

Subject:	Procurement of Services Social Value and Community Wealth Building		
Date of Meeting:	18th March 2021		
Report of:	Director of Housing Neighbourhoods and Communities		
Contact Officer:	Name:	Jo Player	Tel: 292488
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Ward(s) affected:	All		

Note: By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason, given the need to progress this matter urgently, including the request in the Member letter, this matter cannot wait until the next scheduled meeting of the Committee and the Chair is has agreed that it can be added to the agenda as an urgent item.

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that a proper appraisal of the issues raised and an evaluation of the options could not be completed in time for the report to be despatched with the agenda..

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 In Autumn 2020 Brighton & Hove City Council (BHCC) along with East Sussex County Council (ESCC) the Office of the Sussex Police and Crime Commissioner (OSPCC) launched a procurement exercise for the re-commission of Domestic Abuse, Domestic Violence and Sexual Violence services in the City and across East Sussex (the domestic abuse contract). Following the award of the contract in January 2021, concerns have been raised regarding the process and outcome of the procurement.
- 1.2 A petition has been presented to Policy & Resources Committee today 18th March 2021 setting out those concerns.
- 1.3 In a letter to the Chief executive, the chair of Tourism Equalities Culture and Communities committee (TECC) requested that a report be considered at the TECC meeting of 11th March setting out the process regarding the re-commission described in 1.1 above and recommending that a further report comes to Policy & Resources Committee requesting that a Member Working Group is set up.

This report confirms the recommendations from TECC and requests a Member Working Group is established, reporting to Policy & Resources Committee.

2. RECOMMENDATIONS: That Policy & Resources Committee:

- 2.1 Notes the recommendations of TECC Committee on 11th March 2021, as set out at paragraph 3.4 below.
- 2.2 Agrees to establish a Cross Party Member Working Group to:
 - (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
 - (ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
 - (iii) Recommend any necessary changes and actions for improvement
- 2.3 Agrees the proposed Terms of Reference for the Members Working Group attached at Appendix 3.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The report that went to TECC setting out the background and the process for the Joint Commission of Domestic Abuse, Domestic Violence and Sexual Violence services in the City is attached at Appendix 1. This explains the process that was followed for that particular tender and provides an explanation of the procurement rules that had to be followed.
- 3.2 Concern has been expressed that the Member Working Group that was agreed to by councillors at Neighbourhoods Inclusion Communities and Equalities committee in October 2018, to oversee this process was not convened. The recommendations from that committee can be found in Appendix 1 at paragraph 3.2. An explanation of why this did not take place can be found in Paragraph 3.23 in Appendix 1.
- 3.3 Concern has also been raised that social value in line with the Council's Social Value framework was not included in the specification for the contract for Domestic Abuse services. Again, this is explained in Paragraph 3.14 of Appendix 1 setting out that it is the view of the council that social value was included in the specification.
- 3.4 An extract of the TECC Committee held on 11th March is attached at Appendix 2. The recommendations from TECC were as follows:-

TECC recommendations agreed on 11th March 2021:-

That Committee

- (1) Notes the contents of the report.

- (2) Expresses concern that Audit & Standards Committee has declined to carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements over which tens of thousands of residents have petitioned the Council for action.
- (3) Recommends to Policy & Resources Committee the establishment of a cross-party Member Working Group to:
 - (i) Carry out a thorough investigation into the events leading to changes to Domestic Abuse, Domestic Violence and Sexual Violence service arrangements.
 - (ii) Review the Council's policy and practice regarding social value and community wealth-building from a commissioning and procurement perspective including the above-mentioned services.
 - (iii) Recommend any necessary changes and actions for improvement.

3.5 It is therefore proposed that a Cross Party Members Working Group is established to review the Council's policy and practice regarding social value and community wealth building from a commissioning and procurement perspective, including the Domestic abuse contract, and recommend any necessary changes and actions for improvement. It is proposed that draft Terms of Reference for the Cross-Party Members Working Group attached at Appendix 3 are agreed.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Councillors may consider not establishing a Member Working Group as described above, having considered the information presented to TECC Committee regarding the procurement process as set out in Appendix 1.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 There has been a range of community and local concerns that have been expressed following the procurement process and the recommendations in the report seek to address these concerns.

6. CONCLUSION

6.1 This report provides a suggested mechanism for a councillor review of both a specific procurement and the application of the Council's Social Value Framework.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

There are no financial implications arising from this report

Finance Officer Consulted: Michael Bentley

Date: 10/3/2021

Legal Implications:

Policy & Resources Committee is the Committee with delegated responsibility in relation to procurement matters and is therefore the appropriate committee to set up the proposed task and finish Member Working Group.

Lawyer Consulted: Elizabeth Culbert

Date: 15/3/21

Equalities Implications:

- 7.3 An Equalities Impact Assessment was undertaken in relation to the domestic abuse contract and this will be reviewed alongside the Social Value Framework as part of the proposed MWG.

Sustainability Implications:

- 7.4 None

SUPPORTING DOCUMENTATION

Appendices:

1. Report to TECC Committee on the 11 March 2021 – Item 84 and associated appendices
2. Extract from the proceedings of the TECC Committee meeting held on the 11 March 2021
3. Proposed Terms of Reference for the Cross-Party Member Working Group