

Birmingham City Council

Report to Cabinet

25 June 2024



Subject: INCREASE VALUE OF CONTRACT AWARD OF SECURITY MEASURES PROVISION FOR VICTIMS OF DOMESTIC ABUSE (P0779)

Report of: Paul Langford, Strategic Director, City Housing

Relevant Cabinet Member: Cllr Jayne Francis, Cabinet Member – Housing and Homelessness

Relevant O &S Chair(s): Councillor Jamie Tennant, Homes Overview and Scrutiny Committee

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012859/2024		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 To seek approval for the increase in the contract value, regarding the provision of Security Measures for Victims of Domestic abuse, within the existing contract.
- 1.2 The contract awarded was for a period of 4 years commencing September 2021 to August 2025, for the estimated value of £1.2 million.

2 Recommendations

That Cabinet:

- 2.1 Authorises the Director of Housing in conjunction with the Interim Director – Commercial and Procurement (or their delegate), the Interim Director of Finance and Section 151 Officer (or their delegate) and the Interim City Solicitor & Monitoring Officer (or their delegate) to approve a variation to the existing contract for the provision of Security Measures for Victims of Domestic abuse between the Council and Theam Security by increasing the contract amount by a maximum value of £0.6m.
- 2.2 Authorises the Interim City Solicitor & Monitoring Officer (or their delegate) to execute and complete all necessary legal documents to give effect to above.

3 Background

- 3.1 Domestic abuse is one of the main reasons for homelessness in the city. Birmingham developed a multi-agency Sanctuary scheme which provides a range of security measures to help those experiencing domestic abuse stay in a settled home with increased safety measures.
- 3.2 The service consists of providing a specialist, quality security fitting service to Secured by Design by way of a range of security measures e.g. replacement locks, panic alarms, fencing, fireproof letterbox, replacement doors (NB list is not exhaustive) to help those experiencing domestic abuse stay in a settled home.
- 3.3 The relevant background and chronology of key events was explained in the Tender Strategy for the provision of Security Measures for Victims of Domestic Abuse approved 17th May 2021.
- 3.4 The contract opportunity was publicly advertised on 11/06/2021 in the Official Find A Tender, Contracts Finder and on www.finditinbirmingham.com seeking expressions of interest from organisations who wished to tender. In response to the advertisement, 12 organisations expressed an interest, and all were requested to complete and return the tender.
- 3.5 Clarification questions were raised by tenderers during the tender period and these were addressed by issuing clarifications to all tenderers.
- 3.6 Three organisations responded by submitting a tender and the others effectively withdrew themselves at this stage by not returning the tender. The organisations that submitted tenders are: THEAM Security, 24-7 Locks and Sutton Products.
- 3.7 Theam Security won the tender and started providing security measures for victims of Domestic Violence. In 2022/23 the government provided extra grant funding to cover the cost of new burdens associated with the expansion of priority need to those forced into homelessness by domestic abuse, following the landmark Domestic Abuse Act 2021.
- 3.8 The estimated contract value over the 4 year period to August 2025 was £1.2M and contract expenditure increased in 2022/23 and 2023/24 as stated in item 7.4.2,

which was funded via the government grant. We therefore require approval to spend the additional grant of £0.6m which has been provided over the remaining life of the contract. to August 2025.

4 Options considered and Recommended Proposal

The following options were considered:

- 4.1 Not to support the existing contract – this option is not recommended as the service supports: safety and security for those experiencing domestic abuse, reduces the need for those experiencing / at risk of domestic abuse to move away, reduces homelessness and reduces repeat victimisation.
- 4.2 Delivery by an in-house function; this would not be appropriate the provision of security measures for victims of domestic abuse is a specialised area. There are only a small number of providers in the market who can operate and comply with all current legislative requirements relating to the safeguarding of adults and children responsibility and managing the effective installation of home security measures for people identified as eligible for the Sanctuary Scheme (Security Measures).
- 4.3 To vary the existing contract to include the additional services for the provision of Security Measures for Victims of Domestic abuse between the Council and Theam Security by increasing the contract amount by a maximum value of £0.6m. This is the recommended option.

4.3 Birmingham Business Charter for Social Responsibility (BBC4SR)

Theam Security are a certified signatory to the BBC4SR Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of this contract. Theam Security has made social value commitments in an action plan with their tender and the action plan of the successful tenderers will be implemented and monitored during the contract period.

