

DMPC Decision – PCD 693

Title: Victims Small Grants Fund – Procurement and contract award of Fund Manager and allocation of funding pot

Executive Summary:

In the Police and Crime Plan, the Mayor committed to providing access to small grant funding for the development and capacity for victim support organisations. In 2017, MOPAC confirmed funding to a Victims Small Grants Fund which is now due to end in October 2020. The existing fund received applications from smaller grassroots organisations who would not otherwise be able to engage with MOPAC's larger and more complex funding opportunities. The fund was administered and managed by a separate organisation on behalf of MOPAC. In order to appoint a future fund manager of the Victims Small Grants Fund, MOPAC must go back out to the market to run an open and competitive tender process. An Insight report setting out the impact of the Victims Small Grants Fund is attached as Annex 1. This decision seeks DMPC approval for the total budget to procure and award the contract for a fund manager and the funding pot for the grants, subject to the required MOPAC governance processes.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to agree a budget allocation of a total of up to £3,760,000 for the four-year period 2020/21 to 2023/24 to:

- procure a fund manager to manage and administer the Victims Small Grants Fund for up to £94,000 annually (up to a maximum of 10% of the total annual budget of £940,000) for four years;
- delegate to the Chief Executive Officer the authority to proceed to award the contract, with a maximum value to the provider of £376,000, to appoint a fund manager in line with the outcome of the competition, subject to receiving assurance that the process has been conducted in compliance with procurement regulations; and
- allocate the funding pot for the approximate annual amount of £846,000 for four years for the disbursement of grants.

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 13/02/20

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

1. Introduction and background

- 1.1. The Mayor's Police and Crime Plan (PCP) puts victims and survivors at the heart of everything MOPAC does, making significant commitments regarding the provision of better services and improving the experience of the criminal justice service for victims of crime. One such commitment is to enable access to small grant funding to provide development and capacity for victim support organisations. The Victims Small Grants Fund delivers on this specific commitment and aligns with MOPAC's commissioning strategy for victims' services which includes the provision of a wide range of specialised, local and tailored services for victims of crime who would otherwise encounter barriers to accessing generalist support.
- 1.2. The current grant agreement for the Victims Small Grants Fund will end on 31 October 2020. There was a total budget allocation of £2,790,000 over three financial years from 2017/18 – 2019/20. The objectives of the fund aligned with the Police and Crime Plan commitments and aimed to:
 - target (although not limited to) organisations working with victims of specific types of crime as prioritised in the PCP. For example, hate crime, violence against women and girls, and crimes against young people;
 - ensure clear and achievable outcomes with appropriate measurement;
 - support VCSE capacity building for improved victims' services in line with MOPAC ambitions;
 - encourage VCSE sector support and capacity building to develop partnerships/consortia to deliver victims' services.
- 1.3. The existing fund provides grants to smaller organisations in the VCSE sector to provide services to victims of crime in London to help them cope and recover. Projects can also apply for capacity building costs and to support organisations to develop their capability to be more skilled and self-sufficient after the funding from MOPAC has ended. Projects must demonstrate a balance between capacity building and service provision to victims of crime.
- 1.4. MOPAC does not have the capacity or the capability to commission a small-scale niche and/or local victim services to address the plethora of existing and emerging needs across London. The Small Grants Fund offers local organisations the opportunity to put forward a case for investment in their proposed model for addressing needs in a much more efficient way than MOPAC would otherwise be able to do.
- 1.5. A new fund is proposed to run for a minimum of four years from 2020/21 to 2023/24 with a total four-year budget of £3,760,000. The intention is to procure a fund manager to administer and manage the fund on MOPAC's behalf at a total cost of up to a

maximum of £376,000, which is 10% of the total budget. The remaining £3,384,000 is the indicative budget for the funding pot for 2020/21 to 2023/24. Following conclusion of the competitive procurement process, if the final management fee is less than the maximum budget, the difference will be added to the grants funding pot.

