

Avon and Somerset Office of the Police & Crime Commissioner Commissioning Strategy 2023



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Introduction

The aim of this strategy is to:

- a. Inform and standardise the Office of the Police and Crime Commissioner (OPCC) approach to commissioning; and
- b. Let stakeholders know how the OPCC works to commission services and outcomes.

It supersedes the previously published version from 2017.

Context

To understand the OPCC's approach to commissioning it is important to set the context in which we work (see Appendix). There are a number of factors that influence how PCCs commission services and the decisions taken.

The [Police and Crime Plan](#) sets the overall direction for the office. This includes a focus on a number of crime types, a golden thread of prevention throughout the plan and the OPCC's values. Specifically on commissioning the Plan commits to:

- Remain outcomes focused so we know the impact we are having on service users and communities while maximising the positive social and environmental impact we have in delivering services.
- Work with the market to enable best service delivery and put in place proportionate and transparent commissioning and outcomes monitoring
- Ensure that lived experience of service users informs the design and delivery of services
- Work in partnership with other commissioners on shared outcomes and issues of joint priority in order to ensure the most efficient and effective approach. Wherever possible take a co-commissioning approach.
- Undertake effective planning so we have a clear rationale for commissioning activity with resources allocated according to need and in line with the areas of focus set out in this plan.

In addition, the OPCC's stated purpose is 'to lead improvement in efficiency and effectiveness of policing, victim support and criminal justice services on behalf of local people' and our vision is 'Excellent victim support, accountable policing, and fairer criminal justice services for all'.



The Values of the Office of the Police and Crime Commissioner (OPCC) as set out in the Police and Crime Plan are Openness, Partnership, Compassion and Courage. These in turn shape how we commission services across Avon and Somerset:



OPENNESS

The OPCC conducts its business in an open and transparent way. As such we seek to communicate commissioning opportunities and decisions as appropriate via a mix of stakeholder emails (maintaining a stakeholder database for this purpose), social media, our website and partner meetings. Funding awarded will be listed on our website and we will aim to describe our work in plain English. The team will make themselves available to discuss any promoted opportunities and we will always seek to assist with queries. We also answer speculative questions sent to the PCC's inbox in a timely and open manner and have a role in the escalation of any complaints linked to services that we fund.

Given the OPCC's footprint is Avon and Somerset-wide we are clear that we will generally be best-placed to commission services across that area. To do this sometimes we may look to make local allocations based on data e.g. population or crime. Moreover, we often look to local commissioners to commission local specialist services or at the very least seek their view if working on such services. In the commissioning of victim services for example we are clear that Local Authorities lead on the local commissioning of specialist domestic abuse and hate crime services so that we avoid duplication and ensure that those who are best placed to commission services do so.

When spending or allocating public money, we are open about the fact that we will seek a clear evidence base. We also take our role in securing value for money seriously to ensure that limited public funds are used efficiently and effectively to secure outcomes for residents. The principle of Value for Money (VFM) is a key driver in all commissioning activities that require the expenditure of public money. All public sector spending should be based on the principle of obtaining and evidencing value for money. This can be defined as the best combination of quality and effectiveness for the most competitive price. Examples of how this is secured are referenced throughout this document.

The OPCC is open to a range of purchasing methods and considers the relative strengths of contract and grants in different situations. As illustrated below, contracts are generally usually used where we are the Lead or Co-commissioner, with the flexibility afforded by grants often being more suitable where we are acting as a Facilitating Commissioner. We will generally engage with South West Police Procurement for any funding we are looking to award over £50k p.a. or where a locally designed competitive or technical process is required. However we will remain pragmatic to maximise investment into the area while balancing the need for suitable due diligence and victims' needs – an example may be where government funding requires an open grants process or a quick decision.



