

## DMPC Decision – PCD 1439

### Title: Sexual Assault Referral Centres (SARCs) – 2023-24 funding

#### Executive Summary:

In March 2022, the Mayor published his new Police and Crime Plan (PCP), and in June 2022, he published his refreshed [Violence Against Women and Girls \(VAWG\) Strategy](#). The refreshed Mayor's strategy sets out the commitment to supporting victims through the provision of essential specialist services. The Mayor has committed to maintaining investment in the London Sexual Assault Referral Centres (SARCs).

SARCs are specialist medical and forensic services available to anyone who has been raped or sexually assaulted, regardless of whether they choose to report the offence to the police. Their provision is a core function of Police and Crime Commissioners; and they are the only service that offers the forensic medical examinations, a specialist medical procedure which contributes to the criminal justice process as part of victims' access to justice.

MOPAC co-commission with NHS England (NHSE) London's Haven's, who provide the SARC service across the capital. It is delivered by Kings College Hospital NHS Foundation Trust, operates pan-London, and accepts referrals from the police and other professionals as well as self-referrals. The Havens operate from three hospital-based sites; Camberwell, Kensington and Whitechapel.

This decision seeks approval for MOPAC to continue this co-commissioning arrangement with NHSE and maintain its investment in the London Havens for financial year 2023-2024, to the value of up to £2,826,850.

#### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

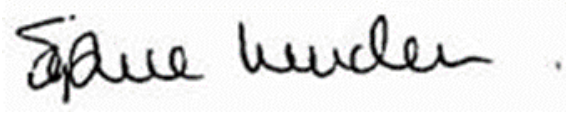
1. Approve the funding allocation for London's Haven's to deliver the sexual assault referral centres provision across London from 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024, up to a maximum total value of £2,826,850 until 31 March 2024.
2. Approve the funding allocation to NHSE and the subsequent issuing of a new grant agreement to NHSE for up to £2,826,850, to transfer MOPAC's contribution to London's Haven's.
3. Delegate authority to the MOPAC Chief Finance Officer to sign the necessary grant agreement for this funding allocation.

**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**

A handwritten signature in black ink, appearing to read "E. J. Under", is written over a light gray rectangular background.

**Date** 08/03/2024

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

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

- 1.1 The refreshed Mayor's [Tackling Violence Against Women and Girls \(VAWG\) Strategy 2022 – 2025](#) sets out the commitment to supporting victims through the provision of essential specialist services. The Mayor has committed to maintaining investment in the London Sexual Assault Referral Centres (SARCs).
- 1.2 Sexual Assault Referral Centres (SARCs) are specialist medical and forensic services available to anyone who has been raped or sexually assaulted, regardless of whether they choose to report the offence to the police. Their provision is a core function of Police and Crime Commissioners; and they are the only service that offers the forensic medical examinations, a specialist medical procedure which contributes to the criminal justice process as part of victims' access to justice.
- 1.3 The Rape Review conducted in 2019 by London's Victims Commissioner found that only 6% of allegations reached trial, with only 3% resulting in a conviction. Baroness Casey's review of the MPS makes a recommendation of a new offer for women and girls in London.
- 1.4 A transformation programme to implement the new national operating model for improved rape investigations is underway in the MPS through Operation Soteria Bluestone and aims to improve sanction detection rates and increase the number of successful prosecutions in London.
- 1.5 As the service providing forensic medical examinations, the SARCs play a critical role in securing successful prosecutions for rape and other serious sexual offences.

### **2. Issues for Consideration**

- 2.1. The London's SARCs service is the Havens, jointly commissioned by the NHS England - London Health and Justice team (NHSE) and MOPAC with an agreed intended funding split of 60/40.
- 2.2. The service is provided by Kings College Hospital NHS Foundation Trust, operates pan-London, and accepts referrals from the police and other professionals as well as self-referrals. The Havens operate from three hospital-based sites; Camberwell, Kensington and Whitechapel.
- 2.3. The operational costs of the Havens have increased over recent years but to date, MOPAC's contribution has remained static. There is a need to re-balance the funding split between NHSE and MOPAC to account for these inflationary increases, please see table below for proposed:

| <b>Funder</b> | <b>Amount</b>     | <b>%</b>    |
|---------------|-------------------|-------------|
| <b>MOPAC</b>  | £2,826,850        | 40%         |
| <b>NHS</b>    | £4,240,276        | 60%         |
| <b>TOTAL</b>  | <b>£7,067,126</b> | <b>100%</b> |

- 2.4. This decision seeks approval for MOPAC to continue its co-commissioning arrangement with NHSE and maintain its investment, taking inflationary increases into account, in the London Havens for financial year 2023-2024, to the value of up to £2,826,850.

