

**DMPC Decision – PCD 1517****Title: Commissioning of Victim Services for 2024/25 to 27/28****Executive Summary:**

Improving the service and support that victims receive is a key priority in London's Police and Crime Plan (PCP) 2022-25. MOPAC is delivering on this commitment by continuously improving the support that victims receive and working to ensure victims receive a better criminal justice response and outcome. This decision seeks approval to commission pan-London services for victims of crime that will replace existing provisions, the contractual arrangements for which are due to expire on 30<sup>th</sup> September 2024. This is necessary to enable MOPAC to deliver on its commitments in the PCP and to discharge MOPAC's devolved responsibility for arranging the provision of victim services in London.

This decision seeks approval to initiate the procurement processes to identify providers to deliver support services for victims of crime for a period of 42 months (3.5 years), with the option to extend for up to a further 24 months (2 years). The contracts will also include a mobilisation period of 3 to 6 months, meaning the initial contract term will be up to a maximum of 48 months (4 years).

The decision also seeks approval to award the contracts in line with the outcome of the procurement processes, subject to the Director of Commissioning and Partnerships receiving assurance that these have been conducted in line with national procurement rules and MOPAC's Contract Regulations, and MOPAC Board confirming the commitment of the funding for the initial contract term. The decision requests a total funding amount up to £37,450,000 across financial years 2024/25 to 2027/28, for the initial contract period. Any extensions or budget uplift will require further DMPC approval.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the initiation of the procurement processes to replace existing arrangements for the delivery of the London Victim and Witness Service and the Children and Young People's Victim and Witness Service at a potential maximum cost of £86,905,000.
2. Approve the allocation of up to a maximum total value of £37,450,000 across financial years 2024/25 to 2027/28 to the contractual arrangements resulting from these procurement processes. The indicative annual values of the contracts include:
  - £4,400,000 per annum (p.a.) for the central referral mechanism and universal service for adult victims
  - £5,000,000 p.a. for the specialist service for victims of domestic abuse
  - £1,000,000 p.a. for the specialist service for young victims

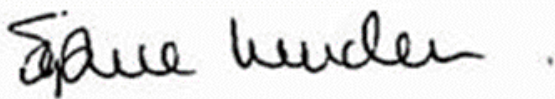
- £300,000 pa for the specialist service of restorative justice
3. Delegate authority to award the contracts (for their initial term only), in line with the outcome of the procurement processes, to the Director of Commissioning and Partnerships, as the Chair of the Procurement, Contracts and Grants Oversight Board, subject to the Director receiving assurance that the processes have been conducted in compliance with national procurement rules and MOPAC's Contract Regulations, and MOPAC Board confirming the commitment of the funding for the initial 4 year term.
  4. Note that any further contract extensions or uplifts above the original value of £37,450,000 are subject to DMPC approval and additional funding being identified.
  5. Delegate authority for the finalisation and execution of the contracts to the Chief Financial Officer, in accordance with the general power of delegation in paragraph 1.7 of the MOPAC Scheme of Consent and Delegation.

**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

13/10/2023

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

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

- 1.1. A key priority of the Police and Crime Plan (PCP) 2022-25 is to improve the support available for victims of crime in London. The Mayor has been relentless in his pursuit of ensuring good quality support provision is available in London for those affected by crime, whether they chose to report to the police or not.
- 1.2. Since 1<sup>st</sup> April 2019, MOPAC has commissioned the London Victim and Witness Service (LVWS) to provide practical and emotional support to adult victims of crime in London (including survivors of domestic abuse), helping them to cope and recover from the impact of crime and which supports approximately 50,000 victims/witnesses each year. MOPAC also has grant agreements in place to deliver the same service for children, the Children and Young People Victim and Witness Service (CYPVWS), which supports approximately 4,000 victims/witnesses each year, and a specialist service supporting victims of domestic abuse, through the Ascent Advice Partnership, supports approximately 2,000 victims/survivors a year.
- 1.3. The services have been successful in providing resilient, consistent levels of support across London and better integrating with the Criminal Justice System to provide a more seamless, end-to-end journey for victims. London remains the only PCC nationally whereby pre-trial support for witnesses is delivered under the same model, having been devolved from central government as part of the “Working Towards Justice Devolution” agreement in 2018.
- 1.4. In anticipation of the end of these services on 30<sup>th</sup> September 2024, MOPAC has been working with stakeholders across the sector to co-develop and shape the design of future services to go live from 1<sup>st</sup> October 2024. After comprehensive engagement with stakeholders across the sector MOPAC are now in a position procure new services to replace the existing arrangements.