5 Consultation

- 5.1 Internal consultation has taken place with colleagues in Finance, Procurement and Legal.

6 Risk Management

- 6.1 The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and owned by Neighbourhoods Directorate and CPS with arrangements being put in place to ensure operational

risks are appropriately mitigated. The Grant is available for this work so there is no financial risk to the project if approved.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.2 The scheme will support the priorities set out in the Council's Plan 2022 – 2026, including:

We will focus our transformation, delivery, enabling and influencing activity as one council to Be Bold and respond to the city's challenges and opportunities to achieve: • A Bold Prosperous Birmingham • A Bold Inclusive Birmingham • A Bold Safe Birmingham • A Bold Healthy Birmingham • A Bold Green Birmingham

Protect and safeguard vulnerable citizens: We will ensure vulnerable citizens are protected, supported, and safeguarded, and where necessary looked after. We will work with partners to help prevent domestic abuse and violence against women and girls, and address violent crime in the city, including hate crime and knife crime. As outlined in the Domestic Abuse Prevention strategy. This service also supports the delivery Homelessness Prevention Strategy.

Tackle homelessness: We will work with our partners to prevent and tackle rough sleeping and homelessness and have housing solutions to meet the needs of our vulnerable citizens.

7.3 Legal Implications

7.3.1 Under Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report, which are within the remit and limits of the general power of competence in Sections 2 and 4 of the Localism Act 2011.

7.3.2 The Council may execute powers under the Care Act 2014 together with associated regulations and statutory guidance relating to the provision of services to meet the need for care and support as well as prevention and services to promote wellbeing.

7.3.3 The Homeless Reduction Act (2017) introduced new duties on local authority homelessness services to prevent homelessness and provide support to those at risk of homelessness and the pending Domestic Abuse Act 2020 will place a statutory duty on Local Authorities to provide domestic abuse safe accommodation. Both pieces of legislation require local authorities to develop interventions which will enable households at risk due to domestic abuse, to have access to safe accommodation. Sanctuary schemes are recognised as having a role to play in delivering the requirements of both duties, as they give victims/survivors a choice to remain in their property.

7.4 Financial Implications

- 7.4.1 Funding of up to £0.4m for 2024 to 2025, and £0.2mk from April 2025 to August 2025 is available for this contract from the Homelessness Prevention Fund and the New Burdens Grant within the Housing Solutions and Support Service. The contract does not commit the council to a level of spend and is dependent on demand and funding availability.
- 7.4.2 Historically we have spent between £0.6mk and £0.8m per annum based on available grant money and the number of MAPPA (Multi-agency public protection arrangements) and MARAC (Multi Agency Risk Assessment Conference) cases referred into the service from the Police.
- 7.4.3 There are no risks as funding will be available under the Homelessness Prevention Grant provided by Department of Levelling up Homes and Communities. Both the funding and the spend outlined in this report are included in the Housing Solutions and Support budget in the Medium Term Financial Plan
- 7.4.4 This is exceptional spend and authorisation has been received from the City Housing Spend Control Board on 23/04/2024 number ID: 7063. Section 151 approval was granted on 8th May 2024.

7.5 Procurement Implications (if required)

- 7.5.1 The modification to the contract is in accordance with the Public Contract Regulations 2015 clause 72(1)(b)(ii) i.e. for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor would cause significant inconvenience or substantial duplication of costs for the contracting authority. The increase does not alter the overall nature of the contract nor exceed 50% of the original contract value.
- 7.5.2 The retendering of this service requirement is on the procurement calendar for 2024/25 as the existing contract terminates in August 2025.
- 7.5.3 The contract management will be undertaken by Council staff.

7.6 Public Sector Equality Duty

- 7.6.1 A relevance test to decide whether the planned procurement for the provision of security measures for victims of domestic abuse has any relevance to the equality duty contained in Section 149 of the Equality Act 2010 of eliminating unfair/unlawful discrimination and to promoting equality and human rights was conducted on 25th April 2024, reference EIA000429. The screening identified that there was no requirement to assess this further and completion of an Equality Assessment form was not.

7.7 Environmental and Sustainability Implications

- 7.7.1 None

7.8 Human Resources Implications (if required)

7.8.1 None

8 Appendices

8.1 Equality Impact Assessment

9 Background Documents

9.1 Delegated Procurement Strategy Report dated 17 May 2021.