

## DMPC Decision – PCD 448

### Title: Sexual and Domestic Violence Commissioning 19/20-20/21

#### Executive Summary:

This decision seeks to both maintain and enhance existing service provision commissioned by the Mayor in London which supports victims of sexual violence and of domestic abuse over a 2-year period (19/20 and 20/21). It is in line with the commitments outlined in the Mayoral Violence Against Women and Girls strategy.

This will be implemented with additional funding and via the award of 7 grant agreements and 1 contract variation:

- 4 grant agreements will be issued, one to each of London's 4 Rape Crisis Centres (RCCs) to the value of £4,564,000 over a two-year period, April 2019 to March 2021. The 4 London RCCs are the only accredited services of their kind in London, which means we are moving to a direct funding position to ensure sustainability and growth of these services. The funding to support these grant agreements comes from a combination of Ministry of Justice (MoJ) victims grant (which in total is worth £10.2m), MoJ devolved Sexual Violence budget to MOPAC (which in total is worth £1.4m) and the Mayor's VAWG fund announced in February 2019 (which in total is worth £15m).
- 1 grant agreement will be issued to NHSE to part fund the Sexual Assault Referral Centres (SARCs), to the value of £4,520,000 over a 2-year period, from April 2019 to March 2021. £4,330,000 will go into supporting the direct frontline service offer to victims of sexual violence in London, with the remaining £190,000 supporting an improvement to forensic suites, alongside developing a business case to improving the estates.
- 2 grants agreements will be issued to support victims of male rape; 1 to Survivors UK to value of £47,000 and one to fund Havens (The survivor abuse network) to the value of £42,000, for a one-year period April 2019-March 2020.
- In addition, a contract variation will be made to the London Integrated Victims and Witness Services supporting an increase in the number of independent domestic violence advocates (IDVA) by 5 to the value of £350,000, for a two-year period from April 2019 to March 2021. This will provide additional advocacy support to survivors of domestic abuse in key locations in London.

The overall cost of the investment for 2019/20 to 2020/21 is £9,523,000. This includes a £1.3m contribution from the Mayor's £15m Violence Against Women and Girls fund announced in the Mayor's 2019-20 Budget.

#### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

- Award four separate grant agreements to the four London Rape Crisis Centres for up to 24 months (April 2019 to March 2021) for a total of £4,564,000 with the possibility to extend by one further year.
- To approve a move towards a direct funding approach for accredited core rape crisis services

- Award a grant agreement to NHSE for a total of £4,520,000; to part fund core SARC's services in London, as well as supporting improvements into the forensic service offer and wider improvements to estates.
- Award a grant to Survivors UK for a total of £47,000 for 19/20.
- Award a grant to Havens (The survivors of Abuse Network) for a total of £42,000 for 19/20.
- To approve a contract variation to the Integrated and Victim Witness Service (PCD 516) requiring an additional 5 IDVAs to be added to the service for a two-year period to the value of £350,000 (19/20-20/21).
- Delegate authority to sign all 7 grant agreements and the IVWS contract variation to the Chief Executive.

