



## WEST YORKSHIRE POLICE AND CRIME PANEL

14 September 2018

### Commissioning and Granting Report

#### 1.0 Purpose

To provide an overview of the position in relation to commissioning within the OPCC. For ease, the report is split into sections around process, commissioned and granted services and future intentions.

#### 2.0 Key information

##### 2.1 Process

2.1.1 Within the OPCC the main considerations in relation to commissioning and granting activity are:

a. The Police and Crime Plan

This is the main driver of any commissioning activity, and the process formalises the fact that all activity must be in line with the police and crime plan objectives. This was also a recommended approach made by the Police and Crime Panel as part of their scrutiny work into commissioning. The Police and Crime Plan is prepared on an evidential needs basis, underpinned by the strategic policing requirement, whilst at the same time having regard to the joint strategic needs assessments of community safety partners and public consultation. The Police and Crime Panel is consulted on the Police and Crime Plan.

b. Ministry of Justice Grant Conditions

With regard to victim services, there are additional constraints due to the conditions of the grant imposed by the Ministry of Justice (MOJ). Services provided to victims must be available to all victims, and assist them to cope and recover. There are ring-fenced funds specifically for child sexual abuse and suggested amounts for restorative justice commissioning contained within the funding allocation. The MOJ is strict with its grant criteria, and detailed returns have to be made every six months.

##### 2.1.2 Commissioning Strategy

With regard to overall commissioning, a Commissioning Strategy and Intentions document (2018-2021) has been written. This includes the commissioning principles and processes, and outlines those contracts currently in place and likely for renewal or review within the period. This document has been informed by the findings of the scrutiny review into OPCC commissioning undertaken by the Police and Crime Panel during 2016. The document has been approved by the internal commissioning board and is pending

approval from the PCC. It is intended that the document is published on the OPCC website in order that suppliers and service users are aware of the way in which we work, as well as opportunities arising.

### 2.1.3 Contract Management and Review

The OPCC contract monitoring process has just been reviewed, and new information requirements agreed with contractors. The main information requirements cover performance against contract, key risks in each period, the MOJ requirements and advances and emerging themes. These areas are monitored and discussed at every quarterly contract meeting, which have already been scheduled with suppliers over the length of their contracts.

### 2.1.4 Victim and Partner Feedback

Wherever possible victim and partner feedback is taken into consideration, and joint commissioning is considered as an option if appropriate.

## 2.2 Commissioned and Granted Services

The PCC has commissioned a range of services, and provided grants to third sector organisations that complement the services commissioned, in order to provide holistic and effective services. A full list of commissioned and granted services can be found within the Commissioning Strategy and Intentions Document (2018-2021) and this will be shared with Panel when published.

Worthy of note are the core referral and restorative justice contracts that commenced at the beginning of April 2018, as well as the recently extended ISVA contract.

### 2.2.1 Core Referral Service

The Core Referral Service builds on the previous specification and offers a number of new services. The contract now includes a provision for children and young people as well as offering a 24/7 support line. The service accepts self-referrals as well as referrals from the police and partners, and offers a variety of contact options and support mechanisms, the newest being the provision of live chat facilities at specified periods. Enhanced victims will be contacted within 48 hours of referral, and standard cases within 72 hours. Based on demand, a permanent hub or drop in sessions have been established in each of the 5 districts. The contract is for a period of three years with the option of two one year extensions. Both of these elements were recommendations within the Panel's review.

### 2.2.2 Restorative Justice

The grant from the Ministry of Justice provides an annual indicative allocation for restorative justice.

Restorative processes bring those harmed by crime, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.

Restorative justice offers victims an opportunity to be heard and to have a say in the resolution of offences, including agreeing rehabilitative or reparative activity for the offender with the victim following direct contact between them. It can provide a means of closure and enable the victim to move on.

Restorative Justice also provides an opportunity for offenders to face the consequences of their actions, recognise the impact that it has had upon others and where possible make amends. In this way, Restorative Justice has the potential to help rehabilitate offenders and enable them to stop offending, and can be used for any type of crime and at any stage of the criminal justice system, including alongside a prison sentence.

Initially, funds were allocated to Community Safety Partnerships (CSPs) via grants, and Restorative Solutions were contracted to co-ordinate activity and develop a West Yorkshire operating framework.

