

**Forward Plan reference number: FP/328/12/23**

<b>Report title: Commissioning of Domestic Abuse Support Services</b>	
<b>Report to:</b> Cabinet	
<b>Report author:</b> Councillor John Spence, Cabinet Member for Health, Social Care and Integration	
<b>Date:</b> 28 May 2024	<b>For:</b> Decision
<b>Enquiries to:</b> Clare Burrell, Head of Strategic Commissioning and Policy email <a href="mailto:clare.burrell@essex.gov.uk">clare.burrell@essex.gov.uk</a>	
<b>County Divisions affected:</b> All Essex	

## **1. Everyone's Essex**

- 1.1 Everyone's Essex, our organisational strategy, sets out four strategic priorities underpinned by twenty key commitments that will make Essex a stronger County.
- 1.2 The strategic priority a 'Good Place for Children and Families to Grow', makes a commitment to improving the safety of Essex residents, including addressing domestic abuse. The strategic priority of 'Health, Wellbeing, and Independence for All Ages', includes a commitment to promote independence by assisting access to suitable accommodation.
- 1.3 Domestic abuse does not discriminate and affects people regardless of gender, age, ethnicity, socio economic status, sexual orientation, or background. Domestic abuse has a devastating impact on people's lives, not only their safety and physical health, also their emotional wellbeing, family and community connections and economic stability.
- 1.4 Domestic abuse is more evident now than it has ever been. People living in rural communities often find it harder to seek support due to isolation. Unpaid carers can also be impacted by domestic abuse, with assumptions made that the abuse they are experiencing is not abuse, that it's related to the other person's needs. More men are coming forward as victims, increasing numbers of elderly people are realising they have been victims, and there is increasing prevalence of domestic abuse amongst young people over the age of 16.
- 1.5 This proposal will be integral to delivering our commitment to continue to improve the safety of adults, children and young people who are affected by domestic abuse by ensuring a coherent offer of support for victims from all partners whose responsibility it is to prevent, reduce, and respond to domestic abuse.
- 1.6 This proposal will also ensure the Council will meet its statutory duties under the Domestic Abuse Act 2021, to support victims of domestic abuse residing in safe accommodation and to ensure safety and better outcomes for anyone impacted by domestic abuse in their community, including adult and child victims, and perpetrators who cause that harm to them.

- 1.7 This proposal is illustrative of the traditional and effective partnership working across greater Essex partners in tackling domestic abuse and the far-reaching impacts it has on adults, children and young people.
- 1.8 The recommendations have no adverse impact on the Council's climate objectives.

## **2 Recommendations**

- 2.1 Agree to the Council entering into a collaboration agreement with Southend City Council, Thurrock Council and the Essex Police, Fire and Crime Commissioner (the Pan Essex Domestic Abuse Commissioning Collaborative) which sets out the agreement between those parties to procure services to deliver the agreed 'Domestic Abuse Operating Model' and the funding and risk sharing mechanisms between those parties.
- 2.2 Agree that the Cabinet Member for Health, Social Care and Integration is authorised to approve the final terms of the collaboration agreement referred to in paragraph 2.1 above.
- 2.3 Agree that the Council will be the Lead Authority on behalf of the Pan Essex Domestic Abuse Commissioning Collaborative and will undertake the procurement of these services, and enter into the contract(s), on behalf of the Pan Essex Domestic Abuse Commissioning Collaborative.
- 2.4 Agree that the Council will undertake an open competitive procurement to select a provider(s) to deliver the services within the Domestic Abuse Operating Model set out in this paper across four lots, from April 2025 for a five year period with an opportunity to extend for a further two years. The value of the initial 5-year term is anticipated to be £25.5m.
- 2.5 Agree that the procurement will be a single stage tender process with high-level evaluation criteria of 70% quality (with 5% of the quality score assessing social value) and 30% price.
- 2.6 Agree to the Council aligning a proportion of its domestic abuse funding with the Pan Essex Domestic Abuse Commissioning Collaborative partners up to a value of £18.7m for the five years commencing from April 2025 to March 2030.
- 2.7 Agree that the Cabinet Member for Health, Social Care and Integration is authorised to approve the award of the contract(s) and agree the final terms of the contract(s) with the successful provider/s following completion of the procurement process.

## **3 Background and Proposal**

- 3.1 Domestic abuse does not discriminate and affects people regardless of gender, age, ethnicity, socio economic status, sexual orientation, or background. It is an

incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, by a partner or ex-partner or a family member. The abuse they suffer is often secret and can be sustained over many years.