1.6. The administration of the fund involves:

- Publicising the availability of the grants at each annual round and inviting applications
- Shortlisting grant applications based on agreed criteria, including engagement with each of the short-listed applicants to inform a final assessment panel
- Facilitating an assessment panel with membership from MOPAC and the fund management officers
- Disbursing funds to successful projects
- Oversight of projects' performance
- Collation of activity reports and data returns from grantees
- Submission of six-monthly returns to MOPAC
- Supporting small-grass roots organisations to build partnerships and bid for funding

2. Issues for consideration

2.1. The current grant agreement will end on 31 October 2020 to enable the current provider to evaluate and closedown all projects.

2.2. For the existing projects to continue to deliver their services without disruption a new fund manager for the Victims Small Grants Fund would need to be appointed by June 2020.

2.3. In recognition of the need to increase support for grass-roots organisations to enable them to benefit from this funding, it is proposed that the budget for fund management and administration would increase to up to a maximum of 10% of the fund budget per year for new projects and a lower amount for multi-year projects. This is an increase on the current budget which is 6% of the fund budget per year and is in line with the fund manager fee for the VAWG Grassroots Fund (tranche 3). This is to enable the fund manager to invest more in providing capacity building support to grantees in addition to grant management and oversight.

2.4. The proposed outcomes for the future Victims Small Grants Fund are:

- Provide specialist support (or enhance existing support) to victims of crime in line with the Police and Crime Plan 2017/2021 priorities
- Provide specialist support (or enhance existing support) to victims from specific localities/background that other victim services do not reach or reach as well

- Provide opportunities for small grassroots organisations who are unable to bid for large pan London commissions
 - Increase the capacity of the voluntary, community and social enterprise (VCSE) sector who are unable to bid for other funding opportunities
 - Increase capability and encourage the development of partnerships and shared learning between smaller grassroots organisations and larger organisations
 - Fund innovative services on a small scale to build an evidence-base of need and the effectiveness of the services to support the provider in attracting future funding
 - Provide certainty/longevity of funding for some small services that are unable to attract funding from elsewhere
- 2.5. Small VCSE organisations need the stability offered by the Victims Small Grants Fund in order to develop and to establish their service model as well as evidence their impact to grow and secure sustainable future investment.
- 2.6. The appointment of the Fund Manager will be subject to an open and competitive procurement process, and MOPAC will work with TfL's Collaborative Procurement team to ensure that the process followed is conducted in line with the Public Contract Regulations (PCR) 2015.
- 2.7. A formal contract award report will be produced following the evaluation of the tenders, which will be reviewed and signed off by TfL in line with their internal governance arrangements, to provide assurance that the process has been conducted in line with the PCR2015.

3. Financial Comments

- 3.1. This report is requesting a decision to allocate up to £3,760,000 to procure a fund manager to administer the Victims Small Grants Fund and to allocate the funding pot for the four financial years from 2020/21 to 2023/24. The cost of the fund management service is expected to be up to a maximum of £94,000 per year, no more than 10% of the annual value of the fund, in line VAWG Grass-Roots Fund (Tranche 3 of the VAWG Fund). The four-year budget for the funding pot will be a total of £3,384,000. The annual budget for the funding pot is £846,000 per year for four years.
- 3.2. The total budget of £3,760,000 will come from the MOPAC core budget. MOPAC recognises there are no guarantees about the availability of funding for future years and will ensure the contract reflects the requirement to confirm the available budget on an annual basis.
- 3.3. MOPAC will put in place mechanisms, and provisions within the contract, to ensure that the fund manager provides suitable and appropriate assurance to MOPAC regarding its effective and robust management arrangements for the grant fund amount for which it will be responsible. MOPAC has identified predetermined criteria which will need to be met prior to any grant funds being transferred to the provider.