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

- 2.1. Whilst the LVWS, CYPVWS and Ascent Advice Partnership have proven successful, the context and market in London has seen significant change since they were last commissioned in 2018/19. In 2021, MOPAC commissioned the Strategic Needs Assessment for Victims in London which outlined that the demand for victims services has increased, as has the complexity of cases presenting to services. This has in part been driven by the socio-economic impact of the Covid-19 pandemic and the rising cost of living but also an increase in the number of crimes involving Violence Against Women and Girls reported to the Metropolitan Police Service (MPS).
- 2.2. Despite an increase in police reported crime, trust and confidence in the MPS to deliver an effective service has been eroded by several high-profile misconduct cases and the publication of the Casey Review. Victim satisfaction with the police response, as measured by MOPAC’s User Satisfaction Service, has shown a long-term downward

trend in satisfaction amongst victims. Satisfaction is lowest for those who report online and disproportionate scores across different demographic groups with LGBT+, disabled and black victims reporting lower rates of satisfaction.

2.3. In this context, and in anticipation of the end of the current services, MOPAC has undertaken an extensive consultation and co-design process. This has been informed by the sector and user voice groups to design the future services that can respond to the changing context and improve the victim support across London's diverse communities. This process led to the development and agreement of the following core design principles:

- **Person-centred services and support** - seeing the whole person and their needs, not just the victimisation
- **Strength-based approach** – empowering people to help themselves
- **Culturally aware** – responsive to language needs, have cultural understanding, and be actively anti-racist
- **Trusted relationships** – investing time to build them through honesty, transparency, and consistency
- **Collaboration** – share understanding of systems and processes, investing in relationships, leveraging community assets, while sharing knowledge, skills and practice
- **Investing in workforce** – build in capacity to adapt, continuously reflect and improve, while focusing on welfare

2.4. The importance of stronger partnership and system cohesion; the inclusion of specialist 'by and for' provision and flexible services are underpinning features of the new model. In response to this, MOPAC is proposing to work alongside the sector to develop an "ecosystem" of support for victims of crime in London, that involves less siloed commissioning approaches, shared outcomes, tools and capabilities to encourage the sector to work more cohesively. The anticipated high-level outcomes at a system-level align to the Police and Crime Plan and include:

- Reducing Repeat Victimisation
- Victims receiving a better service from the MPS, victim services, and the wider CJS
- Achieving better CJS outcomes and response
- Improved public trust and confidence with the CJS

2.5. The high-level outcomes at an individual service user level align to the Government's Victims Funding Strategy and have been validated by service users. They include:

- Better able to cope and build resilience to move on with daily life
- Better informed and increased sense of empowerment
- Increased feelings of safety and mitigate risk of further victimisation
- Improved health and wellbeing
- Receiving the right support when it is needed

2.6. The central pillars of this new ecosystem will be four services, tailored to specific cohorts. They will include:

- Central referral mechanism and universal support service for adult victims
- Specialist service for victims of domestic abuse
- Specialist service for young victims
- Specialist restorative justice services