- 3.2 It is estimated that 1 in 4 women and 1 in 6 men will experience domestic abuse in their lifetime. It has a detrimental impact on physical and mental health, emotional wellbeing, housing, finances, and work.
- 3.3 The Domestic Abuse Act 2021 ('DA Act') defines domestic abuse as occurring *"where the victim and perpetrator are aged over 16 years of age, are 'personally connected' as: intimate partners, ex-partners, family members or individuals who share parental responsibility for a child."*
- 3.4 The DA Act also recognises that domestic abuse can impact a child who *"sees or hears or experiences the effects of the abuse"* and it treats such children as *"victims of domestic abuse in their own right, where they are related to, or under parental responsibility of either the abuser or the abused."*
- 3.5 Domestic abuse has a devastating impact on children and young people. Growing up in a household of fear and intimidation can impact their health, wellbeing, educational opportunities, development, and having their own safe and healthy relationships with lasting effects into adulthood.
- 3.6 Tackling the impacts of domestic abuse has been a priority for the Council for many years, and officer capacity and finance has been invested into the well-established and successful Southend, Essex, and Thurrock Domestic Abuse Board (SETDAB). SETDAB has a shared vision and priorities that all partners subscribe to and contribute to delivery of. Members of SETDAB include statutory organisations (Police, Health, SET Local Authorities), education and community and voluntary sector representation.
- 3.7 Since 2019, the Council has also made substantial financial investment, made possible by the Public Health Grant, into the current domestic abuse services including:
  - 3.7.1 Jointly commissioned arrangements with the Police, Fire and Crime Commissioner in Essex (PFCC) for support to victims and survivors. This comprises: a) a single point of access (COMPASS) for victims, professionals and concerned family and friends; and b) community and homebased outreach, support within refuge, and specialist Independent Domestic Violence Advisors (IDVAs). The services were recommissioned in April 2019 under a contract which will end in March 2025.
  - 3.7.2 A perpetrators programme of work which includes support for adult perpetrators and support for young people in unhealthy relationships. This programme of work is primarily funded by the Home Office by way of a grant to the PFCC, with financial contributions from the Council. The current contract for the services is due to end in March 2025.

- 3.7.3 The introduction of the DA Act and the duties placed on the Council led to new burdens funding which enabled the Council to increase much needed additional support in safe accommodation and to commission more specialist support, such as counselling for victims who experienced sexual abuse and violence within the context of domestic abuse. The contracts for these services are due to end in March 2025.
- 3.8 Contact and referrals to domestic abuse victims' services in Essex have seen a yearly increase over the last 4 years. Between April 2019 and March 2023:
- 3.8.1 The domestic abuse single point of access, COMPASS received 2,709 contacts from professionals and victims in 2019/20. The number of contacts has increased each year with 5,068 contacts received in 2022/23, an increase of 87%. Total contacts between April 2019 and March 2023 is 17,981 with 8,668 (48%) as self-referrals from victims, and the remainder primarily from professionals.
- 3.8.2 The community outreach services supported 3,825 victims in 2019/20. In 2022/23 this increased by 44% to 5,517. In total between April 2019 and March 2023 18,848 victims were supported, with 4,830 (26%) referred from the police, primarily for victims identified as high risk, with self-referrals accounting for 3,545 (19%) and the remainder primarily from professionals.
- 3.8.3 Between April 2022 and March 2023, the adult perpetrator commissioned services received 400 referrals and delivered interventions to 75 people.
- 3.8.4 Between April 2022 and March 2023, 618 young people received support to help them manage unhealthy relationships.
- 3.8.5 Between April 2021 and March 2023, Safe Accommodation Services (refuge) in Essex supported 1,430 high risk victims of domestic abuse.
- 3.9 As a result of the DA Act 2021, the government published Statutory Guidance in 2022 that sets out the responsibilities on local authorities, which includes:
- 3.9.1 Agencies (including Local Authorities) have a responsibility to work together effectively to provide support and protection to victims of domestic abuse through strategic planning, co-commissioning, and creating joined-up services.
- 3.9.2 Multi-Agency working should be embedded into approaches to responding to domestic abuse and should offer a range of interventions and support, from early intervention to support for high-risk cases.
- 3.9.3 Agencies should consider creative options to address the behaviour of the perpetrator, including Domestic Abuse Perpetrator Programmes.
- 3.9.4 Local Authorities (Upper Tier and Unitary) have a duty to provide support in safe accommodation, including refuges, dispersed accommodation, and 'sanctuary' (security adapted survivors homes) where appropriate.