### **3. Financial Comments**

- 3.1. The 2023/24 C&P budget for this service is £2,165,000. This budget was based on the historical cost and has remained static for several years.
- 3.2. The operational costs for this service have increased and MOPAC's contribution therefore also needs to increase to align with the agreed funding split of 40/60 MOPAC/NHSE. The total budget requirement for MOPAC's contribution to this service in 2023/24 is therefore now £2,826,850.
- 3.3. The additional budget requirement of £661,850 is a pressure in the 2023/24 budget and is being met by underspends in the overall C&P budget. This pressure was included in P9 budget monitoring.
- 3.4. The delay in issuing the grant agreement in 2023/24 is due to ongoing discussions regarding how the additional cost would be funded. This has now been agreed and so the grant agreement can be finalised.

### **4. Legal Comments**

- 4.1. MOPAC's general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3(6) of the 2011 Act provides that MOPAC must "secure the maintenance of the metropolitan police service and secure that the metropolitan police service is efficient and effective." Under Schedule 3, paragraph 7 (1) MOPAC has wide incidental powers to "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office." Paragraph 7(2) (a) provides that this includes entering into contracts and other agreements.
- 4.2. Section 143 (1) (b) of the Anti-Social, Behaviour Crime and Policing Act 2014 provides for MOPAC to provide or commission services "intended by the local policing body to victims or witnesses of or other persons affected by, offences and anti-social behaviour." 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. There are further relevant powers set out in the Crime and Disorder Act 1998 at sections 17(1) (a) to (c) which place MOPAC under a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it can to prevent, crime and disorder (including anti-social and other behaviour adversely affecting the local environment), reoffending in its area, and the misuse of drugs, alcohol and other substances in its area. The proposed arrangements are consistent with MOPAC's duties in the Crime and Disorder Act 1998.
- 4.4. 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 all the award of all individual grants whether to secure or contribute to securing crime reduction in London or for other purposes.
- 4.5. Paragraph 4.6 of the MOPAC Scheme of Delegation and Consent provides the DMPC authority to delegate those functions which are reserved for the DMPC.
- 4.6. These recommendations are in line with the MOPAC Scheme of Delegation and Consent.
- 4.7. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.8. Officers should ensure that the funding agreements are put in place with and executed by MOPAC and each of the providers before any commitment to fund is made.

## **5. Commercial Issues**

- 5.1. This Decision report seeks to award a grant to NHS England for provision of London's Havens) to deliver the sexual assault referral centres provision across London (provided by Kings College Hospital NHS Foundation Trust) from 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024, up to a maximum total value of £2,826,850 until 31 March 2024.
- 5.2. MOPAC's Scheme of Delegation requires the award of grant funding to be approved by the DMPC at any value.
- 5.3. The actions set out in this Decision report can be taken in accordance with MOPAC's Contract Regulations.

## **6. Public Health Approach**

- 6.1. Grant awards and variations are informed by the Mayor's public health approach to violence reduction and therefore part of MOPAC's contribution to overall efforts led by the Violence Reduction Unit. The public health approach to violence prevention is being led by London's Violence Reduction Unit (VRU), which supports the MOPAC work through preventative programmes supporting young people.

## **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. The Havens SARCs service is a statutory specialist service for people of all ages and genders who have been raped or seriously sexually assaulted, regardless of whether they choose to report the offence to the police. Their provision is a core function of Police and Crime Commissioners; and they are the only service that offers the forensic medical examinations, a specialist medical procedure which contributes to the criminal justice process as part of victims' access to justice.

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

- 9.1. PCD 1298 Sexual Assault Referral Centres (SARCs) FY 2022/2023

**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><br>The Strategic Finance and Resource Management Team has been consulted on this proposal.   | ✓                                    |
| <b>Legal Advice:</b><br>Legal advice is not required.   | ✓                                    |
| <b>Equalities Advice:</b><br>Equality and diversity issues are covered in the body of the report.   | ✓                                    |
| <b>Public Health Approach</b><br>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><br>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 is not required.</li> </ul> | ✓                                    |
| <b>Drafting Officer</b><br>Juliet Tewungwa has drafted this report in accordance with MOPAC procedures.   | ✓                                    |
| <b>Director/Head of Service:</b><br>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****Date** 27/02/2024