



**OFFICE OF THE POLICE & CRIME
COMMISSIONER FOR THAMES VALLEY**

REPORT FOR ~~INFORMATION~~ DECISION

Title: Contract for the provision of Independent Sexual Violence Advisory (ISVA) Services

Executive Summary:

Police and Crime Commissioners will take responsibility for commissioning victim referral, assessment and non-specialist support services with effect from 1st April 2015. This responsibility was previously held by the Ministry of Justice (MOJ) and the change follows a Government consultation in 2012, Getting it Right for Victims and Witnesses.

In response to this shift in responsibilities, the Office of the Police and Crime Commissioner (OPCC) for Thames Valley conducted an OJEU process to provide an Independent Sexual Violence Advisory (ISVA) Service across the police area.

The procurement process is complete and this paper requests approval for the award of the contract to Refuge.

Recommendation:

This paper recommends that the PCC for Thames Valley awards the contract for an Independent Sexual Advisory (ISVA) Service to Refuge.

Police and Crime Commissioner

I hereby approve the recommendation above.

Signature

Date

25.2.15

PART 1 – NON-CONFIDENTIAL

1 Introduction and background

- 1.1. The OPCC has commissioned an Independent Sexual Violence Advisory (ISVA) service as recommended under the Victim's Services Commissioning Framework (2013), and communication from the Rt Hon Damian Green to PCCs on 9 December 2013 on 'Future Commissioning of Victim's Services.
- 1.2. The Government consultation, "Getting it Right for Victims and Witnesses", concluded that PCCs should become responsible for commissioning the majority of emotional and practical support services for victims in their local areas from October 2014.¹ The Anti-Social Behaviour, Crime and Policing Act 2014 which came into force in March 2014 widened the commissioning powers available to PCCs, including those that PCCs will use in commissioning services for victims. At a national level, the Ministry of Justice (MoJ) will continue to commission certain key services including a witness service, a homicide service, support for victims of human trafficking, support for victims of rape through rape support centres, and some national telephone helplines for victims.
- 1.3. From October 2015, the UK along with 26 other Member States of the European Union (EU) will be bound by the obligations of the EU Victims Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. The Directive aims to ensure that a victim of crime anywhere within the EU receives a minimum standard of support and protection. The Directive sets out the requirement that support services must be available to victims and, in some instances, their families, in accordance with their needs and the harm caused by the crime. All services commissioned by PCCs will be required to comply with the EU Directive (particularly Articles 8 and 9).
- 1.4. In 2010, the government published the report 'Call to End Violence Against Women and Girls', a strategic narrative which made clear the continuing priority of frontline support to victims of sexual violence.² The subsequent 'Violence Against Women and Girls (VAWG) Action Plan', last updated in March 2014, identified the importance of specialist services for victims of sexual violence including Independent Sexual Violence Advocacy (ISVA) Services and committed to continue to part-fund some posts, training and support through Home Office funding.

¹ While it is acknowledged that some individuals prefer the use of alternative phrases, such as 'survivor', the term 'victim' is used throughout this document. Under the Code of Practice for Victims of Crime (2013) a "victim" is defined as 'a person who has suffered harm, including physical, mental or emotional harm or economic loss which was **directly** caused by criminal conduct or; close relatives of a person whose death was directly caused by criminal conduct'. The Code further defines "criminal conduct" as 'behaviour constituting a criminal offence under the National Crime Recording Standard'.

² The terms 'sexual violence' and 'sexual 'abuse' are used interchangeably throughout this document to refer to the full range of sexual offences, including rape, for which the ISVA service will provide support.

- 1.5. ISVAs work with victims of recent or historic sexual crimes to provide impartial advice and advocacy. Offering appropriate information and support in the short to medium term, ISVAs offer advice in relation to emotional and sexual health, safety planning, options exploration, civil and criminal remedies, support through the criminal justice system (including attendance at court as appropriate), timely access to other partner agencies such as housing, immigration, welfare benefits, education and physical well-being. Where there are children or the victim is a child, then the ongoing welfare and safeguarding of these individuals should also be taken into account including their physical, emotional and sexual safety.

