

**POLICE AND CRIME COMMISSIONER (PCC) FOR LINCOLNSHIRE  
REQUEST FOR DECISION**

REF: 024-2014

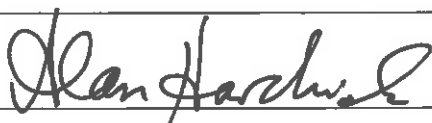
DATE: 26 September 2014

<b>SUBJECT</b>	<b>OVERVIEW OF RECOMMENDATIONS: COMMISSIONING OF VICTIMS' SERVICES IN LINCOLNSHIRE</b>
<b>REPORT BY</b>	<b>CHIEF EXECUTIVE</b>
<b>CONTACT OFFICER</b>	<b>Michelle Howard</b> <b>Victims, Witnesses and Partnerships Lead Officer</b> <b>Telephone: 01522 947223</b> <b>Email: <a href="mailto:michelle.howard@lincs.pnn.police.uk">michelle.howard@lincs.pnn.police.uk</a></b>
<b>EXECUTIVE SUMMARY AND PURPOSE OF REPORT</b> <p>To provide an overview and to seek approval of the recommendations made by officers in relation to services for victims of crime in Lincolnshire. These recommendations are made in line with the terms of the transfer of funding from the Ministry of Justice to the Police and Crime Commissioner to enable local commissioning and delivery of services for victims of crime across Lincolnshire, and are based upon evidence of need following a programme of work to understand future service needs for victims in Lincolnshire.</p>	
<b>RECOMMENDATIONS</b>	<ol style="list-style-type: none"> <li><b>1. To procure an integrated restorative justice service for victims of crime and anti-social behaviour in Lincolnshire;</b></li> <li><b>2. To procure a pilot support service for child and adolescent victims of sexual violence (Children and Young Person's Sexual Violence Advocacy service);</b></li> <li><b>3. To continue existing contracting arrangements for the existing ISVA provision in partnership with Lincolnshire County Council (Safer Communities) by providing funding for the delivery of the service in 15/16, supported by a contract variation to satisfy the requirements of the MoJ victims' services grant;</b></li> <li><b>4. To explore the options for extension of current victim referral arrangements for a 6 month period from 1<sup>st</sup> April 2015 to 30<sup>th</sup> September 2015 to enable final handover to a re-designed model from 1<sup>st</sup> October 2015.</b></li> </ol>

**POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE**

I hereby approve the recommendation above, having considered the content of this report.

Signature:



Date:

29/09/14

**A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC**

**A1. INTRODUCTION AND BACKGROUND**

1. Following a Government consultation in 2012 (Getting it Right for Victims and Witnesses), the victims' commissioning landscape has seen significant changes including the transfer of responsibilities from the Ministry of Justice (MoJ) to Police and Crime Commissioners to enable local commissioning of emotional and practical support services for victims of crime.
2. To enable local commissioning, grant funding has been provided to Police and Crime Commissioners by the MoJ under powers given to the Secretary of State by S56 of the Domestic Violence, Crime and Victims Act 2004 (DVCVA 2004). Grant funding has been provided to PCC's in the form of a 'Victims' Services Grant' which not only replaces the former MoJ general fund for victims and witnesses but also enhances the overall funding allocated to victims services.
3. At a national level, the Ministry of Justice (MoJ) will be the commissioning body for and will continue to commission services considered 'high impact, low volume'. These are set out below:
  - Court based witness service
  - National homicide service
  - Support for victims of human trafficking
  - Rape support centres
  - Some national telephone helplines
  - Some sexual violence / domestic violence support

The MoJ commissioning position (as at July 2014) is detailed here: <https://www.gov.uk/government/publications/victims-and-witnesses-funding-awards>

4. The commissioning landscape for victim services is therefore evolving, resulting in a mixed model of national and local commissioning being introduced by the Ministry of Justice (MoJ) from April 2015.
5. Local commissioning of services for victims of crime presents an opportunity for the Police and Crime Commissioner to ensure that local services can respond to and meet local needs.
6. The Police and Crime Commissioner for Lincolnshire is required to:

- Consider local needs and commission appropriate specialist services for victims of crime
  - Consider local needs and commission appropriate restorative justice services
  - Consider local needs and support the development and delivery of a local victim referral solution
7. Services for victims, including those commissioned by the Police and Crime Commissioner must satisfy the requirements of the PCC's Victims' Services Grant, MoJ Victims' Code of Practice and from November 2015, the EU directive on the 'minimum standards, rights, support and protection of victims of crime' [2012/29/EU].
8. This programme of work has been a key focus for the Police and Crime Commissioner (PCC). A Victims, Witnesses and Partnerships lead officer was appointed in April 2014 to lead this programme of work which to date has included:
- Mapping exercise and consultation regarding service provision, service needs and gaps in services with partner organisations including a conference to explore the needs of victims in Lincolnshire and opportunities for developing victims services
  - The PCC has identified best practice as well as developing a more detailed understanding of gaps in services, geographical challenges, service duplication and this area of work has informed commissioning intentions
  - Continued and proactive engagement with Lincolnshire Criminal Justice Board, Community Safety Partnership and associated sub-groups to ensure that the needs of victims are prioritised
  - Mapping of Restorative Justice services in Lincolnshire in order to inform a procurement exercise
  - Proactive engagement with existing and developing work streams within partner organisations in order to maximise awareness of the needs of victims and to explore options for collaboration, co-commissioning and new ways of working
  - Consideration of options to manage a transition to a local referral mechanism from April 2015 and appointment of specialist support to enable this transition
  - This significant area of work is currently delivered by Victim Support under a national contract. This area of work relates to victim and witness personal data and will require careful transitional arrangements and management

9. The outcome of the work carried out to date forms the basis of this decision report which details the recommendations to be made to the Police and Crime Commissioner. The recommendations are outlined below:

Recommendation	Rationale
<p>To procure an integrated restorative justice service for victims of crime and anti-social behaviour in Lincolnshire</p>	<p>PCC responsibility to commission Restorative Justice (RJ) services from April 2015. MoJ funding to the PCC includes provision for RJ commissioning, however the funding is not ring-fenced.</p> <p>The MoJ has confirmed that Restorative Justice (RJ) should be considered for both adult and youth offenders.</p> <p>Existing, locally commissioned RJ services are funded by LCC (Safer Communities) and cease on 31<sup>st</sup> March 2015. MoJ pilot of pre-sentence Crown Court RJ completes September 2015.</p> <p>PCC has mapped RJ provision and future RJ service delivery options. The need for an integrated, coordinated RJ service encompassing each stage of the RJ pathway is evident and a scope of requirements based on evidence of need has been developed (attached as an appendix to this report – confidential)</p> <p>Additionally, the need for a review of the Governance arrangements for RJ in Lincolnshire has been agreed and will form part of the transition to the PCC funded integrated service.</p> <p>In the interests of maintaining a fair and equitable procurement process, the details of the services to be procured by the Police and Crime Commissioner are not included within this section of the report.</p> <p>Publication of tenders (restorative justice and children and young person’s sexual violence advocacy service) scheduled w/commencing 6<sup>th</sup> October 2014. It is intended to award contracts by February 2015.</p>
<p>To procure a pilot support service for young victims of sexual violence (Children and Young Person’s ISVA service)</p>	<p>The PCC has identified a particular strategic gap in Lincolnshire in relation to sexual violence has and stressed the need for a greater emphasis on this important area of work.</p> <p>Additionally, the gap analysis carried out by the PCC has highlighted a specific service gap in the County for supporting child and adolescent victims of sexual violence. The PCC has recognised that there is a significant difference between the support services</p>