- 3.10 Current service support across Southend, Essex and Thurrock (SET) have been developed piecemeal over many years with funding made available from a range of partners to support the reduction of, and response to, domestic abuse.
- 3.11 The advent of the DA Act and the grant funding commitments from the Department of Levelling Up Housing and Communities and the Home Office presented an opportunity for the Council and partners in Essex to re-think the design and delivery of support for people impacted by domestic abuse.
- 3.12 Between July 2022 and January 2023, partners across SET commissioned a DA Research programme that provided deeper understanding of the experiences of those who have been affected by domestic abuse. The purpose of the research was to identify what currently works well and what could work better within the current offer of support for both victims and perpetrators of domestic abuse (background papers 9.1 'Southend, Essex and Thurrock Domestic Abuse Discovery and Design Project').
- 3.13 A SET Commissioning Steering Group (PEDACC) was established to oversee the DA Research programme. The recommendations were explored and further scoped with stakeholders, including those with lived experience over an additional period of 10 months to co-produce the design of a new pan Essex domestic abuse support offer.
- 3.14 At the same time each local authority aligned their contractual arrangements with the ambition to jointly commission the future model.
- 3.15 Feedback and further considerations on the 'Domestic Abuse Operating Model' (the Model) were also sought from relevant Council leaderships teams, the Essex Childrens Strategic Partnership Board, Essex Health and Wellbeing Board, Essex Local Domestic Abuse Partnership Board, Essex Safeguarding Adults Board, and the Essex Safeguarding Childrens Board.
- 3.16 The new Model will deliver support services for adult and child victims and perpetrators of domestic abuse by offering:
- 3.16.1 **A SET wide Central Point of Contact** for anyone with concerns of domestic abuse, including professionals, victims, survivors, and perpetrators. It will offer triage, information, advice, guidance and where needed onwards referral for support. Victims of domestic abuse will also be able to access flexible funding to support them to seek or sustain safe accommodation.
- 3.16.2 **Support in safe accommodation** will provide help to adult and child victims in an emergency or crisis. The support will be provided in appropriate safe accommodation across SET, such as refuge or dispersed units (self-contained for those whose needs cannot be met in a refuge, for example, men or people with older children).
- 3.16.3 **Community based support for whole families** (all age) that focuses on prevention, early help and specialist support to whole families who have been

impacted by domestic abuse, including victims, perpetrators, and where appropriate other family members impacted by that abuse.

**3.16.4 Community based support for victims** (child and adult) that focusses on prevention, early help and specialist support to child and adult victims of domestic abuse. This will include support from specialist Independent Domestic Violence Advisors (IDVAs) where risks to the victim has been assessed as high.

**3.16.5 Community based support for perpetrators** will provide prevention, early help, and specialist support to perpetrators of domestic abuse and those who are concerned about their own behaviours.

**3.17** The Model also includes a strategic approach which will be led by the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB) to:

**3.17.1 Awareness raising** – building on current best practice in ensuring key messages and information is developed in line with the people it is targeting, such as people who cause harm, older people, people from minoritised cohorts, such as men, who are a minority group within the context of domestic abuse.

**3.17.2 Workforce development** – ensuring services and practitioners across all areas feel confident in recognising and responding to domestic abuse.

**3.17.3 Lived experience** – working alongside people with lived experience of domestic abuse to shape and evaluate the work, ensuring their voice is included in all we do.

**3.18** The Council is proposing to jointly commission these arrangements across the SET Local Authorities and the PFCC through aligned funds. All key services of the Model as per paragraph 3.16 of this paper will be jointly commissioned except for:

**3.18.1** Community based support for whole families (paragraph 3.16.3). Support for whole families impacted by domestic abuse is a relatively new approach outside of statutory services. The Council will be completing additional research with plans to fund and evaluate pilot programmes outside of the joint commissioning arrangements.

**3.18.2** Adult victims in the community (paragraph 3.16.4) in Thurrock Council who will retain their in-house offer within their community safety team.

**3.19** All commissioned support Services within the Model will include consistent quality standards and outcomes, which will be developed in line with the Domestic Abuse National Guidance. The Thurrock in-house team will align their service to the quality standards and outcomes ensuring a consistent approach across SET in the delivery of domestic abuse services and the newly commissioned offer of support.