**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**

*Spencer Henderson*

**Date**

*16/4/19*

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

### 1. Introduction and background

- 1.1 The Mayor of London has made a commitment in the Police and Crime Plan *to sustain the current investment in Rape Crisis Centres and London Sexual Assault Referral Centre*. Furthermore, MOPAC have fulfilled the commitment to use the *learning from the Pan-London Domestic Violence Service to inform future development* of IDVA provision to inform the commissioning of the new London Integrated Victim and Witness Service, see PCD516.
- 1.2 MOPAC has been funding the four London Rape Crisis Centres and the SARCs since April 2014, at a cost of £1,260,000 per year. This funding is provided through the MoJ victims grant which is provided to the Mayor of London on an annual basis to enable the commissioning of London victims' services. They provide an invaluable resource in London; supporting many survivors to cope and recover.
- 1.3 Rape Crisis Centres in London provide services to women that have been victims of sexual violence. They support women that either self-refer or are referred from other agencies, no matter the length of time which has passed since the incident.
- 1.4 The Crime Survey for England and Wales (CSEW) provides the most authoritative estimates of sexual violence for England & Wales. The CSEW indicates that each year around 24,000 adults in London experience serious sexual assaults and/or rape. Most victims are women (85%); this is equivalent to an average 11 sexual assaults and rapes of women per borough each week of the year. The CSEW also estimates that one in five women (20%) have experienced sexual assault or rape at some time in their lives since the age of 16.
- 1.5 In the calendar year 2018, over 2,530 women and girls were referred to Rape Crisis Centres for counselling or advocacy support but waiting lists have now closed. All of these women would have been offered a combination of the following services:
- One to one counselling and therapeutic intervention;
  - Group workshops;
  - Specialist support through Independent Sexual Violence Advisors;
  - Information and advice;
  - Referrals to other agencies for support; and
  - Telephone helpline services.
- 1.6 London SARCs, also known as Havens, are the only service in London that provides forensic medical examinations and follow up support for victims of rape and sexual violence. For the calendar year 2018, 2,001 individuals were referred to the SARCs. SARCs provide a service to both female and male victims of sexual violence. Currently the SARCs operate from 3 sites in the capital; Camberwell, Whitechapel and Paddington. It is recognised currently that the services have adapted to these spaces and that they are not the ideal environment for improving service user experience, utilising medical expertise across London, nor in adding the best criminal justice outcomes. MOPAC and NHSE have committed to work together over the next 2 years to develop a feasible approach to improvements in the estates. However, in the short-term, improvements to the forensic medical suites is required to ensure they meet Forensic Regulator Standards in 2020. These improvement works will be focused on Camberwell and Whitechapel as the planned and resourced move from Paddington to Kensington of the third site will absorb the costs of the required improvements. The services are commissioned by NHSE, MOPAC offers 40% of funding to the overall delivery costs.
- 1.7 **The pan London domestic violence service supported 4,111 victims of domestic abuse in the last year 2018.** It has provided an invaluable support and has integrated in collocated arrangements with a combination of Local Authorities, Police and hospital settings. Although this

service was recommissioned in 18/19, integrated into the overall London Integrated Victim and Witness Service, the number of IDVAs at 40.5 have been retained and will continue to work at a local collocated level across London.

### 1.8 **Mayors VAWG Investment Fund**

Despite this investment and the support offered to survivors of sexual and domestic violence in London, we know that there has been a continued increase in these offence types in London with a 63% increase in domestic abuse offences recorded between 2011 and 2018. In addition, through close work with the services referred to in this decision, we know that the demand placed on services to meet survivor needs has increased significantly with the London's Rape Crisis Centres closing their waiting lists in the middle of 2018.

1.9 In response to the significant increase in demand for services, the Mayor in February 2019 allocated an additional £15 million, profiled over 3 financial years from April 2019 to support survivors of violence against women and girls (VAWG) in all its forms in London.

The purpose of the fund is to:

- Immediately improve the quality of existing services operating in London, providing them with resources to address the current challenges;
- Sustain the programmes of innovation put in place which have been developed to meet the demand challenge through more effective triage as well as new approaches to better offender management and rehabilitation of perpetrators of VAWG; focus specifically on stalking and domestic abuse;
- Develop the commissioning and funding arrangements with the VAWG sector; providing simpler routes to commissioning and supporting better coordination and networking across critical VCS provision;
- Extend the reach and quality of services offered to survivors with protected characteristics, working with the VAWG sector to engage smaller grass roots organisations in developing the scope and reach of their programmes; and,
- To strengthen the overall capacity of the sector to work with survivors, focusing on the increase in advocacy, counselling and referrals and access into mainstream statutory provision.