PARTNERSHIP

The OPCC recognises that we cannot achieve our aims as set out in the Police and Crime Plan alone. Indeed, this is recognised in more detail in the OPCC's Partnership Strategy. Criminal Justice, Local Authority, Health, Voluntary, Community and Social Enterprise (VCSE) agencies and communities all play a huge part in making our communities safer. While we have some specific resources available to achieve our outcomes, we must align them with others' and be aware of our role in the broader system of community safety, criminal justice services and other interventions. We will therefore always seek input from relevant stakeholders in shaping commissioning plans.

We understand that working in partnership on areas of joint priority can reduce duplication and provide good value for money.

Key partners in terms of our commissioning include:

- Avon and Somerset Constabulary
- South West Police Procurement Service (SWPPS) who can provide strategic procurement advice, guidance and support to procure services on behalf of the OPCC
- Co-commissioners with whom we collaborate such as the five Local Authorities, three Integrated Care Boards and NHS England Health and Justice
- The market who hold specialist local expertise to shape services
- Providers who deliver services
- Government departments and Ministers who award funding and set policy direction
- National bodies such as the Victims Commissioner, Domestic Abuse Commissioner and Association of Police and Crime Commissioners (PCCs).

The OPCC will seek to form flexible and collaborative relationships with providers. This will be supported by both proportionate sourcing methods and monitoring of outputs and outcomes to deliver best value for money.

When working in partnership or considering co-commissioning opportunities the OPCC will be open to doing this across organisational boundaries or in new ways to achieve its outcomes. We will seek to communicate our involvement in collaborative work with the public.



COMPASSION

The OPCC has a clear mandate to focus on the needs of victims through our Ministry of Justice (MOJ) victims grant. More generally we are committed to putting the needs of service users (including offenders where relevant) at the centre of our commissioning processes and involving them in a proportionate and meaningful way depending on risk/value/timescales. We will include due consideration of equality, diversity and inclusion requirements throughout our work.

We will monitor outcomes for service users and the difference our work is making to peoples' lives.

We will seek to influence wider systems through the feedback we receive from services and their services users, amplifying their voice, for example as part of Police scrutiny.



COURAGE

We will always do what we believe is right for the residents of Avon and Somerset based on a fair assessment on need. We will remain mindful of the OPCC's remit as well as the responsibilities of other commissioners when embarking on work. We hold to account and call for fair investment and activity from our partners. We will also challenge poor performance from providers and support them to make improvements.

When new opportunities for innovation arise the OPCC will support the testing or piloting of new approaches. To embark on a new commissioning workstream, the team will generally judge if the following conditions are met. The OPCC team will have the courage to say 'no' where our conditions for involvement are not met to ensure we remain focused on efficient, effective and meaningful delivery.

Decision Making Framework

- 1. Rationale** What is this trying to solve? Is there a gap? How does this activity support us to deliver the Police and Crime Plan?
- 2. Budget** Do we have budget readily available to commit to this now and in the future? Can we lobby others for funding?
- 3. Expertise** Do we hold expertise to contribute to this process to improve its impact? Is it within our remit or someone else's?
- 4. Capacity** Does the team have capacity to participate meaningfully in this work (considering our forward plan and other duties)?
- 5. Risk** What risk is the OPCC taking on by becoming involved or what is the risk of doing nothing?
- 6. Impact** What is the likely relative impact compared to the required involvement?

We will remain objective about the relative success or limitations of our commissioning and are committed to continuous improvement. We will therefore reflect on processes, seek out feedback and be open to such feedback in order to improve outcomes for the public.

Commissioning Roles

The role of PCCs has developed since their inception in 2012, shaped by both national and local decision making.

The types of commissioning that the OPCC is involved in has evolved and matured and this strategy seeks to set out the different types of commissioning that the OPCC undertakes. To reflect the varied nature and breadth of our work, we have categorised these roles as Facilitating Commissioner, Lead Commissioner, Co-Commissioner and Influencing Commissioner.

