **Background/supporting papers**

- Appendix 1 – LVWS/CYP Improvement Plan for 2022-24.

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date:

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form –NO

<b>ORIGINATING OFFICER DECLARATION</b>	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice:</b> Legal advice is not required.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Public Health Approach</b> Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence. This has been reviewed and supported by a senior manager within the VRU.	✓
<b>Commercial Issues</b> The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
<b>GDPR/Data Privacy</b> <ul style="list-style-type: none"> <li>• GDPR compliance issues are covered in the body of the report</li> <li>• A DPIA is not required.</li> </ul>	✓
<b>Director/Head of Service:</b> The Head of Service has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

**Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

**Signature**

**Date 09/12/2022**



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