- 2.7. Adaptability and innovation will be integral to this ecosystem approach, in order for them to keep pace with the rapidly changing policy and service landscape as well as to drive continuous improvement in services. For example, in response to the Casey Review, the MPS has committed to transforming their services to victims of crime and investing in the creation of a “victim care hub” which fundamentally changes victims’ experience of the CJS in London. Similarly, the Ministry of Justice is currently considering future operating models for the Court Based Witness Service which will have implications for arrangements in London. Finally, the Duty to Collaborate set out in the draft Victims and Prisoners Bill will have significant implications for future services in London. The detail and implications of these changes are not currently clear, therefore, to safeguard against this uncertainty, MOPAC will be ensuring adaptability through commissioning outcomes-focused services that embrace innovation.
- 2.8. This decision seeks DMPC approval for a budget of up to £37,450,000 over the course of 2024/25 to 2027/28 to procure the new services. The indicative split of this budget across each full financial year includes:
- £4,400,000 p.a. for the central referral mechanism and specialist provider for adult victims
  - £5,000,000 p.a. for the specialist service for victims of domestic abuse
  - £1,000,000 p.a. for the specialist service for young victims
  - £300,000 p.a. for the specialist service of restorative justice
- 2.9. The services will commence on 1<sup>st</sup> October 2024. The initial contract term will be for up to 48 months (4 years) and will all include a service delivery period of 42 months (3.5 years) and a mobilisation period of 3 to 6 months. The contract for the central referral mechanism and specialist provider for adult victims and the contract for the specialist service for victims of domestic abuse will commence on 1<sup>st</sup> April 2024, to allow for 6 month mobilisation and transition period, meaning their initial contract term will be 48 months (4 years). The contracts for the specialist service for young victims and restorative justice service will be awarded later and will include a 3 month mobilisation period, meaning their initial contract term will be 45 months. The contracts will also all include an option to extend for up to a further 24 months (2 years), subject to DMPC approval.
- 2.10. Since the existing services were first commissioned, MOPAC has seen significant increases in funding from the Ministry of Justice for services supporting victims of crime, in particular for specialist services across London supporting victims of domestic abuse and sexual violence. Total funding for all victims services in London for 23/24 is around double the amount received in 2019/20.
- 2.11. MOPAC’s current multi-year funding settlement with the Ministry of Justice (MoJ) runs until the end of 2024/25. This means that there is uncertainty regarding future funding levels beyond this point, which needs to be factored into this commissioning programme.
- 2.12. To allow for potential additional services that MOPAC may seek to include in these contracts over their life, MOPAC will be advertising these bidding opportunities with a higher maximum potential contract value. This is to provide resilience and ensure

MOPAC's commercial arrangements are flexible enough should additional funding become available for these services.

- 2.12 The maximum initial budget for these services is £37,450,000. The services will have an option to extend by up to a further two years at a value of £21,400,000. It is proposed to publish tenders with a total maximum value across the 4 contracts and across the full 5.5 year period of £86,905,000. Any extension or uplift above the initial budget of £37,450,000 will require further DMPC approval.
- 2.13 The contracts for the new services will include appropriate terms to allow for future variations that would enable MOPAC to increase their value should additional funding for these services become available. They will also include terms to allow MOPAC to reduce the value of any of the individual contracts and vary their service specifications as required to ensure that MOPAC can mitigate the risk of any potential future reductions in funding beyond the end of the current funding settlement with MoJ.

### 3. Financial Comments

- 3.1. The current budget for victims services is £10,700,000 p.a. with expenditure funded through a combination of funding from MoJ and Mayoral funding.
- 3.2. This decision is seeking approval to go out to tender for a period of up to 4 years with the option to extend by up to a further two years at a value of up to a maximum of £86,905,000. The combined tender value includes headroom of 30% given that funding for victim services has almost doubled since 2019/20.
- 3.3. As set out in the table below the intention is to award contracts for a period of up to 4 years, including 3.5 years service delivery and 3 to 6 months for mobilisation, at a maximum cost of £37,450,000 (£10,700,000 p.a.) in line with existing funding. Any extension or uplift above the initial budget of £37,450,000 will require further DMPC approval.