	<p>available to child and adolescent victims, compared to adult victims of sexual violence.</p> <p>There is currently no specialist ISVA provision to meet the needs of sexual violence victims for those victims that are aged under 14, or are 14 to 17 years of age but do not require the specialist services of a clinical paediatrician. The proposed service would address the gap in service whilst complementing existing service provision, and would be required to work closely with existing partner organisations services in order to maximise 'cope and recover' outcomes for young people.</p> <p>The recommendation for a 1 year pilot service to support children and young victims of sexual violence will enable the PCC to consider future service options in this area through evidence from the service and service provider.</p> <p>In the interests of maintaining a fair and equitable procurement process, the details of the services to be procured by the Police and Crime Commissioner are not included within this section of the report.</p> <p>Publication of tenders (restorative justice and children and young person's sexual violence advocacy service) scheduled w/commencing 6<sup>th</sup> October 2014. It is intended to award contracts by February 2015.</p>
<p>To continue existing contracting arrangements for the existing ISVA provision in partnership with Lincolnshire County Council by providing funding for the delivery of the service in 15/16, supported by a contract variation to satisfy the requirements of the victims' services grant</p>	<p>The Independent Sexual Violence Advisor (ISVA) service has previously been commissioned by Lincolnshire County Council's (LCC) Safer Communities Team as part of a partnership arrangement with the Police and Crime Commissioner (PCC) for Lincolnshire.</p> <p>There is an existing contract in place for this service dated 1<sup>st</sup> October 2013 to 31<sup>st</sup> March 2016. Funding for the ISVA service is currently provided by the PCC and LCC.</p> <p>Based on the evidence of need for on-going sexual violence service provision and in line with the transfer of commissioning responsibilities and associated funding, it is recommended that the PCC provides the resource to fund the ISVA service for the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016, subject to a contract variation to satisfy the requirements of:</p> <ul style="list-style-type: none"> <li>• The Victims' Code of Practice</li> <li>• Directive 2012/29 of the European Parliament and of the Council establishing minimum standards on</li> </ul>

	<p>the rights, support and protection of victims of crime (referred to as the Victims' Directive)</p> <ul style="list-style-type: none"> <li>• Grant Agreement for the Provision of Grant Funding in Relation to Local Commissioning of Victims' Support Services 14/15 (MoJ/OPCC)</li> </ul>
<p>To explore the options for extension of current victim referral arrangements for a 6 month period from 1<sup>st</sup> April 2015 to 30<sup>th</sup> September 2015 to enable final handover to a redesigned model from 1<sup>st</sup> October 2015</p>	<p>The PCC is mindful of the challenges in respect of the timescale in which to carry out this significant piece of work to achieve delivery of a local referral solution by April 2015 and has procured specialist support to scope, develop and support the transition to a redesigned victim and witness referral service.</p> <p>This is a large piece of work with a number of interdependencies including:</p> <ul style="list-style-type: none"> <li>• Force Control Room (FCR) review and transition to a new model of service delivery</li> <li>• Development of Force ICT system with the capacity to meet the needs of a victim referral system</li> </ul> <p>To enable coordinated transition to a re-designed service, it is recommended that existing referral arrangements are extended for a 6 month period, to enable the development and delivery of a robust project plan and a coordinated project for final handover to a re-designed service from 1<sup>st</sup> October 2015.</p> <p>A specific programme of victim engagement work will be integrated into a programme of work to develop a local referral solution between October 2014 and October 2015.</p>

## A2. LINKS TO POLICE AND CRIME PLAN AND PCC'S STRATEGIES/PRIORITIES

Victims of crime are central to the Lincolnshire Police and Crime Plan (2013 – 2017). The PCC is committed to ensuring that victims of crime are supported, listened to and kept informed. Additionally, the Police and Crime Plan sets out a commitment to ensuring that victims see real benefits from the significant changes to the victims' commissioning landscape:

- *“...victims of crime are central to this plan and deserve to be supported and listed to and kept informed of progress in relation to their crime. They need our support through court proceedings or through restorative justice where they can play a part to bring an appropriate and more satisfactory end to their experience...”*

- *“...unwavering support for close working with partners to protect children and vulnerable adults. Working with the Safeguarding Boards we will explore opportunities to support and improve multi-agency working”*
- *“...where appropriate we will use restorative justice so offenders are confronted with the reality of the crime they commit and victims have the satisfaction of seeing the offender brought to book. This will not be appropriate in all cases but evidence shows first time offenders can be deterred from offending by restorative justice options which can involve putting damage right or other forms of reparation”*

## **B. FINANCIAL CONSIDERATIONS**

Funding has been transferred from the MoJ to the PCC to enable delivery of local victims commissioning. A breakdown of the MoJ funding allocation for Lincolnshire is detailed below:

	<b>Lincs Allocation (£)</b>	<b>Criteria and Comments</b>
13/14	£264,317	<i>Building capacity and capability of potential service providers; prepare for local commissioning; associated costs; commissioning RJ services Carried forward to 14/15</i>
14/15	£248,433	<i>Services for victims of crime; services for victims of SV / DV; support services for family members; associated costs; meet requirements of victims directive; RJ Cannot be carried forward to 15/16</i>
15/16	£584,000	<i>As per 14/15 plus funding to deliver referral service</i>
<b>Total</b>	<b>£1,096,750</b>	

## **C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS**

*[This should include the legal powers the PCC has for making the decision]*

To enable local commissioning of services for victims, grant funding has been provided to Police and Crime Commissioners by the MoJ under powers given to the Secretary of State by S56 of the Domestic Violence, Crime and Victims Act 2004 (DVCVA 2004). This funding has been transferred to the Police and Crime Commissioner in the form of a 'Victims' Services Grant'.