The fund will be distributed through four funding tranches;

- 1) Maintaining existing investment
- 2) Sustaining current innovation.
- 3) Competitive grant allocation.
- 4) Managing an increase in demand

1.10 To ensure that existing services can better meet demand immediately £1.3 million of this £15 million fund will be invested in the existing services outlined in this decision; RCCs, SARC and London's IWWS. The table in the finance section of the report outlines how it has been attributed.

### 1.11 **National Rape Crisis Fund**

The Ministry of Justice (MoJ) is testing the devolution of rape support funding to five Police and Crime Commissioners offices (PCC) for a three-year period, MOPAC is one of these PCCs and was selected after demonstrating advanced local partnerships and integrated commissioned services. All test areas, including MOPAC, will play a key role in exploring the benefits of full local commissioning of these rape support services and inform a future decision on whether PCCs should take on these commissioning responsibilities longer term.

## 2. Issues for consideration

- 2.1 **London Rape Crisis Centres.** The service the four Centres provide is unique because they are the only validated Rape Crisis service providers in the Capital. To be 'qualified' as a Rape Crisis service by Rape Crisis England & Wales a provider must meet a prescribed list of minimum standards and must also go through a validation process every three years. The four providers that MOPAC funds have achieved this standard and are the only providers in London to have done so (1). On this basis it is recommended that four direct grants are awarded removing any future competitive competition.
- 2.2 To ensure that the RCCs continue to support the ambitions outlined in the Mayors Police and Crime Plan, the new grant award will list clear requirements that the providers will be obligated to work towards as recipients of MOPAC funding. The following are the key headlines of an increased service offer as a result of the MOPAC investment in RCCs 19/20 -20/21.
- An increase of 6 ISVAs and 1 specialist caseworker, ensuring that an additional 235 women will be able to access specialist advocacy.
  - 100 more women will receive therapeutic intervention in 2019/2020 with this uplift, with wait times reducing from an average of 8 months to 16 weeks.
  - ISVA support and counselling available in every London Borough, with reach being further extended by offering an increase of £12,000pa to pay for interpreters and childcare to reduce barriers to support.
  - Safeguard the use of women only spaces and will enable the services to hire more appropriate satellite spaces in boroughs where they do not have a fixed centre.
  - All sexual violence advocates will have their salaries benchmarked, ensuring consistency and increased resilience across the services.
  - Increase of bespoke support for young women
  - An outreach service to raise awareness across communities and professionals.
- 2.3 The table below demonstrates the funding sources which make up the overall £ 4.564 million investment into RCC in London, for the period 19/20 and 20/21. It shows how the investment breaks down by centre. It should be noted that the proportion allocated annually shown below by each centre, is based on the level of demand and need in that geography.

### Funding allocation for 2019/2020-2020/2021

Table 1. <b>Region</b> (North 23.4%, South 31.3%, East 23.4% West 21.87%) <b>Number of boroughs</b>	<b>North 7</b>	<b>South 12</b>	<b>East 7</b>	<b>West 6</b>
MOPAC: £1,260,000 Per year (percentage split) (£ 2,520,000 total 2 years)	£295,000 (£590,000)	£395,000 (£790,000)	£295,000 (£590,000)	£275,000 (£550,000)
Mayor's Fund: £380,000 Per year (percentage split) (£760,000 2 years)	£88,920 (£177,840)	£118,940 (£237,880)	£88,920 (£177,840)	£83,220 (£166,440)
Devolved MoJ Rape crisis provision: £642,000 per year (4 way equal split) (£1,284,000 total 2 years)	£160,500 (£321,000)	£160,500 (£321,000)	£160,500 (£321,000)	£160,500 (£321,000)
<b>Total allocation £2,282,000 per annum £4,564,000 2019/2020-2020/2021</b>	<b>£544,420 (£1,088,840)</b>	<b>£674,440 (£1,348,880)</b>	<b>544,420 (£1,088,840)</b>	<b>518,720 (£1,037,440)</b>

- 2.4 **National Rape Crisis Fund.** The devolved arrangements that have been put in place are enabling a more effective commissioning approach with London 4 RCCs; with the ability to remove any

1 MOPAC has checked this statement for accuracy with Rape Crisis England & Wales.

competitive processes for access to fund, allowing time and capacity to be spent on frontline service. MOPAC will work closely with the RCCs to understand the impact of the additional funding allocated and change in commissioning process from 2019/20 through to 20/21.