Current Arrangements for an Independent Sexual Violence Advisory (ISVA) Service in Thames Valley

- 1.6. 1.4 Specialist support for victims of sexual violence is provided primarily through four Rape Support Centres located across Thames Valley. Three of the four Centres are part of a national network of rape support centres under the umbrella charity Rape Crisis (England & Wales); these include Oxford Sexual Abuse and Rape Crisis Centre (OSARCC), Aylesbury Vale Rape Crisis Centre and Wycombe, Chiltern & South Bucks Rape Crisis Centre. The fourth rape support centre, Trust House Reading, which opened earlier in 2014, is also supported by a national charity, The Survivors Trust. Trust House provides support to both male and female victims of sexual violence aged 18 years and over while the Rape Crisis Centres provide support to females only who are aged from 16 years.
- 1.7. A range of support services are provided through the existing Rape Support Centres, including emotional support and counselling, drop-in, befriending, group support, outreach services, help lines, advice and signposting. ISVAs are also available within the existing centres through a variety of funding sources (including local authority funding, Home Office funding and short-term PCC grants). The extent of ISVA provision across Thames Valley at the time of writing was:-

Wycombe, Chiltern & South Bucks	– 2 ISVAs (total of 40 hours per week)
Aylesbury Vale	– 1 ISVA (total of 20 hours per week)
Oxford	– 1 ISVA (total of 20 hours per week)
Trust House	– 1 ISVA (total of 35 hours per week)

- 1.8. Within Thames Valley two Sexual Assault Referral Centres (SARCs) are commissioned by NHS England based in Milton Keynes and Slough. The SARCs provide specialist medical and forensic services for anyone who has been raped or sexually assaulted. SARCs are mostly able to assist in the immediate aftermath of an assault and do not offer the longer term specialised counselling and advocacy services that are provided by Rape Support Centres. However, through PCC funding, the SARCs also offer an ISVA Service aimed at young people aged from 13 to 18 years.

1.9. The extent of ISVA provision through the SARC's is:-

Milton Keynes SARC	- 1 ISVA (total of 20 hours per week)
Slough SARC	- 1 ISVA (total of 20 hours per week)

1.10. There is also a more specialist service, provided by the Rehab Project, which is part of the Mustard Tree Foundation (a local Christian charity), which offers support, befriending and advocacy to anyone who has or is experiencing exploitation in the sex industry. Based in Reading, initial contact with victims is made through its Night Outreach programme and during the day it offers a range of advocacy services.

1.11. Support for male victims of sexual violence is limited in many parts of Thames Valley. In addition to Trust House in Reading, Male Survivors Berkshire are a community Interest Company formed in 2011 with the aim of providing a support service for non-offending male survivors of sexual abuse and rape, their families, partners and anyone else supporting them. In addition, the MoJ announced on 16th December 2014 that, as part of the services it will commission nationally to support victims of rape and sexual assault, twelve organisations will receive funding over two years to provide face to face advice and counselling for men at centres across England and Wales. None of these Centres are based within the Thames Valley. In addition, Survivors UK have been commissioned to create the first national website and online support service specifically tailored to help men who have suffered rape or sexual abuse. This will include a web-chat service to provide online emotional support, a text-chat service and access to phone counselling.

Scope of the new contract

1.12. The OPCC, with Procurement support from Thames Valley Police, developed the 'Invitation to Tender' documents which stipulated the requirements for an ISVA service and the outcomes required. The OPCC conducted significant market engagement prior to going to tender, including a consultation workshop on the proposed specification.

1.13. The tender documentation stated that the overall service Scope would involve a delivery of high quality ISVA Service providing independent, victim-focused advocates able to work with male and female victims who are aged 16 years and above. The service shall be free to service users who have been victims of any form of sexual abuse, including victims of sexual exploitation, and victims of stalking involving a perceived sexual motive. Victims eligible for the service shall be residents, including temporary residents (e.g. students), of Thames Valley:-

- regardless of where or when the offence took place,

- regardless of whether the offence was reported to the police or not, and
 - regardless of age,³ gender, culture, religion, ethnicity or sexuality.
- 1.14. The Service shall be victim-centred, free and available to service users who have been victims of any form of sexual abuse, including victims of sexual exploitation, and victims of stalking involving a perceived sexual motive, be safe, effective, and provide leadership in promoting high and consistent standards of ISVA across Thames Valley. The Service shall improve knowledge of Sexual Violence within the community and increase opportunities for victims to access a Service which shall not be a stand-alone service but shall link with, and support access into, other support services, provided via both statutory and voluntary organisations in the wider community.
- 1.15. The primary aims of the Service shall be to help victims to **cope** with the immediate impact and/or to **recover** from the longer term legacy of the crime(s) they have experienced.
- 1.16. The Service shall not include:-
- perform the role of crisis worker or provide psychotherapeutic counselling
 - support those under the age of 16 other than with the agreement of the PCC, or
 - support non-residents of Thames Valley other than to provide initial advice and signposting to appropriate services in other areas.

The Service Requirements

- 1.17. The tender documentation set out the requirements for the service. Responses to the essential requirements were individually scored, whereas the Added Value responses were given an overall single score. 'Added Value', or desirable requirements, are often requested to give bidders an opportunity to outline any unique, or added benefits that their bid or organisation may bring to this contract, without further cost to the commissioner.