## **Procurement**

- 3.20 It is proposed that the Council will be the Lead Authority for the procurement of the jointly commissioned services on behalf of the PEDACC. All members of the PEDACC have agreed to use the Council's standard templates for the contracts.
- 3.21 The procurement will be a single stage open competitive tender process to procure supplier/s to provide services to people impacted by domestic abuse.
- 3.22 The price/quality evaluation split for all Lots is proposed to be 30% price, 70% quality of which 5% of the quality score will assess social value commitments made by bidders. The value of the Lots are capped and the split is designed to ensure the highest quality services are in place to ensure the best possible outcomes for the most vulnerable of residents who are a high risk of significant harm, and at worst could result in death.
- 3.23 The procurement will be structured into four Lots:
- **Lot 1** – SET wide Central Point of Contact (paragraph 3.19.1). Maximum value of £402,000 per annum. In addition, the successful provider will administer flexible funding that will be used to support victims needing to seek or sustain safe accommodation. This is not included in the value of the Lot.
  - **Lot 2** – North Essex, to include Colchester, Tendring, Maldon, Braintree, Uttlesford and Chelmsford to deliver support services in safe accommodation and community-based support for adult and child victims and IDVA support for adult victims (paragraphs 13.19.2 and 13.19.3). Maximum value of £1,952,000 per annum.
  - **Lot 3** - South Essex, to include Southend, Thurrock, Harlow, Epping, Basildon, Brentwood, Rochford and Castle Point to deliver support services in safe accommodation and community-based support for adult and child victims and IDVA support for adult victims (paragraphs 13.19.2 and 13.19.3). Maximum value of £2,475,000 per annum.
  - **Lot 4** – SET wide community-based support for perpetrators (paragraph 13.19.5). Maximum value of £278,000 per annum.
- 3.24 The maximum value of each Lot has been estimated on financial bench marking similar services and analysis of: Essex Police domestic abuse data, Multi Agency Risk Assessment Conference data (MARAC, victims assessed as high risk) and population data.
- 3.25 The procurement will launch with an invitation to tender (ITT) in July 2024, with the ITT closing in September, and evaluation and post tender governance in October. Contract award is scheduled for November, with mobilisation period between December 2024 to March 2025 and a contract start date of the 1 April 2025.

- 3.26 It is proposed that the Cabinet Member for Health, Social Care and Integration authorise the award of the contract on behalf of PEDACC following completion of the competitive procurement process.

### **Collaboration**

- 3.27 A Collaboration Agreement has been developed. Each PEDACC member has gained internal approval to enter into the Collaboration Agreement and the Council has received evidence of this. The Collaboration Agreement will support the Council in meeting its responsibilities under the Domestic Abuse Statutory Guidance.
- 3.28 The Collaboration Agreement will identify the Council as the lead commissioner and specifies the roles and responsibilities of all parties. The Collaboration Agreement will include an obligation on all of the other parties to pay their relevant funding contributions. It will also contain clauses that ensure the Council is protected and indemnified should a party withdraw from the agreement at any time and to deal with other risks that may arise under the commissioning contract. The Collaboration Agreement will also provide for a 'governance group' which will contain a representative from each party to oversee and agree any decisions that need to be made under the contract with the Provider(s).

## **4 Links to our Strategic Ambitions**

- 4.1 This report links to the following aims in the Essex Vision:
- Enjoy life into old age.
  - Provide an equal foundation for every child.
  - Strengthen communities through participation.
- 4.2 Approving the recommendations in this report will have the following impact on the Council's ambition to be net carbon neutral by 2030:
- 4.2.1 Aligned financial resources over a larger geographical area supports scope to develop pockets of local delivery, limiting travel and impact on carbon footprint for staff and service users.
- 4.2.2 Victims of domestic abuse will at times need to flee the perpetrator to keep themselves and often their children safe. They will flee with no items and will have to resettle into a new home, needing to replace all essential items. Where appropriate and safe to do so, if just 1,000 victims were supported to safely stay in their own home this would impact positively on the Council's net carbon neutral ambition. Replacing a washing machine, cooker and fridge freezer for 1,000 victims equates to 1,000kg of CO<sub>2</sub>e.
- 4.3 This report links to the following strategic priorities in the emerging Organisational Strategy 'Everyone's Essex':



- Health wellbeing and independence for all ages.
- A good place for children and families to grow.