The OPCC recognises the standard Understand, Plan, Do Review Commissioning Cycle and below sets out how the nature of this cycle changes depending on the commissioning role the OPCC is undertaking. In the most general terms, we see commissioning as activity to achieve outcomes so recognise that this work may not always result in OPCC financial expenditure. ²

The commissioning activity of the OPCC is undertaken within the Policy, Partnership and Commissioning [Directorate](#) by a team made up of Officers, Managers and Senior Managers within defined portfolios and responsibilities. The team have access to relevant training and support, including from the Commissioning Academy. This small team leans on the Constabulary for additional resources and expertise in processes where required.



² While there are many definitions of commissioning, descriptions and further details can be found provided in some of the good practice resources listed elsewhere in this document.

Commissioning Roles

Facilitating Commissioner – In this role the OPCC has a key function to play in coordinating bids or activity but is bound by restrictions or requirements outside of their control. The final decision making often sits with a different body e.g. the Ministry of Justice or Community Safety Partnerships.

Examples of workstreams that fall into this category are:

- Violence Reduction Unit (VRU) Funding - working with local VRU spokes within local authorities to meet Home Office requirements
- OPCC Police and Crime Grant working with the five Community Safety Partnerships (CSPs).
- MOJ local allocations e.g. Independent Domestic Violence Advisor (IDVA) and DA/SV funds that require completion of a MOJ Expression of Interest or Needs Assessment template for submission to government for assessment.
- [Small grants fund](#) where we work with Community Foundations who administer and award grants for preventative work on the OPCC's behalf
- Lighthouse Safeguarding Unit – to which the OPCC contributes funding alongside the Constabulary.
- Bids to other national funds e.g. Youth Endowment Fund where it is decided that the OPCC will take a Lead/Bidding role.
- Safer Streets Fund where the PCC is required to prioritise bids developed by Local Authorities.
- Domestic Abuse Perpetrator Service

Understand

- The OPCC supports the gathering of information to inform allocations in a way mandated by government (or as per OPCC requirements for the Police and Crime Grant). This may include for example prevalence, demand for services, insights from providers, academic research etc.
- Time-limited process often with short timescales as dictated by government or to align with local decision making e.g. CSP meeting dates.
- OPCC works with delivery partners to gather the required information from existing sources which can sometimes feed into full needs assessments or where working to short timescales, existing insight and information may inform the plan.

Plan

- OPCC gives a view/steer as to priorities for the outcome (for the Police and Crime Grant, sets the requirements) and seeks to enhance chances of success using local insight and priorities.

Do

- OPCC grant agreements put in place (not always with front line provider e.g. VRU and Police and Crime Grants are with the Local Authorities)

Review

- OPCC complies with government monitoring requirements in terms of format and timescales. Generally due to the volume no formal grant monitoring meetings are scheduled unless issues arise (risk-based approach) or is mandated.

Lead Commissioner – In this role the OPCC has a clear mandate to lead on a specific commissioning process as determined by an assessment of budget, expertise, capacity, risk and impact. There are generally fewer restrictions upon the OPCC who can work through processes to use resources to meet local need.

Examples of workstreams that fall into this category are:

- Victim Services Commissioning (Adults Service, Enhanced Adults Service, Children and Young People (CYP) Service, Restorative Justice Service, Independent Sexual Violence Advisor Service, Modern Slavery Grant).
- Appropriate Adults Service

Understand

- Publish a Needs Assessment according to OPCC requirements and timescales including for example review of previous service data, best practice review.
- Map and engage with stakeholders including the market.

Plan

- Consult with stakeholder on intentions and seek service user input.
- Undertake Equalities Impact Assessment
- Publish a Commissioning Plan e.g. [Victim Services Commissioning Plan and Intentions](#).

Do

- Work with South West Police Procurement on contracting processes including moderation, award, mobilisation and Go Live. ³

Review

- Contract meetings held – generally six monthly unless in first year of delivery or service risk has been identified.
- Where funding comes from government and requires their reporting format, the OPCC will comply with this and may add additional proportionate requirements to allow for effective contract management. May include use of visits to complement reports and meetings.
- The OPCC will monitor outputs, contract Key Performance Indicators (KPIs) and outcomes.