Overall Aim

- 1.18. To receive referrals, including self-referrals, from a wide range of agencies and individuals; promote and deliver a high quality ISVA service which tailors advice and support to the individual needs of victims; help victims to cope

³ The provider will not deliver support to those under the age of 16 other than with the agreement of Thames Valley Police and Crime Commissioner.

and/or recover from the impact of the abuse; and assist victims to access further relevant support.

Essential Requirements

- 1.19. The requirements listed below are outcome-oriented to encourage innovation and continuous improvement in models of delivery. All of the essential requirements listed must be met by the Provider.
- Provide a service which potential clients can find and access with ease, and which is free, confidential and non-discriminatory for those eligible to receive the service (i.e., male and female victims of sexual violence aged 16 years and above, within the contract area).
 - Provide trained personnel who have completed (or are working towards) accredited training specifically designed to support them in delivering an ISVA service.
 - Work in partnership with a range of statutory and voluntary services, including referral pathways into other agencies as appropriate.
 - Provide a robust approach to assessing individual needs of service users, formulating a plan to support those needs, which includes consideration of the on-going safety of the victim, advice and support across a wide range of issues, such as housing, health and education; and helps the service users make informed choices about their future options.
 - Have in place suitable data gathering arrangements in order to evidence the outcomes achieved for individuals, including demonstrating progress towards becoming independent of the service.
 - Seek continuous improvement in service delivery, which includes responding to user feedback, changes to government policy or the evidence-base for effective services for victims of sexual violence.
 - Support the implementation of the Public Services (Social Value) Act 2012 through the added social, economic or environmental benefits to local communities arising from the Service model. For example, demonstrate knowledge and understanding for needs-led local support, and how you will:
 - develop and empower local people and community organisations, building trust and longer term support in local communities,
 - increase levels of efficiency and effectiveness connected to local voluntary and community organisations and agencies,
 - ensure accountability to, and the involvement of local communities, volunteers and victims as service users.

Added Value

1.20. The added value outcomes listed below would enhance the service provision at no extra cost to the PCC and should be considered by the Provider:–

- Help victims of sexual violence to have an effective voice, to help inform improvements in the wider Criminal Justice System.
- Facilitate consultation with victims to improve understanding of the experience of victims of sexual violence, their support needs, in order to help shape future service provision.
- Consider the needs of those around the victim of sexual violence and seek to ensure they are recognised and supported.
- Develop and implement a communications strategy, in partnership with the PCC, aimed at increasing public awareness and preventing sexual violence, including appropriate use of media and social media platforms.
- Contribute to responses to government consultation documents and other enquiry processes.

2. Overview of the tender process

2.1 An open tender process was followed in accordance with TVP's Financial Regulations and the requirements of the EU Procurement Directive.

2.2 A tender notice was placed on the Bluelight web site; a tendering site used by 30 police forces in England and Wales. The tender was opened on 19th December 2014 and closed on 6th February 2015. Two organisations submitted tenders:-

1. Thames Valley Sexual Violence Partnership (TVSVP), and
2. Refuge

2.3 The evaluation considered cost of service and quality of service (including social value, proposed outcome measures to demonstrate benefits to service users, and added value). The criteria and scoring system used, the evaluation process and the outcome is set out below.

Criteria and scoring applied

2.4 The evaluation criteria were divided into two parts – **Cost** and **Deliverables**. The following criteria and weightings were applied to the evaluation of offers:

Criteria	Weighting
A. COST	
Cost All Costs	40%
B. DELIVERABLES (or non-cost)	
Essential Requirements (as set out in the specification)	30%
Social Value	5%
Added Value	10%
Commercial (Conformance with Contract Conditions)	5%
Performance Indicators and reporting	10%
Overall Total	100%

2.5 When assessing tenders the scoring table applied ran from a lowest score of 0 to a highest score of 10.

i. Cost

Evaluation was based on the total cost of the Services over the three year initial term of the contract (excluding any extension periods). The lowest overall cost tendered was awarded 100% of the maximum score (e.g. 10). Higher costed tenders were awarded a score based on the proportional difference between their price and the lowest price.

ii. Deliverables (or non-cost criteria)

Deliverables included five criteria (Essential Requirements, Social Value, Added Value, Performance Measure and Commercial). Each was evaluated using a score based on a maximum of 10 and a minimum of 0.

When the scoring assignment was completed, the score for each criteria was multiplied by the relevant weighting as shown in the criteria table above (e.g. where the weighting is 40%, the highest score of 10.0 became 4.0 and a score of 8.0 became 3.2).

iii. Combined Score for Cost and Deliverables

The weighted score for each section was added together to produce the overall total score for each tender. The tender with the highest score was deemed to be the most economically advantageous.

