

**DMPC Decision – PCD 1435****Title: Acceptance of funds from London Borough of Tower Hamlets for Women's Diversion****Executive Summary:**

In September 2019, MOPAC launched the Adult Women's Diversion Pilot operating in Central North and Central South BCUs, which in December 2022 become part of the Pan London Co-Commissioned arrangement, moving the service from a pilot into core service until March 2025 (PCD 1065).

The London Borough of Tower Hamlets wish to fund an extension of the women's diversion strand to an additional BCU covering Tower Hamlets and Hackney for 1 year. Funding of £66,000 has been allocated to pay for a fulltime key worker post within the already co-commissioned provider and mobilisation costs.

Due to the co-commissioned arrangements in place, this decision recommends that MOPAC accept this funding and use the funding to uplift our contribution within the agreed MoU with the Ministry of Justice (MoJ).

**Recommendation:**

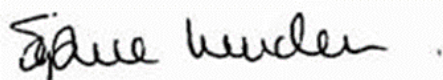
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the acceptance of £66,000 funding from London Borough of Tower Hamlets for the extension of the female diversion service to the Central East BCU for 1 year from July 2023 to June 2024 (with mobilisation in June 2023).
2. Approve the transfer of funds to and vary the MoU with the MoJ to uplift MOPAC's contribution to the existing co-commissioned arrangements by £66,000.
3. To note this increases the total funding to £2,396,000

**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**

05/06/2023

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

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

- 1.1. In September 2019, MOPAC launched the Adult Women's Diversion Pilot operating in Central North and Central South BCUs, which in December 2022 become part of the Pan London Co-Commissioned arrangement, moving the service from a pilot into business as usual until March 2025.
- 1.2. The service aims to divert women that have committed a low-level offence away from entering the Criminal Justice System. Where appropriate, these women are issued with a Police Conditional Caution, requiring them to engage with local gender-specific support services.
- 1.3. The co-commissioned providers delivering this service are Advance and Women In Prison. The providers seek to address the underlying causes of the woman's offending behaviour, through a holistic package of rehabilitative support, tailored to the individual needs of the woman. The service offers the police and the Crown Prosecution Service, a robust alternative pathway as opposed to prosecution of these women through the courts.

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

- 2.1. To date, the women's diversion service has only been available in two BCUs (Central North & Central South). This means that women arrested in any of the other BCU areas are not able to access the holistic package of support through this referral route. The introduction of the 2-tier framework for out of court disposals later in 2023 is likely to result in a demand for a pan-London provision, bringing Hackney and Tower Hamlets into the current scheme recognises this demand.
- 2.2. By supporting Tower Hamlets to fund an extension of the woman's diversion service into the Tower Hamlets and Hackney BCU (Central East), this will allow for further women in London to access support.
- 2.3. The funding will allow for the recruitment of a full-time key worker who will be contracted to support a further 32 women. The remainder of the funding will be used for mobilisation costs.

- 2.4. It is not possible within the timeframes to formally bring Tower Hamlets into the co-commissioned arrangements with the MoJ, NHS and Lambeth. Despite this, through this process Tower Hamlets will become party to governance arrangements providing consistency of service delivery and parity of the offer for women arrested in Hackney and Tower Hamlets.
- 2.5. Tower Hamlets will be funding this through Project ADDER underspend. Although the current service will be extended to the additional BCU, there will be a need to focus on the links between female diversion and drug related offences to enable Tower Hamlets to demonstrate how the service meets Project ADDER objectives. For example, reduced costs for local health services and police forces due to lower health and crime harms, and lower costs to the criminal justice system (as fewer people are dealt with by the courts).

### 3. Financial Comments

- 3.1. MOPAC currently has approval in place to fund the Female Offenders Wraparound Service from 2022/23 – 2024/25 at a total cost of £2,330,000.
- 3.2. This decision requests approval to accept £66,000 from the London Borough of Tower Hamlets for 1 year covering July 2023 to June 2024 (with mobilisation in June 2023), increasing the total funding to £2,396,000 as set out in the table below.

	2022/23 £	2023/24 £	2024/25 £	Total £
Original Funding	920,000	760,000	650,000	2,330,000
Contribution from LB Tower Hamlets	0	52,500	13,500	66,000
<b>Revised Funding</b>	<b>920,000</b>	<b>812,500</b>	<b>663,500</b>	<b>2,396,000</b>

- 3.3. The MoU with the MoJ will be updated accordingly and the additional funding transferred to MoJ who hold the contract with the providers.
- 3.4. This brings the total investment from 2022-2025 between all co-commissioned providers to £7,468,665.

### 4. Legal Comments

- 4.1. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has authority to approve offers made for grant funding.
- 4.2. The Crime and Disorder Act 1998 at sections 17(1) (a) to (c) places 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.

## **5. Commercial Issues**

- 5.1. This approach has been approved through MOPAC's Procurement, Contracts and Grants Oversight Board on 18<sup>th</sup> April 2023.
- 5.2. The uplift of funding within the agreed MoU will be in line with the Ministry of Justice's Dynamic Framework. This is an approved framework that allows criminal justice partners to procure services from pre-approved suppliers and the collaboration in this area is underpinned by a Memorandum of Understanding (MoU) between MOPAC, London Probation Service and the Ministry of Justice. As part of this arrangement MOPAC provides grant funding to the Ministry of Justice for the amounts specified above (3.2), so that the combined funding can be used through the Dynamic Framework to grant fund established providers.
- 5.3. The MoU will be amended to uplift MOPAC's funding contribution, extend female diversion into the Tower Hamlets and Hackney BCU and allocation of funding for a fulltime key worker for the established provider. This will involve a change notice process which will be reviewed by MOPAC's Contract Management Team.

## **6. Public Health Approach**

- 6.1. It adopts both a Whole Systems and a Public Health Approach to women at risk of offending and those in contact with the Criminal Justice System. This holistic approach and continuity of care across the Criminal Justice System and health interventions provides integration, which support women in their attempt to stabilise their lives, find pathways out of crime, and reduce the risk of harm posed by them to the public, known adults and children. The service also seeks to reduce intergenerational offending. Many of the service users have complex needs, are vulnerable, have experienced victimisation and abuse. The support services to which they will have access, is based on their specific need(s) and will provide wrap-around support to address these issues and promote long term rehabilitation and well-being.

## **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. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics

are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.2. An Equalities Impact Assessment (EIA) has already been completed for the service.

**9. Background/supporting papers**

9.1. N/A

**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>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.	✓
<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>Drafting Officer</b> Bethany Swanson has drafted this report in accordance with MOPAC procedures.	✓
<b>Director/Head of Service:</b> The Director of Commissioning and Partnerships 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**

*Samuel H. Ford.*

**Date** 05/06/2023