## 5 Options

5.1 The following options have been considered and assessed.

<b>Option 1</b> Agree to the recommendations proposed in this report. – <b>recommendation option</b>	
Benefits	Risks
<p>Supports the Council to meet the requirements within the DA Act and national guidance.</p> <p>Contributes to the Councils strategic priorities of a 'Good Place for Children and Families to Grow' and 'Health, Wellbeing, and Independence for All Ages'.</p> <p>Efficiency savings through aligned budgets and reduction in overlapping commissioned services by different partners.</p> <p>Strengthens and improves pathways to support for all those impacted by domestic abuse.</p> <p>Consistent service offer and quality standards.</p> <p>Improved co-ordination of services supporting transitions across SET where victims are fleeing the perpetrator yet need to keep local safe connections.</p> <p>Increased opportunities to reach those with lived experience from marginalised and minoritised groups.</p>	<p>Large geographical footprint of contracts may not attract smaller specialist providers of services. Market engagement activities have reached smaller providers and provided opportunities for collaborations where needed.</p> <p>Essex resource subsidising Southend and Thurrock offer. The specification will clearly outline a proportional allocation and KPI across the SET areas.</p> <p>Across all PEDACC partners there is uncertainty around the level of funding receivable from 2025/26. This can only be mitigated through flexible contractual arrangements.</p>
<b>Option 2</b> The Council to commission services separately from the PFCC, Southend City Council and Thurrock Council - <b>Not recommended</b>	

Benefits	Risks
<p>Supports the Council to meet some of the requirements within the DA Act and national guidance.</p> <p>Contributes to the Councils strategic priorities of a 'Good Place for Children and Families to Grow' and 'Health, Wellbeing, and Independence for All Ages'.</p> <p>Provides support to residents in Essex who are/have been impacted by domestic abuse.</p>	<p>Disjointed offer of support for people living/working across SET boundaries.</p> <p>Challenging to meet all the requirements in the national DA Guidance.</p> <p>Challenges in meeting all of the requirements in the Statutory Duties placed on the Council, specifically regarding robust arrangements with neighbouring authorities for support in safe accommodation for victims.</p>
<b>Option 3 Do Nothing - Not recommended</b>	
Benefits	Risks
None	<p>The Council will be in breach of its statutory duties within the DA Act 2021.</p> <p>The Council will not be able to meet most of the requirement in the national DA Guidance.</p> <p>Increase in the number of victims and impact to their safety and outcomes.</p> <p>Increase in the number of perpetrators, and limited opportunities for behaviour change.</p> <p>Reputational risk to the Council</p>

## 6 Issues for consideration

### 6.1 Financial implications

6.1.1 The proposed procurement of DA services jointly funded by the Council, Southend City Council, Thurrock District Council and Office of the Police Fire and Crime Commissioner will require a combined funding envelope of £5.1m per annum. This is a total of £25.5m over five years from 2025/26 to 2029/30 with a further £5.1m per annum if the services procured are extended beyond the initial 5 year term up to a maximum of a further 2 years to 2031/32.

6.1.2A forecast annual contribution of £3.7m will be required from ECC including a contribution from the Children and Families budget of £100,000 per annum where there are limitations on the use of grant funds. This is a continuation of the current contributions made from Children and Families to existing DA services. The proposed sources of funding are set out below:

<b>Funding Source</b>	<b>Annual Cost £000</b>	<b>Total Cost 5 Years (2025/26 to 2029/30) £000</b>
ECC Funded	100	500
Public Health Grant	1,232	6,160
New Duties DA Grant	2,415	12,076
<b>Total ECC Contribution</b>	<b>3,747</b>	<b>18,736</b>

6.1.3 In addition to the above financial contribution, the Council will contribute further commissioning and contract management resource during the course of the five year period. Although this is an opportunity cost to the Council there will be an agreed approach from all partners that they will contribute their own resource in the management of the service. The terms of the resource contribution will be set out in the collaboration agreement.

6.1.4 In commissioning the service, the remaining members of the PEDACC commissioning group have given commitment through their local governance arrangements to contribute the following:

<b>PEDAC Commissioning Group Member</b>	<b>Annual Cost £000</b>	<b>Total Cost Years 1-5 £000</b>
Police, Fire and Crime Commissioner	526	2,630
Thurrock District Council	324	1,622
Southend City Council	510	2,550
<b>Total</b>	<b>1,360</b>	<b>6,802</b>

6.1.5 Therefore, the combined funding pool to re-commissioning DA Service as set out in 3.26 for Lots 1-4 for the five-year period commencing 2025/26 through to end of 2029/30 is as follows:

<b>PEDAC Commissioning Group Member</b>	<b>Annual Cost £000</b>	<b>Total Cost Years 1-5 £000</b>
Essex	3,747	18,736
Remaining PEDAC Commissioning group	1,360	6,802
<b>Total</b>	<b>5,107</b>	<b>25,538</b>

6.1.6 In addition to the commitment above, the Council along with Southend City Council and Thurrock Council have committed further financial resource for the flexible funding initiative as set out in paragraph 3.26.1.

