



## **SCRUTINY COMMISSION – 17<sup>TH</sup> NOVEMBER 2021**

### **LEICESTERSHIRE DOMESTIC ABUSE REDUCTION STRATEGY 2022– 2025**

#### **REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES**

##### **Purpose of the Report**

1. The purpose of this report is to advise the Scrutiny Commission of the new duties placed on the County Council by the Domestic Abuse Act 2021 which recently came into force and to seek its views on the draft new Leicestershire Domestic Abuse Reduction Strategy 2022-25 as required by this new piece of legislation.

##### **Policy Framework and Previous Decisions**

2. Leicestershire County Council has in place a Domestic Abuse (DA) Reduction Strategy (2018 – 2021). This is now superseded by the new duties in Part 4 of the DA Act 2021 and the proposed new Strategy which sets out the partnership approach to tackling DA up to 2025.
3. The priorities that form the new Strategy align closely with the vision and aims set out in the revised draft Strategic Plan (2022-26), also on the agenda for this Scrutiny Commission meeting. The Strategic Plan is based on five strategic outcomes which reflect the Council’s vision for Leicestershire. Each outcome is accompanied by specific aims and actions to deliver the outcome over the next four years.
4. The outcome with the strongest links to the DA Strategy is the ‘Keeping People Safe and Well’ outcome, which covers people being safe and well in their daily lives, as well as our safeguarding duties to protect vulnerable people. This outcome includes, a sub-outcome ‘People at the most risk are protected from harm’, an aim for vulnerable people to be identified and protected from harm and abuse. This is supported by an action for the Council to focus on combatting sexual violence and domestic abuse by developing a Domestic Abuse Strategy, protecting all survivors and their families in safe and appropriate accommodation and improving our understanding of perpetrators and how to respond to them.

## **Background**

5. The Domestic Abuse Act (the Act) received royal assent in April 2021. The Act places a new duty on tier one local authorities (i.e. County Council's) to provide accommodation based support to victims of domestic abuse and their children in refuges and other safe accommodation and provides clarity over governance and accountability, requiring tier two councils (district councils) to co-operate with the lead local authority.
6. To fulfil its new duties, the Act requires the County Council, with support from key partners, to:
  - Appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specified functions.
  - Assess, or make arrangements for the assessment of, the need for accommodation-based domestic abuse support in the area for all victims (and their children) who reside in relevant safe accommodation, including those who come from outside of their area.
  - Prepare and publish a strategy for the provision of such support to cover the area having regard to the needs assessment.
  - Give effect to the strategy (through commissioning / decommissioning decisions).
  - Monitor and evaluate the effectiveness of the strategy and report back annually to central government.
7. It should be noted that this new duty is separate to local authority housing duties under the Housing Act 1996 and Homelessness Act 2002 and does not place a requirement on the County Council to provide domestic abuse victims with accommodation. Support under the Act might consist of advocacy support, domestic abuse prevention advice or specialist support for victims with protected characteristics or with additional and /or complex needs.

## **Domestic Abuse Local Partnership Board**

8. As stated above the Act requires a multi-agency Domestic Abuse Local Partnership Board to be appointed consisting of key partners with an interest in tackling domestic abuse and supporting victims and their children. This is to include one or more representatives from or on behalf of:
  - The County Council
  - District councils in the area including Housing Services
  - Adult victims of domestic abuse
  - Children victims of domestic abuse
  - Charities and other voluntary organisations that work with victims of domestic abuse in the area
  - Persons who provide, or have functions relating to, health care services in the area
  - Persons with functions relating to policing or criminal justice in the area

9. The Local Partnership Board which will carry out a monitoring and consultative role as it performs certain specified functions, which will include the following:
  - Assessing the need for accommodation-based domestic abuse support for all victims
  - Supporting the development and publication of the required Strategy
  - Giving effect to the new strategy (through monitoring commissioning / de-commissioning needs)
  - Ensuring representation of marginalised groups and those who are underrepresented in local services.
10. For Leicestershire options are currently being considered as to whether an existing Board can be utilised, extending the membership to comply with this new duty as necessary, or whether a new Board will need to be established.