The Police and Crime Commissioner must ensure that the Victims' Services Grant is used only for:

- i. Services for victims of crime and particularly victims in the priority categorised outlined in the victims' code: victims of the most serious crime, persistently targeted victims, and vulnerable or intimidated victims, to help them cope with the immediate impacts of crime and, as far as possible, recover from the harm they have experienced. (Victims are further defined in Article 2 (a) of the Victims' Directive)
  - ii. Services for victims of sexual and/or domestic violence
  - iii. Support services for family members (as defined in Article 2 (b) of the Victims' Directive)
  - iv. Any associated costs that arise in the process of commissioning/provision of victims' services
- The Police and Crime Commissioner will ensure that:
    - i. The contact details of the service provided or commissioned are widely publicised in a variety of media and locations
    - ii. Services satisfy the requirements of:
      - (1) The Victims' Code of Practice
      - (2) Directive 2012/29 of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime (referred to as the Victims' Directive)
      - (3) Grant Agreement for the Provision of Grant Funding in Relation to Local Commissioning of Victims' Support Services 14/15 (MoJ/OPCC)

#### **D. PERSONNEL AND EQUALITIES ISSUES**

The Police and Crime Commissioner must ensure that services commissioned under the Victims Services Grant are:

- i. Provided free of charge
- ii. Confidential
- iii. Non-discriminatory (including being available to all regardless of residence status, nationality or citizenship)
- iv. Available whether or not a crime has been reported to the police
- v. Available before, during and for an appropriate time after any investigation or criminal proceedings
- vi. Compliant with requirements under the Data Protection Act (DPA) when dealing with personal data and sensitive personal data

#### **E. REVIEW ARRANGEMENTS**

Review and evaluation arrangements will be put in place to ensure that required outcomes have been achieved.



## **F. RISK MANAGEMENT**

As part of contract management requirements – this will be a core part of the procurement and subsequent contract management process.

## **G. PUBLIC ACCESS TO INFORMATION**

Information in this form along with any supporting material is subject to the Freedom of Information Act 2000 and other legislation. Part 1 of this form will be made available on the PCC's website within one working day of approval. However, if release by that date would compromise the implementation of the decision being approved, publication may be deferred. An explanation for any deferment must be provided below, together with a date for publication.

**Is the publication of this form to be deferred?** No

**If Yes, for what reason:**

**Until what date:**

Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate part 2 form.

**Is there a part 2 form?** Yes

**If Yes, for what reason:**

In the interests of maintaining a fair and equitable procurement process, the details of the services to be procured by the Police and Crime Commissioner are not included within this section of the report.

Publication of tenders (restorative justice and children and young person's sexual violence advocacy service) scheduled w/commencing 6<sup>th</sup> October 2014. It is intended to award contracts by February 2015.

## ORIGINATING OFFICER DECLARATION

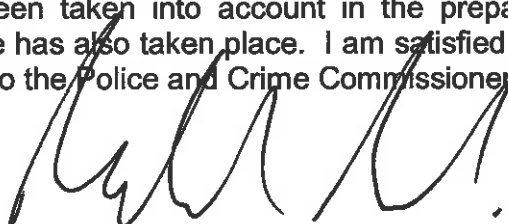
	Tick to confirm
Originating Officer: The Victims, Witnesses and Partnership Lead Officer recommends this proposal for the reasons outlined above.	✓
Financial advice: The PCC's Chief Finance Officer has been consulted on this proposal.	✓
Monitoring Officer: The PCC's Monitoring Officer has been consulted on this proposal	✓

## OFFICER APPROVAL

### **Chief Executive**

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. Consultation outlined above has also taken place. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lincolnshire.

**Signature:**



**Date:**

26/1/14.