Regular meetings were held with the office of the Police and Crime Commissioner, and all partners worked hard to ensure the start-up and embedding of an appropriate service.

As part of the development of the service it emerged, through consultation, that a West Yorkshire service was favoured by partners in order to ensure that there was a consistent provision throughout the county, led by a single provider, with the option of consortia or partnership approaches led by that provider. It was recognised that restorative justice was (and remains) a relatively specialised activity best delivered at the West Yorkshire level. CSPs were involved in the consultation about the change and supported it, on the proviso that they were fully involved by the provider chosen.

During 2017 a formal EU tender exercise was undertaken and the contract won by Restorative Solutions. This contract commenced at the beginning of April 2018, and is for a period of three years with the possibility of a one year extension.

Restorative Solutions deliver the restorative justice process through:

- **Restorative Justice Conferences:** where the victim meets their offender and are led by a trained facilitator who supports and prepares people taking part and ensures the process is safe. Other people can also be involved in the process such as supporters of the victim and offender.
- **Community Conferencing:** this involves members of the community that have been affected by a particular crime and all or some of the offenders. This process is similar to the Restorative Justice Conference but differs as it involves many people.
- **Mediation:** where contact between the victim and offender is made through a trained mediator to help resolve disputes and work out an agreement.
- If **face-to-face meetings** are not suitable, or desired by the victim, then the facilitator can arrange for the victim and offender to communicate via written correspondence, recorded interviews and video.

For any communication to take place, the offender must have admitted the crime and both victim and offender must be willing to participate.

The service is for adult victims of crime (aged 18 years and above at the time of referral), and includes adult victims of a historic crime, which took place before they were 18 years of age.

### 2.2.3 Independent Sexual Advisor Contract (ISVA)

The PCC and Victim Support agreed to the final one year extension of the existing ISVA contract, to cover the period up to 31 March 2019.

The overarching aim of the service is to meet the needs of the individuals who have been sexually assaulted or raped to enable victims to make long term changes to their lives and the lives of their children, in order to help them cope and recover and rebuild their lives.

The ISVA contract delivers a proactive service to women, men, children and young people who are victims of rape and sexual violence and abuse, both current and historical. Through risk assessment and support planning the service enables victims to access the services they need in the aftermath of the abuse they have suffered and to ensure that they remain supported and informed as their cases progress through the criminal justice system, if victims choose to pursue their cases in this way.

Home Office guidance is that the ISVA's provide a victim-focused, independent service, distinct from the role of crisis worker or counsellor.

## 2.3 Future Intentions

Current Commissioning activity includes the following activity, the services for which will be in place on or before 1 April 2019:

### 2.3.1 Integrated Perpetrator and Victim Programme

The previous perpetrator programme was commissioned by the PCC, with the contract with the provider to run from 1 September 2015 to 31 August 2017. Due to delays in the programme becoming operational the contract end was varied by agreement to 30 November 2017.

Evidence shows that CHOICES received referrals from all districts and were flexible to respond to local areas. The programme received 5,023 perpetrator referrals during 2016/17 and 2017/18 (to the end of the contract in November 2017), of which 11% related to conditional cautions, 25% were from children's social care, 17% from integrated offender management (IOM), 13% from MESMAC and 29% were from other agencies.

An initial audit completed by the OPCC highlighted 80% compliance rates for conditional caution disposals imposed for DA offences, further to this the audit evidenced 78% of those who complied with the condition did not reoffend, this is compared with 58% of those who did not comply.

A revision of the specification has now taken place, which again will focus on referrals from the Police where a conditional caution<sup>1</sup> has been issued and the Domestic Abuse, Stalking and Harassment and Honour Based Violence assessment (DASH) is standard.

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<sup>1</sup> Code of Practice for Adult Conditional Cautions

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/243436/9780108512162.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/243436/9780108512162.pdf)

The provision will be to individuals who are engaged in abusive behaviour towards their current or former intimate partners or family members, to assist them to recognise, acknowledge and change that behaviour in order to increase the safety of victims and children.