- 3.4. MOPAC accepts that funds will need to be transferred to the provider upfront to enable the provider to make timely payments to organisations receiving funding from the Victims Small Grants Fund. MOPAC intends to make these payments in instalments, in line with a payment profile which will be agreed with the provider, and approved by MOPAC's CEO and CFO, following contract award, to provide assurance over the process and ensure value for money is delivered. The contract will include a provision to 'claw back' monies if MOPAC finds any breach and/or failure to deliver on the KPIs set out in the contract, and in line with its terms.
- 3.5. All final decision-making regarding recommendations to award individual grant awards will be retained by MOPAC.
- 3.6. The process for the transfer of grant funds to the fund manager will be subject to approval and sign off from the MOPAC Interim Chief Executive Officer and MOPAC Interim Chief Finance Officer to provide additional assurance and safeguards.

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."
- 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. Under paragraph 4.8 of MOPAC's Scheme of Consent and Delegation, the DMPC has delegated authority for the approval of business cases for revenue expenditure above £500,000, and under paragraph 5.13, the Chief Executive Officer has delegated authority to award and sign contracts with a total value of £50,000 - £499,000.

5. Commercial Issues

- 5.1. MOPAC will undertake an open and competitive process to award the contract to appoint a fund manager to administer the Victims Small Grants Fund.
- 5.2. Professional and technical advice will be sought from TfL procurement colleagues in relation to the commissioning approach to be followed to enable the appointment of a

provider, in order to ensure the process is fully compliant with the Public Contract Regulations (PCR) 2015, and the process will be subject to TfL's governance arrangements.

6. Public Health Approach

- 6.1. This fund sits outside of the Violence Reduction Unit's work programme; however, MOPAC will continue work closely with the VRU to identify any possible areas for collaboration and disseminate best practice that is identified as part of this fund.

7. GDPR and Data Privacy

- 7.1. The Provider(s) shall be required to deliver in full compliance with the General Data Protection Regulation (GDPR).
- 7.2. The provider will not be commissioned to process any personally identifiable information. If over the course of the delivery, it appears necessary for the provider to process personally identifiable information then MOPAC's Data Protection Officer will be consulted and a Data Protection Impact Assessment will be completed.

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. This programme of work and MOPAC's wider work programme focussed on providing effective support for victims will generate additional information and data that will further inform the development and delivery of services to address the range of victim needs across London.
- 8.3. The fund is aligned with the priorities detailed in the Police and Crime Plan and associated commissioning plans are based on two clear principles of putting victims first and reducing inequalities in communities.
- 8.4. MOPAC priorities relating to people disproportionately affected by crime are also addressed by this fund. The priorities aim to provide specialised services that safeguard the most vulnerable in society and reduce evident existing inequalities. They are:
 - Keeping Children and Young People Safe
 - Tackling Violence Against Women and Girls
 - Standing together against extremism, hatred and intolerance

- 8.5. The fund will continue to support marginalised and vulnerable cohorts of victims, including those with protected characteristics such as LGBT communities, disabled people, women, black, Asian and minority ethnic communities, faith communities. It will also seek to engage groups who may be disproportionately over represented in the criminal justice system as victims and perpetrators.

9. Annexes

- 9.1 An Impact and Insights interim report setting out the performance of the fund to date is attached as Annex 1.

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

Tick to confirm statement (✓)

Financial Advice

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

Legal Advice

Legal advice is not required.

✓

Equalities Advice:

Equality and diversity issues are covered in the body of the report.

✓

Public Health Approach

Due regard has been given to whether this programme sits within the Violence Reduction Unit's public approach to reducing violence. This has been reviewed by a senior manager within the VRU.

✓

Commercial Issues

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.

✓

GDPR/Data Privacy

GDPR compliance issues are covered in the body of the report and a DPIA is not required.

✓

Director/Head of Service

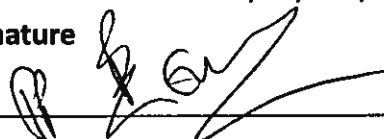
The Head of Policy and Commissioning has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

Interim 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

13/02/20