### **Needs Assessment**

11. The legislation requires the County Council to assess the need for accommodation-based domestic abuse support across Leicestershire for all victims. This work has now been completed. Data has been collated from numerous agencies and engagement with victims and survivors of DA has been ongoing to collate information about their experiences. The national DA charity SafeLives assisted with this Needs Assessment.
12. The Safe Accommodation Needs assessment is a comprehensive tool that enables the capture of data covering a range of themes relating to safe accommodation. It will inform the Strategy, not only for safe accommodation but for the domestic abuse system as a whole and will support commissioning / decommissioning decisions.
13. The first draft of the Needs Assessment was received on 21 October 2021 and the key points from it have been included in the draft Strategy to evidence need. These include:
  - 98,350 adults in Leicestershire have experienced domestic abuse at some point in their lives since the age of 16 with around 15% experiencing both partner and family abuse.
  - 28,360 adult victims have experienced domestic abuse in the last year with around 8% experiencing both partner and family abuse.
  - The overall number of victims has increased year on year, with a 4.9% increase in 19/20 and 7.6% increase in 20/21 on the previous year.
  - Victims being assessed by County Council Children's Social Care (CSC) team increased by 218% (this can be attributed to a change in practice by the CSC assessment team to 'including other children in the family' as part of case management records. This is welcomed and puts the County Council in good stead to ensure the gathering of information in response to the DA Act 2021 S.3(181) - "*Children and young people are deemed to be victims under the 2021 Act as a result of seeing, hearing or otherwise experiencing domestic abuse between two people where*

*the child is related to at least one of them whether that be the victim or perpetrator"*

- Victims accessing United Against Violence and Abuse (UAVA) outreach services increased by 5.3%.
  - Victims accessing District homelessness teams has increased over 100%
14. The Department of Levelling Up Housing and Communities (DLUHC) has stipulated that where authorities are aware of gaps in service provision for victims of DA, commissioning can begin and direct awards can be made before the Needs Assessment is published. A workshop was held with partners including district councils, Police and DA Service providers in August 2021 where the gaps in service provision were identified and the commissioning process to plug these gaps has commenced. These covered areas such as:
- Therapeutic support for adult victims of DA
  - Therapeutic support for children
  - Targeted support for victims with substance misuse issues and support for their children
  - Targeted support for Gypsy, Roma, Traveller victims
  - Further dispersed accommodation and support
15. The Comprehensive Spending Review will inform whether further funding will be allocated.

### **Funding**

16. Funding by way of a three-year grant has been allocated by the DLUHC. Of this the County Council has received £1,127,205 in year one, whilst each district council has received approximately £33,000 in year one. This is to support all of this work. This funding will form part of the Children and Family Services directorate budget overseen by the Director of Children and Family Services and the DA Locality Partnership Board will monitor outcomes against the use of these funds.
17. It is not clear whether the financial allocation awarded in 2021/22 will be reflected in subsequent years. Both years 2 and 3 are tied to a Central Government spending review. A joint financial plan will be developed in tandem with the new Strategy and this will outline how funding will be allocated to the specific requirements of the new duties outlined above.
18. A Leicestershire officer DA Act and Funding Working Group has been convened by the County Council to support the response across Leicestershire. Membership includes all district council's, County Council Departments (Children and Family Services, Adult Social Care and Public Health), Police and DA service providers. This working group will ensure the response to this work is embedded at locality, within the districts.