³ Many of the procured services for the OPCC will be categorised, due to their nature, as being within the Light Touch Regime as a sub-section of Public Contract Regulations (2015). This regime places a greater emphasis on Contracting Authorities to actively undertake pre-market engagement in advance of undertaking competitive procurement procedures at market. The OPCC undertakes early market engagement wherever possible and appropriate to do so, to discuss upcoming procurement opportunities with the market and gain valuable insight of the market's capacity and expertise in that specific area. Undertaking this type of engagement can ready a market to respond to upcoming published requirements which can help to increase competition to create higher quality bids to deliver greater value for money.

Procurement procedures also have checks and assurances relating to suitability of suppliers, used proportionately depending on value/risk/requirements. This includes the supplier suitability assessment containing certification requirements and exclusion grounds including breaches of environmental obligations, social obligations, labour law obligations, significant deficiencies in prior contract performance, misrepresentation, economic and financial standings as well as transparency in supply chains. This assessment is used where appropriate as part of tendering processes to assess whether a Supplier is suitable to do business with the OPCC. Suppliers

will then submit their proposal in response to the questions to evidence their ability to deliver the contract services when bidding for a contract opportunity. Part of that assessment will require the Supplier to fulfil their obligations under Section 54 Modern Slavery Act which if applicable require the Supplier to have published a Modern Slavery Statement. This statement on modern slavery and human trafficking outlines the steps organisations have taken to ensure modern slavery is not taking place in their business or supply chains.

Contracts receive the most scrutiny from the OPCC throughout the contract lifetime to ensure that the terms of tender award are adhered to, ensuring value for money identified at the award stage of the contract continues to be delivered through the contract lifetime. This also includes all parameters within the suitability assessment and tender documentation. Contract terms and conditions include a contract termination clause stating in the event that the Supplier does not maintain compliance with the terms of the contract, with the supplier suitability requirements, or in the event that any of the requirements are breached throughout the contract duration, ASC OPCC can terminate the contract by immediately giving notice to the Supplier. Contracts also include subcontractor clauses to ensure that the Supplier's obligations including value for money continue down their supply chain.

Commissioning Roles

Co-Commissioner - In this role the OPCC works with fellow commissioners on areas of joint responsibility. Processes are generally not set by the OPCC but a representative will be involved throughout the process.

Examples of workstreams that fall into this category are:

- Child Sexual Exploitation (CSE)/Child Criminal Exploitation (CCE) Service
- Sexual Violence Therapies
- Sexual Assault Referral Centre
- Advice and Support at Custody and Court (ASCC) Service
- Mental Health Triage

Co-commissioners include NHS England (NHSE), Local Authorities and Integrated Care Boards.

Understand

- Needs Assessment, led by Lead Commissioner with necessary input from the OPCC.

Plan

- Engagement and shaping of intentions led by lead commissioner with OPCC input, usually with service user involvement.

Do

- Lead Commissioner's procurement team undertake the purchasing with the OPCC taking part in Commissioning Board and usually evaluation of bids and support during mobilisation.

Review

- Contract management as set by Lead Commissioner with OPCC involvement.



Influencing Commissioner – In this role the OPCC does not necessarily contribute financially but seeks to have influence over outcomes. This area of work overlaps with the workstreams as set out in the Partnerships Strategy.

Examples of workstreams that fall into this category are:

- Drug and Alcohol services (e.g. via Combatting Drugs Partnerships)
- Local Authority Domestic Abuse Commissioning – where the OPCC may feedback on commissioning plans or support tender evaluation.
- Probation Services e.g. Community Treatment Requirements
- Data Accelerator Programme
- National Funds e.g. MOJ Rape Support Fund or VAWG Fund where the OPCC has a stake in the outcome we will seek to influence processes and support the market to apply but is not able to/ best placed to bid. This may include drafting supporting (O)PCC statements for bids or providing feedback to government officials/Ministers.
- National Action Fraud Service recommissioning where the PCC is a member of the Fraud and Cyber Crime Reporting and Analysis System Programme Board.
- (D)PCC work with government to influence legislative or other changes nationally.