- 2.5 The grant agreements to be put in place with Survivors UK and Havens (The Survivors Abuse Network) are for one year only 19/20. MOPAC intends to review in 2019/20 allocation of funding to services which support male survivors.
- 2.6 London's SARCs require some short-term modernisation even in light of the longer-term plans to potentially redesign their service within one main centre for London. It is critical this work is carried out in 2019/20 in order to meet the the Forensic Science Regulator standards for DNA cross contamination guidelines which will become mandatory by 2020.
- 2.7 NHSE commission the SARC service for London and have in place a comprehensive contract management process. MOPAC in the development of the grant agreement with NHSE will agree a set of funding outcomes, for regular reporting to ensure that value for money for MOPAC's funding of the service is achieved.
- 2.8 The Integrated Victim and Witness Service went live on the 1<sup>st</sup> April 2019 and is in the process of mobilising. There has been a direct continuation of staffing and service in relation to the support offered by the 40.5 commissioned IDVAs. The additional 5 IDVAs will be implemented through a contract variation and will begin providing service to high demand areas immediately.

### 3. Financial Comments

- 3.1 The total cost of this investment in London over the period 2019-20 and 2020-21 is £9.523 million. The funding to support this investment in sexual and domestic violence service comes from three sources.
- 3.2 The table below sets this out:

Service All figures in £000	Funding source 19/20 – 20/21			
	MOJ Grant	Mayors fund	MoJ devolved RCC	Total Funding
Rape Crisis Centres	2,520	760	1,284	4,564
SARCs (havens)	4,330	190	-	4,520
Integrated Victims and Witness Service	-	350	-	350
Survivors UK	-	-	47	47
Havens (The survivors of Abuse Network)	-	-	42	42
	<b>6,850</b>	<b>1,300</b>	<b>1,373</b>	<b>9,523</b>

### 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 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 an express power for MOPAC, as a local policing body, to provide or commission services “intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour.” Section 143(3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate.
- 4.3 The powers in section 143 were given to MOPAC following the Government’s response to the consultation Getting it Right for Victims and Witnesses (2 July 2012) in which it set out a package of reforms to the way in which support services for victims of crime are to be provided.
- 4.4 The recommendations in this decision are in line with the legislation.
- 4.5 The Under MOPAC’s Scheme of Delegation, approval of the strategy for the award of individual grants and the award of all individual grants (for crime reduction or other purposes) is a matter generally reserved to the DMPC (paragraph 4.8). The release of funding in accordance with the proposals set out in this decision form is accordingly to be approved by the DMPC. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Executive Officer for activities to the value of £499,000 or less, is in accordance with the general power of delegation in section 5.
- 4.6 Officers must ensure that the funding agreement is varied in accordance with the provisions of the same, executing all necessary documentation, before any commitment is made to the provision of the funding proposed.

## **5 Commercial Issues**

- 5.1 Awarding direct grant agreement to the four London Rape Crisis centres to formalise core and sustainable, which is commercially acceptable as they are only the 4 centres in the capital with the required accredited status. Officer must comply with the due diligence process of the MOPAC scheme of Consent and Delegation in the award of this provision.
- 5.2 Havens is a funding arrangement between MOPAC and NHSE, and this decision represents a funding increase to his arrangement. There are no commercial issues in putting in place a direct agreement as MOPAC does not have commissioning responsibility. This is a contribution to the NHSE procurement process.
- 5.3 The proposed contract variation for the Integrated Victims and Witnesses Service is considered by officers not to be substantial within the meaning of the Public Contracts Regulations 2015 and so can be awarded to the incumbent without further competition.