### **The Draft Strategy**

19. The County Council must prepare and publish a DA Reduction Strategy which must be consulted upon in order to retain the £1.1m grant funding. This should be based on the outcome of the Needs Assessment and set out the Council's overall and holistic approach to the delivery of a rounded offer of support to victims in safe accommodation. This includes detailing plans and approaches working across both County and district councils and including other services in the area, such as specialist domestic abuse providers, housing and health bodies.
20. The draft Strategy had to be published by 26 October 2021; a pre-draft outlining the 5 priorities has been published on the County Council's website. The final Strategy must be published by 5 January 2022 and the funding must be spent or at least allocated by 31 March 2022.
21. The draft Leicestershire DA Reduction Strategy 2022-25 will have five priorities:
  - i. Early Intervention and Prevention
  - ii. Targeted Support
  - iii. Reachable Services
  - iv. DA Act (Part 4) - Safe Accommodation
  - v. Strong Partnerships
22. A draft of the Strategy is attached as an Appendix to this report. The priorities were identified through engagement with stakeholders and partners, analysing known gaps in provision and the statutory duty. These priorities will be developed further over the coming weeks based on feedback received to date, the consultation outcomes and in light of the Needs Assessment.
23. An implementation plan will be developed by the County Council in conjunction with key partners in January 2022. This live document will set out how the priorities identified in the Strategy will be delivered over the next three years, responding to changing needs as these needs are reviewed annually. Progress against the implementation plan will be monitored within the authority by the Director of Children and Family Services and the Children and Family Services Domestic Abuse Strategy Planning Meeting, Chaired by the Assistant Director for Targeted Early Help and Social Care and the DA Local Partnership Board. Progress information will also be shared with partners and key stakeholders to ensure alignment across the system.
24. An annual report must be submitted to the Department of Levelling Up, Communities and Housing on progress of the strategy and it proposed that annual updates will be brought to the Scrutiny Commission as appropriate.

### **Consultation**

25. An 8-week public consultation is taking place from 26 October to 21 December 2021 seeking feedback on the draft Strategy. Feedback from the consultation will be incorporated into the final Strategy.

26. The planned consultation, which is required by legislation, will involve, in addition to the Scrutiny Commission, the DA Board, district councils, other key stakeholders such as adult social care, public health, service providers (including Women's Aid, Living Without Abuse, Panaghar and Freeva), as well as victims and survivors.
27. The consultation will involve group and individual workshops with victims and survivors of DA, including children and young people, questionnaires, surveys and forums. The consultation will be promoted through the Council's website, social media and traditional media outlets such as radio stations.

### **Resource Implications**

28. The services to be commissioned are therapeutic and advocacy support services as per the grant conditions and not for accommodation itself (which would create a longer-term funding risk). It is intended to fund these fully within the DLUHC £1.1m grant so no further funding is requested from the County Council at this time other than internal resources to administer the grant and duties (which will be absorbed within existing staff resources).
29. As this funding is time limited there is some financial risk of the Authority needing to provide additional future funding. However, the Government has advised the intention of future funding with reference to: "In the spirit of the New Burdens Doctrine, the duty will be funded in future years. The amount of funding from April 2022 will be a matter for the next Spending Review".
30. The Director of Corporate Resources and Director of Law and Governance have been consulted on the content of this report.

### **Timetable for Decisions**

31. A 'near' final draft of the Strategy will be presented to the Cabinet for approval at its meeting on 14 December 2021. It is likely that some further minor work will be required to finalise the Strategy following the closure of the consultation on 21<sup>st</sup> December and so it is expected that a delegation to the Director of Children and Family Services, following consultation with the Lead Member, will need to be sought to finalise the Strategy in time for its required publication by 5 January 2022.

### **Conclusions**

32. Scrutiny is asked to comment on the approach being taken to discharging the duties placed on the County Council under the Domestic Abuse Act 2021 (DA Act), and on the draft Leicestershire Domestic Abuse Reduction Strategy 2022-25 appended to this report.

### **Circulation under the Local Issues Alert Procedure**

34. None.

### **Equality and Human Rights Implications**

35. As part of the development of the final Strategy a full Equality Human Rights Impact Assessment (EHRIA) will be undertaken to identify equality and human rights issues that needed to be incorporated into the final Strategy. The EHRIA will be finalised following results of the consultation. The findings from the EHRIA 239 will be embedded in the Strategy's subsequent implementation plan and regularly reviewed as part of the performance monitoring arrangements.

### **Other Relevant Impact Assessments - Crime and Disorder Implications**

36. Domestic Abuse has far reaching impacts on individual health, families, and communities. Partnership Working and Associated Issues One of the priorities in the draft Strategy focusses of Strong Partnerships outlining a partnership approach to tackling Domestic Abuse. The priorities identified within this strategy have been developed based on an understanding of needs in relation to Domestic Abuse.

### **Background papers**

The Domestic Abuse Act 2021:

<https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted>

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### **Appendices**

Appendix – The Draft Leicestershire DA Reduction Strategy 2022 - 2025

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