Understand

- Informed by issues brought to the OPCC's attention.

Plan / Do

- Consider involvement on Boards, partnerships or meeting relevant stakeholders based on test set out in Fig. 1.
- Escalation of issues to the (D)PCC or government.

Review

- Reflect on OPCC's impact in Annual Report.

In general, the OPCC's commissioning budget comes from either:

1. Defined budgets from government – for example the MOJ Victims grant funding, Home Office VRU grant funding or any other Home Office or MoJ grant funding successfully bid for. This is allocated as described in the grant agreements for specific purposes.
2. OPCC Commissioning Budget – this is set as part of the PCC's budget setting process and reflects the PCC's priorities. This funding currently contributes to our victim services commissioning, Appropriate Adults Service, Liaison and Diversion Service, Emergency Services Mental Health Triage (EST), Police and Crime Grants, Small Grants Scheme, and Commissioning Planning. Some of these services are co-commissioned

An overview of previous year's expenditure is available online in the OPCC's [annual reports](#).

Financial monitoring/scrutiny

Providers/funding recipients are expected to complete quarterly or mid-year and year-end financial monitoring returns for review. Where relevant these returns will feed into Home Office Grant Funding returns and MoJ returns. Providers are also expected to flag any underspends to the OPCC as soon as possible in order to discuss underlying causes and potential plans to address this – as a general principle any underspends would be returned to the PCC at the end of the financial year.



Forward Plan

The below sets out known OPCC contract and grant end/start points at the time of publication. Details of all current expenditure including providers can be found on the OPCC website.

March 2024	PREVENTION GRANTS ONGOING
<ul style="list-style-type: none"> Review of five local exploitation approaches 	
May 2024	
<ul style="list-style-type: none"> PCC ELECTION 	
March 2025	
<ul style="list-style-type: none"> ASCC contract ends Adults, Enhanced Adults, Children and Young People (CYP), Restorative Justice (RJ), Independent Sexual Violence Advisor (ISVA) contracts end. Police & Crime Grants end Violence Reduction Unit funding settlement to OPCC ends MOJ Victims Grants to OPCC ends (formula and general) Agreement with Community Foundations for small grants scheme ends 	
April 2025	
<ul style="list-style-type: none"> New ASCC contract due New MOJ grant due New Victims Contracts due 	
March 2029	
<ul style="list-style-type: none"> SV Therapies contract ends 	
April 2029	
<ul style="list-style-type: none"> New SV therapies contract due 	
September 2029	
<ul style="list-style-type: none"> SARC contract ends 	
October 2029	
<ul style="list-style-type: none"> New Sexual Assault Referral Centre (SARC) contract due 	

End date / Due date

There are several pieces of legislation that inform our commissioning:

1. The [Police Reform and Social Responsibility Act 2011](#) includes provision for the PCC to make crime and disorder reduction grants to any person. (Section 9). The Act also places a mutual duty on PCCs and responsible authorities in Community Safety Partnerships to cooperate to reduce crime, disorder and reoffending.
2. The [Anti-Social Behaviour, Crime and Policing Act 2014](#) includes provisions for local policing bodies to provide or commission services and make grants to help victims or witnesses or others affected by offences and ASB or other crime and disorder reduction e.g. misuse of drug, re-offending. (Section 143).
3. The [Domestic Violence, Crime and Victims Act 2004](#) includes provision for the Secretary of State to pay grants to any such person he considers appropriate in connection with measures to assist victims, witnesses or others affected by offences i.e. government grants to PCCs.
4. The [Equality Act 2010](#) Public Sector Equality Duty requires public bodies to have a due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
5. The [Domestic Abuse Act 2021](#) places a duty upon Local Authorities to have a strategy for the provision of accommodation-based support for victims and their children (Section 57) and a local domestic abuse partnership board (section 58).
6. Procurement Legislation and Public Sector spending rules such as: Public Contract Regulations 2015 including the future Procurement Reform Bill, Social Value Act, Contracting Standing Orders and evidence of Value for Money. ⁴
7. Serious Violence Duty (under the [Police, Crime Sentencing and Court Act 2022](#)) will mandate key duty holders including Local Authorities, Police, Justice, Fire and Health to collaborate and work together to prevent and reduce serious violence. It will see joint needs assessments and strategies being delivered by March 2023.
8. The [draft Victims Bill](#) includes provision for PCCs, Local Authorities and Integrated Care Boards to prepare joint strategies for community-based support for victims of serious violence, sexual violence and domestic abuse. We anticipate this becoming an Act sometime in 2023.