The new specification builds on the previous one, adapted for the learning from that contract. The specification is strengthened to ensure that the service is fully integrated for both victims and perpetrators, re-enforcing the needs of and requirements for victims and their children when undertaking any perpetrator intervention. Providers will engage with other victim support services in particular those commissioned by the PCC.

### 2.3.2 West Yorkshire ISVA service

As detailed above, the current contract terminates 31 March 2019, and a new specification agreed. A bidder's event is being held in the OPCC offices on 7 September 2018.

During 2017/18 the service averaged 224 referrals per quarter (996 p.a.) with ISVAs providing support to victims at 89 trials. They have also supported victims at Section 28's, where under special conditions, victims may provide pre-recorded evidence ahead of their trials.

### 2.3.3 Domestic Abuse Project Specialist

An advert has been published for a domestic abuse project specialist to plan, deliver and facilitate a partnership workshop to explore the best approach to supporting victims of domestic abuse. The workshop will be for those commissioning support services in West Yorkshire and statutory partners within the criminal justice system.

The work will identify the range of support services currently offered to victims of domestic abuse, in particular IDVA provision, including how they are commissioned and funded; this will include identifying the role IDVAs currently play in the criminal justice system. Money is currently provided by the PCC to each Community Safety Partnership as a contribution towards existing IDVA provision. The workshop will consider whether there are significant gaps in the services available, and whether there is scope to develop new forms of support, or alternative methods of delivery.

Out of scope of this project is the evaluation of Providers who deliver services in West Yorkshire.

The closing date is 3<sup>rd</sup> September 2018, with an options paper analysing the findings of the work to be completed by 9 November 2018.

### 2.3.4 Victims Champion Project

The Victims Champion Project was commissioned 2015/16 to develop new approaches to engagement with victims issues, in particular those affecting victims from a Black and Minority Ethnic communities. The outputs required included advice, training and support to the PCC's staff, brokering relationships including with the third sector, acting as an advocate for BME victims, advising on the procurement of services, especially with regard to equality impact assessments, taking a policy lead on human rights, equality and diversity within the OPCC, advising on what

works, and support greater engagement with BME victims by services commissioned by the PCC. An initial one year grant agreement, value £20k, was extended for a further two years and came to an end in March 2018. The work was awarded to Saima Afzal Solutions (SAS) after an open competitive procurement process.

The provider's contribution ranged widely across the work of the OPCC, as outlined above. SAS also assisted with casework where appropriate and engaged with West Yorkshire Police to identify what advice and support could be offered to them. SAS both supported the PCC's contribution to and provided direct input at a number of conferences and workshops, nationally and locally. Quarterly performance reports were provided as required in the grant agreement, along with a number of reports to the OPCC setting out recommendations about the way forward. Towards the end of the work, SAS led a training and awareness raising workshop for the Domestic and Sexual Abuse Board on community coercion and control. During 2017/18, an additional project (value £5k) was undertaken to advise on honour based abuse, working with Karma Nirvana during this period.

Consideration of the outcomes of the Project informed the development of a second phase of this work, shortly to be advertised as an opportunity on the Bluelight procurement portal. The approach has been redesigned in the light of experience and designated as an "Equality Consultant" role to be fulfilled either by an organisation or by secondment. This work also has a focus on BAME issues, but in a very broad context of the wide range of equality issues that impact on BAME communities.

#### **2.3.4 Longer Term Commissioning Intentions**

A number of contracts will be coming to an end within the next three years. It is intended that reviews will be undertaken in the near future in the following areas to determine the best service provision moving forwards:

- Sexual Violence Services
- The adult and young people's SARC contracts (Regional and with NHS England)
- Community Safety Third Sector network development

In addition to those outlined above, we will be working with partners over the next three years to look at how best we can commission a range of West Yorkshire wide services in support of the Police and Crime plan objectives.

Considerations at this stage include:

- a. Drugs, alcohol and substance abuse.
- b. Reducing Re-offending
- c. Safeguarding vulnerable people including children and young people
- d. Further developing the support available to victims and witnesses
- e. Recommendations from the PCC's partnerships

Commissioned services for these longer term priority areas have not yet been specified. Recommendations will be taken from the specialist advisor's strategies,

and the partnerships in place. Tender opportunities will be advertised via the BlueLight e-procurement system and the PCCs own website.