Service	Financial Year			
	2024/25 (6 months only)	2025/26	2026/27	2027/28
Central Referral Mechanism and Support for Adult Victims	£2,200,000	£4,400,000	£4,400,000	£4,400,000
Domestic Abuse	£2,500,000	£5,000,000	£5,000,000	£5,000,000
Young People	£500,000	£1,000,000	£1,000,000	£1,000,000
Restorative Justice	£150,000	£300,000	£300,000	£300,000
<b>Total</b>	<b>£5,350,000</b>	<b>£10,700,000</b>	<b>£10,700,000</b>	<b>£10,700,000</b>

- 3.4. There is no confirmation of MoJ funding beyond 2024/25, and future funding allocations are subject to the Comprehensive Spending Review. In the event funding is reduced, budget allocations will be reduced accordingly. The contracts will include terms that allow MOPAC to reduce the value of any of the individual contracts to offset the impact of any potential future reduction in external funding.

- 3.5. The mobilisation of this service will run in parallel with the existing service. PCD1234 approves budgets to extend the existing provision to the 30<sup>th</sup> of September 2024.

#### **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 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) of the Anti-Social Behaviour Crime and Policing Act 2014 provides 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." The provision of this service would be consistent with this power.
- 4.3. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above.
- 4.4. The Mayor's Office for Policing Crime is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £181,302 or above will be procured in accordance with the Regulations.
- 4.5. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.
- 4.6. The delegation of responsibility for the finalisation of contractual arrangements, including relevant terms and the signing of agreements, to the Chief Finance Officer is in accordance with the general power of delegation in paragraph 1.7 of the MOPAC Scheme of Consent and Delegation.
- 4.7. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.8. Officers should ensure that contracts are put in place with and executed by MOPAC and the provider(s) before any commitment to fund is made.
- 4.9. Officers confirm that sufficient assurance has been carried out to this Decision to determine that the DMPC has legal authority to agree the recommendations.

#### **5. Commercial Issues**

- 5.1. The funding for the provision of these services will be subject to open and competitive procurement processes. This process will be conducted in line with MOPAC's Contract Regulations and Scheme of Delegation.
- 5.2. Professional, technical advice is being sought from MOPAC's Head of Procurement, Contracts and Grants and Procurement Manager in relation to the commissioning approach which is being followed for the recommissioning of these services, in order to ensure that the processes are fully compliant with the Public Contract Regulations 2015.
- 5.3. The Procurement Strategy and subsequent Contract Award Report for the recommissioning of these services will be reviewed and approved by the GLA Approvals Mechanism (GLAAM) in line with TfL's procurement oversight and governance processes, prior to the tender being published, and before contract award, to confirm that the process is fully compliant with UK procurement regulations.
- 5.4. Any request for a contract extension or uplift will require the approval of MOPAC's Procurement, Contracts and Grants Oversight Board to ensure it represents value for money, prior to securing formal DMPC approval for the extension or uplift.
- 5.5. As there is no confirmation of grant funding beyond 2024/25 the contracts will have clauses included to allow them to be amended should the funding not materialise.

## **6. Public Health Approach**

- 6.1. City Hall's public health approach to violence, including violence against women and girls, recognises the tiers of intervention/opportunities to act. The Violence Reduction Unit looks at violence as a preventable consequence of a range of factors, such as adverse early-life experiences, or harmful social or community experiences and influences intervening early when issues start to emerge and resolving them prior to escalation.
- 6.2. The service(s) included in this decision will support people who have already been impacted by violence and exploitation or are at high risk of being impacted, intervening to ensure ongoing issues are well managed to avoid further crises and reduce the harmful consequences of the issues already faced.