More specifically, the OPCC is bound to requirements attached to government funding through grant agreements:

- Victim Funding Grant Agreements from the MOJ require the OPCC to:
 - a) provide or commission dedicated emotional and practical support services for Victims of Crime to help them cope and, as far as possible recover from the effects of crime. (MOJ formula-based grant)
 - b) provide or commission dedicated emotional and practical support services for victims of domestic abuse and sexual violence to help them cope and, as far as possible recover from the effects of domestic abuse and sexual violence. (MOJ general grant)

- Home Office Violence Reduction Unit Grant Agreement with the OPCC outlines the Government's priority in tackling serious violence, with a particular focus on youth violence that includes risk to victimisation and offending relating to street crime, knife crime, exploitation and county lines. The Home Office funds 20 force areas across the country via their PCCs to work with partners to deliver on a Violence Reduction Unit (VRU), which works to provide strategic coordination of the local response to serious violence against the Public Health approach. The key success measures for the Home Office are:
 - a) A reduction in hospital admissions for assaults with a knife or sharp object and especially among those victims aged under 25,
 - b) A reduction in knife-enabled serious violence and especially among those victims aged under 25,
 - c) A reduction in all non-domestic homicides and especially among those victims aged under 25 involving knives.

The approaches and commissioning of interventions delivered by the VRU, are therefore very much shaped by the steer and focus of the Home Office intentions of this grant. The Home Office also stipulate mandated spend of the grant to be focused on areas such as data sharing and evaluation of interventions.

- The Appropriate Adults [Home Office Partnership Agreement](#) is a voluntary agreement which outlines roles for arrangements in provision of Appropriate Adults. This agreement reflects on how OPCC's must work in partnership with Local Authorities to jointly commission and oversee such provision. No lead commissioning body is identified but a recognition that this must be collaboratively worked through and implemented to meet its local needs.

Beyond this, a range of good practice resources are available to support OPCCs and others to commission services detailing some of the suggested requirements when looking at services for certain cohorts. Some examples that we will consider when commissioning may include:

- [VAWG Commissioning Toolkit](#)
- [Commissioning framework for CSA support](#)
- [Strategic Direction for Sexual Assault and Abuse Services](#)
- MOJ [Victims Funding Strategy](#)
- MOJ BAME commissioning Guidance (not published)
- A guide to collaborative commissioning between the Probation Service and Police and Crime Commissioners (not published)
- Emerging Trauma informed-commissioning practices.⁵

⁴ Public sector procurement is governed by Public Contract Regulations 2015 which encourages open competition and value for money. There are key principles of equality of treatment, transparency, mutual recognition and proportionality that underpin competitive procurement procedures. Procurement competitive tender procedures will usually be based on a combination of quality and price, weighted accordingly and proportionality in relation to the specific nature of the services or goods to be procured. Provider tender submissions are usually evaluated by a multi-disciplined evaluation panel in accordance with the scoring methodology detailed in the procurement competition, to evaluate and identify the Most Economically Advantageous Tender (MEAT) usually on the basis of Quality and Price combined.

⁵ E.g. [Implementing TI Approaches to VAWG - VictimFocus 2022.pdf \(cdn-website.com\)](#).



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