6.1.7 The collaborative approach to commissioning is expected to deliver an integrated approach to DA services across greater Essex. This is expected to lead to improved outcomes for service users and prevent duplication where current services across all partners are not jointly aligned. The successful DA providers will be required to deliver value for money services and be measured against key performance indicators linked to national DA standards and service user feedback.

6.1.8 All contracts and grants that are funded by Essex and the remaining partners in the PEDACC commissioning group that deliver the current Domestic Abuse service are due to end 31<sup>st</sup> March 2025. This allows the collaborative an opportunity to re-shape the service based on current and on-going discovery work.

6.1.9 £3.6m per annum of the Council's funding to be allocated to the Domestic Abuse service is sourced via grants. There is little risk attached to the £1.2m funding available from the Public Health grant and this is expected to continue throughout the term of the procured service. However, the remaining £2.4m is proposed to be funded through an annual grant received from DLUHC. This is through the DA New Duties grant. The new duties grant was first allocated to Local Authorities in 2021/22 to support them in meeting their statutory duties as set out in the Domestic Abuse Act 2021.

6.1.10 The Council received £2.8m DA New Duties Grant in 2023/24 and a further £2.9m has been confirmed for 2024/25. The Council proposes to commit £2.4m per annum to fund the new DA service from 2025/26. If funding continues at current levels from 2025/26 the Council will use the remaining unallocated amount of approximately £465,000 per annum to fund further DA activity outside of PEDACC commissioning group.

6.1.11 At this stage it is unknown whether the funding from DLUHC will continue in the form of an annual grant or if this funding will be included in the local government finance settlement from 2025/26 onwards. DLUHC are currently consulting with local authorities, including Essex, with the outcome of the consultation expected early in 2024/25.

- 6.1.12 Furthermore, the exact amount of funding available to local authorities including Essex from 2025/26 onwards is also unknown. However, due to the grant being made available to fund a statutory duty it is expected to be ongoing. As per 6.1.8, if funding for DA provided by DLUHC continues at similar levels for 2025/26 and in following years there will be an estimated residual balance on the New Duties grant of £465,000 per annum.
- 6.1.13 As the funding made available by DLUHC has yet to be confirmed for 2025/26 and following years the procurement approach taken will ensure there is the opportunity to flex contractual arrangements with service providers to ensure that services remain within the available funding envelope whilst also meeting the Council's statutory obligations.
- 6.1.14 In addition to this the Council holds a cumulative balance on the grant received from DLUHC of £3.1m at the end of 2023/24. Although there is an opportunity to commit this grant in 2024/25 to enhance the current service offer it is expected that a balance of a similar magnitude will be available to the Council in 2025/26 at the commencement of the new service offer.
- 6.1.15 This surplus grant can be used to mitigate funding risks beyond 2025/26 and also fund further DA activity outside of the scope of the joint commissioning arrangements with Southend, Thurrock and the Office of the Police, Fire and Crime Commissioner. This decision will be taken at a later but unspecified date and will be informed by the on-going funding arrangements of the Domestic Abuse New Duties grant.

## **6.2 Legal implications**

- 6.2.1 The Domestic Abuse Act 2021 places a statutory duty on the Council in respect of support for victims of domestic abuse, including children.
- 6.2.2 The Collaboration Agreement should be entered into before or at the same time as the contracts with the provider(s) to ensure that the Council is protected. The Collaboration Agreement should set out all relevant obligations and risks between the parties to it in relation to both the procurement and the commissioning contract(s). As the Council will be the only contracting party to the commissioning contract(s), all risks under those contract(s) should be shared with the other organisations where appropriate and set out clearly in the Collaboration Agreement.
- 6.2.3 These services are subject to the 'light touch' regime in the Public Contracts Regulations 2015. ECC can use one of the main procurement routes, such as the open procedure, for light touch services but is not obliged to.
- 6.2.4 The procurement process should be conducted in accordance with the Regulations, and the published procurement documentation.

## **7 Equality and Diversity Considerations**

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 7.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **8 List of Appendices**

- 8.1 Equalities Comprehensive Impact Assessment.

## **9 List of Background papers**

- 9.1 TONIC report – Domestic Abuse Research.
- 9.2 SETDAB Strategy.