## **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. Each year, approximately 800,000 Londoners report their victimisation to the Metropolitan Police Service. Research also tells us that many crimes also go unreported and so genuine rates of victimisation are likely to be much higher than this. Victims of crime in London come from a diverse range of demographic groups and research shows that some communities and individuals are disproportionately affected by crime and subsequent access to justice.
- 8.3. This commissioning programme was informed by a Strategic Needs Assessment for Victims in London (SNA) - the biggest ever review of victim's services in London. Findings from the SNA emphasised the effectiveness of MOPAC's commissioned services in supporting victims to cope and recover from crime and navigate the CJS. However, the SNA concluded that the system of support is under significant strain and the current model for provision is not sustainable. There are 3 driving factors for this:
  - Demand outweighs provision
  - Expenditure is not aligned to victims' profile or needs
  - Projections of an increase in violent crime
- 8.4. In addition, the SNA found there are a number of barriers that present people from ethnic minority backgrounds, LGBTQ+ and disabled victims from accessing support and engaging with the criminal justice system. The report also highlighted that African/Caribbean and South Asian people are consistently overrepresented among victims of crime, including of the most serious offences such as robbery, sexual offences and violence with injury. MOPAC recognises that 'by and for' provision is most effective in reaching and supporting victims from marginalised communities. That is why MOPAC has continued to invest in programmes like the VAWG Grassroots Fund to grow and develop these services. MOPAC will be incentivising bidders to form partnerships with smaller specialist providers to deliver the services resulting from these procurement processes.
- 8.5. The SNA also found that demographic data could be better recorded by existing services. MOPAC will be setting common minimum requirements across services with a specific focus on improving demographic data.
- 8.6. Cultural awareness, recognising intersectionality, and a commitment to anti-racism have been core design principles agreed with partners as part of the co-design process. The design decisions have been made in line with this principle and been tested with stakeholders through the design and consultation process.
- 8.7. Providers continue to navigate the post pandemic climate, facing increased austerity, comparative reductions in funding due to inflation and recruitment and retention issues. These challenges have become increasingly difficult to manage as certain crimes (or those seeking support for such crimes) have shown increases over recent years including domestic abuse and sexual violence. Public campaigns and several

high-profile misconduct cases have shone a spotlight on Violence Against Women and Girls which in turn has seen a positive drive for those wishing to access support and report abuse. However, services have struggled to manage the increased demand within existing resources.

- 8.8 Pressure on resources is exacerbated by the delays many victims face in accessing justice. Already too slow, London's CJS is struggling to bounce back from the postponement of jury trials and social distancing practices during the pandemic and subsequent strikes from the Criminal Bar Association throughout 2022. A combination of these factors has led to a significant backlog of cases in London's Crown Courts. These delays are significantly above the national average and represent the longest recorded waiting times since records began. Support services work especially hard through the period of limbo to keep victims supported and engaged in the justice process.
- 8.9 Whilst delays pose a threat to justice, so too does victim satisfaction and trust in the Police. Both have been further eroded by several high-profile cases such as the murder and kidnap of Sarah Everard by a serving Police Officer and the conviction of David Carrick, another MPS officer, for heinous crimes against women. The recently published Casey Review echoes that victims, women and children in particular, have been failed by the MPS. Resourcing and structural issues in the force have resulted in a de-prioritisation of victims' needs, and victims receive a poor service as a result. This is reflected in rates of victim satisfaction which have been stagnant around 65% for several years and are even lower for those who report online at 33%. The dissatisfaction is more evident amongst black, LGBTQ+ and disabled victims.
- 8.10 MOPAC and the commissioned services as part of this ecosystem will play a role in the delivery of the MPS Commissioner's Plan "A New Met for London". In addition to maintaining an inward facing focus to identify and respond to disproportionality that arise through the course of delivering these services, the ecosystem will also play an important outward facing role in supporting and challenging MOPAC and other statutory agencies to follow through on their commitment to address disproportionality and discrimination.

## **9. Background/supporting papers**

- 9.1. PCD 1234

**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

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. This has been reviewed and supported by a senior manager within the VRU.	✓
<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> <ul style="list-style-type: none"> <li>GDPR compliance issues are covered in the body of the report and the GDPR Project Manager has been consulted on the GDPR issues within this report.</li> <li>A DPIA will be completed</li> </ul>	✓
<b>Drafting Officer</b> Brendan Charnock has drafted this report in accordance with MOPAC procedures.	✓
<b>Director/Head of Service:</b> The Head of Policy and Commissioning 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**A handwritten signature in dark ink, appearing to read "Sean Hutchford".**Date** 11/10/2023