## **6 GDPR and Data Privacy**

- 6.1 Through the management of this programme, MOPAC does not process, use or receive any personally identifiable information and therefore there are no GDPR compliance issues. All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018. MOPAC grant agreements require providers to demonstrate that:
- They have undertaken a Data Protection Impact Assessment (DPIA) to identify, minimise and reduce risks to data subjects;
  - They have met GDPR obligations to ensure the security of processing and will notify MOPAC of any data breaches as soon as they are identified;
  - Staff processing survivor’s data are subject to duty of confidentiality and have taken appropriate measures to ensure the security of data held by their Centres;

- Clients/Victims/Survivors who wish to utilise the Subject Access Request to data held by the Centres are able to do so;
- They have a documented process in place for Subject Access Requests outlining how requests from survivors will be managed and how Centres will ensure that a survivor's identity is confirmed before data is shared;
- They can demonstrate why data on survivors is being retained, for what period it will be retained for and that they have received consent from a client/victim/survivor for the retention of the data;
- They will submit to audits and inspections and provide MOPAC with whatever information is needed to ensure that they are meeting their Article 28 obligations; and finally,
- They will immediately inform MOPAC if they are asked to do something which will infringe GDPR or other data protection laws of the EU or a member state.

## **7 VRU**

- 7.1 The funding set out in this decision does not fall into the specific remit of the VRU in terms of direct delivery but will support its broader objective to prevent violence. Going forward MOPAC will consult with the VRU to ensure the work streams set out in this decision complement each other and support delivery of the VRU.

## **8 Equality Comments**

- 8.1 MOPAC's Evidence and Insight department, along with London's Victims' Commissioner will be publishing the results of an extensive review into rape cases and justice outcomes in London, findings will be available in Spring 2019, this combined with the data profile that MOPAC are conducting in line with the Mayor's VAWG fund will enable a thorough assessment of services, gaps in provisions and barriers to access support and justice pathways. In November 2016, MOPAC published a needs assessment that it had commissioned in partnership with NHS England (London.) This considered the extent of sexual violence need and demand in the Capital and how this was being met by the services that MOPAC and NHS England (London) were commissioning. This needs assessment highlighted that:

- Each year around 24,000 adults in London experience sexual assault or rape;
- Most of these victims and survivors are women (85%)
- For both men and women, the offender is male in 99% of cases

The Rape Crisis Centres exclusively work with women and girls from a range of backgrounds and nationalities. They ensure that male survivors are signposted to appropriate alternative provision.

- 8.2 The SARCs and the Integrated Victims and Witness Service work with both men and women; in the main their proportions of female and male users represents the broad figures set out above in section 7.1. Specific services will be awarded for provision working with only men that have been victims of sexual violence through this decision, with funding for 19/20 being granted to both Survivor UK and Havens (The Survivors of Abuse Network.) This funding supports wider allocation of funding to male and wider LGBT support services for victims of sexual violence. For more information refer to DMPC decisions PCD543 and PCD310.
- 8.3 Under s179 of the Equality Act 2010 as a public authority the Deputy Mayor/MOPAC must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under this Act; and to have advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only.)



**9. Background/supporting papers**

- **PCD174 Integrated Victim and Witness Resource Plan 2017-2020**
- **PCD377 Review of Integrated Victim and Witness Resource Plan 2018-2020**
- **PCD350 London Sexual Violence Triage Pilot**
- **PCD543 Provision for male sexual assault and rape**
- **PCD310 London Crime Prevention Fund – Co-commissioning Fund**

**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

**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

**ORIGINATING OFFICER DECLARATION**

	<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>Commercial Issues</b> The Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
<b>GDPR/Data Privacy</b> • GDPR compliance issues are covered in the body of the report.	✓
<b>Director/Head of Service:</b> The Director has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

**OFFICER APPROVAL****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** R. Lawrence

**Date** 16/4/19