Evaluation Process

- 2.6 A staged process to evaluate the bids was used as follows:
1. Initial independent evaluation
 2. An evaluation day
 3. Final independent assignment of scores
- 2.7 A financial health check was carried out on the preferred bidder by the PCC's Chief Finance Officer using Experion and was recorded as being financially sound.

Initial independent evaluation

- 2.8 The bids were initially evaluated separately by 2 OPCC officers and an external subject expert. Each evaluator independently evaluated the bids and assigned scores to each of the criteria. At this stage the evaluators did not discuss any of the bids, merits or their individual scores applied.

Evaluation day

- 2.9 Following initial independent scoring, an evaluation day was subsequently held with all three panel members and a minute taker present to discuss score rationale, to identify any significant differences of opinion and whether there was a need for further clarification questions to bidders.
- 2.10 All three evaluators had each separately reached similar conclusions. They were broadly in agreement across all elements of the bids, and had formed similar opinions on the strengths and weaknesses of each bid. Information was missing from one of the bids in relation to a method statement for 2.5.4 The Service Requirement – Social Value Act 2012, and this information was subsequently requested by TVP Procurement prior to final scoring and weighting.

Final independent assignment of scores

- 2.11 A scoring grid was completed by each evaluator independently and submitted to TVP Procurement for collating and weighting, for a final score to be calculated by TVP Procurement.

Outcome

- 2.12 The highest overall score was awarded to Refuge who obtained 100% compared to 80.67% obtained by the Thames Valley Sexual Violence Partnership (TVSVP).

3. Issues for consideration

- 3.1 The UK along with 26 other Member States of the EU will be bound by the obligations of the EU Directive which comes into force from October 2015. The aim of the EU Directive is to ensure that all victims of crime anywhere within the EU receive a minimum standard of support and protection.
- 3.2 The PCC consider needs to consider which of the two bids provide the best overall value in terms of cost and benefit.

4. Financial comment

- 4.1 The Ministry of Justice has indicated that it will grant the PCC for Thames Valley £2,562,712 in 2015/16 for the provision of Victims and Witnesses services.
- 4.2 The cost of the ISVA service in Thames Valley will be £303,867 in Year 1, £283,387 in Year 2 and £283,387 in Year 3 (this includes £18,624 set-up costs to be paid in the first year of the contract).
- 4.3 The cost of this annual contract is lower than the upper limit agreed for this service (£350,000) and will be funded from the annual MoJ Victim's grant. This leaves capacity for the PCC to invest in other appropriate specialist victims' services.

5. Legal comments

- 5.1 This contract has been let following a lawful tender process carried out in compliance with the EU Procurement Directive. The contract and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes of claims) will be governed by and construed in accordance with the law of England.

6. Equality comments

- 6.1 All services must meet the Equality Duty legal obligations for public bodies set out in Section 149 of the Equality Act 2010. When evaluating the tender submission, Refuge demonstrated compliance with statutory regulations regarding equality and diversity.
- 6.2 OPCC and Refuge will conduct regular reviews of equality issues to highlight and address areas of need and to ensure the service is responsive to the needs of specific communities.

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the website within 1 working day of approval. Any facts and advice that should not be automatically available on request should not be included in Part 1 but instead on a separate Part 2 form. Deferment of publication is only applicable where release before that date would compromise the implementation of the decision being approved.

Is the publication of this form to be deferred? YES

If yes, for what reason? To allow for the completion of a legally required procurement standstill period

Until what date? Until the standstill period has concluded (which must be a minimum of 10 days) and/or for any disputes raised in the standstill period to be resolved.

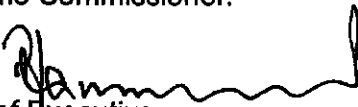
Is there a Part 2 form? YES

Name & Role	Officer
Head of Unit It is proposed that this contract for an Independent Sexual Violence Advisory (ISVA) service be awarded to the tenderer achieving the overall highest evaluation score – Refuge.	Shona Morrison
Legal Advice The tender process was carried out with full assistance from TVP procurement service and has been conducted with the requirements of EC procurement rules.	Jacob Rickett
Financial Advice This contract is fully funded by the MoJ grant in 2015/16	Ian Thompson
Equalities & Diversity Both bids effectively complied with the Equality Duty and would be capable of meeting Equality and Diversity to the satisfaction of the PCC.	Shona Morrison

STATUTORY CHIEF OFFICERS' APPROVAL

We have been consulted about the proposal and confirm that financial and legal advice have been taken into account in the preparation of this report.

We are satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.


Chief Executive

Date 25/02/2015


Chief Finance Officer

Date 25/2/15

