

Report to Cabinet Member for Adult Services

December 2021

Domestic Abuse Act statutory duties and allocation of funding

Report by Head of Community Safety and Wellbeing

Electoral division: All

Summary

This report concerns the duties placed on West Sussex County Council under the Domestic Abuse Act 2021.

Each Tier One Local Authority is required to undertake a needs assessment and prepare strategies to support victims of domestic abuse in safe accommodation. In Sussex a collaborative approach has been taken to the completion of the needs assessment and a strategy that covers East Sussex, West Sussex and Brighton & Hove has been developed.

West Sussex County Council has been allocated £1,498,174 from Department for Levelling Up, Housing and Communities (DLUHC) to respond to the results of the required needs assessment and strategy.

Recommendations

The Cabinet Member for Adult Services is asked to approve;

- (1) the Pan Sussex Domestic Abuse Accommodation and Support Strategy and its implications for West Sussex alongside its publication on 5th January 2022; and
 - (2) the delegation of authority to the Director of Communities to approve appropriate allocations of the Department of Levelling Up, Housing and Communities funding in line with the needs assessment and strategy.
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Proposal

1 Background and context

- 1.1 The [Domestic Abuse Act 2021](#) (The Act 2021) became law on 29 April 2021 and is designed to strengthen protections for victims and survivors of domestic abuse through the criminal justice system and via support services. The Act 2021 includes a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, coercive or

controlling, and includes economic abuse. As part of this definition, children will be explicitly recognised as victims in their own right.

1.2 The Act 2021 places a duty on Tier One Local Authorities in England 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 domestic abuse support in their 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 their area having regard to the needs assessment.
- Give effect to the strategy (through commissioning / de-commissioning decisions).
- Monitor and evaluate the effectiveness of the strategy.
- Report back annually to central government.

1.3 The Act 2021 defines Safe Accommodation as:

- **Refuge accommodation** – a refuge offers accommodation and intensive support which is tied to that accommodation. Victims, including their children, have to be refuge residents to access expert emotional and practical support.
- **Specialist safe accommodation**– safe accommodation which provides dedicated specialist support to victims with relevant protected characteristics and/or complex needs (also known as 'by and for'), such as specialist refuges for BAME, LGBT, and disabled victims and their children [not limited to – see section B5].
- **Dispersed accommodation:**
 - a) Safe (secure and dedicated to supporting victims of domestic abuse), self-contained accommodation with the same level of specialist domestic abuse support as provided within a refuge but which may be more suitable for victims who are unable to stay in a refuge with communal spaces due to complex support needs or for families with teenage sons for example.
 - b) Safe (secure and dedicated to supporting victims of domestic abuse), self-contained 'semi-independent' accommodation which is not within a refuge but with support for victims who may not require the intensive support offered through refuge, but are still at risk of abuse from their perpetrator/s.
- **Sanctuary Schemes** – properties with local authority installed Sanctuary Schemes or other similar schemes which provide enhanced physical security measures within a home. A Sanctuary Scheme is a survivor centred initiative which aims to make it possible for victims of domestic abuse to remain in their own homes, where it is safe for them to do so, where it is their choice, and where the perpetrator does not live in the accommodation.

This is done by providing additional security – ‘installing a sanctuary’ – to the victims’ property or perimeter.

A number of local authorities run Sanctuary Schemes, working in partnership with the police to implement the scheme and any organisation working with an individual they deem suitable for sanctuary measures can make a referral to the scheme.

- **Move-on and / or second stage accommodation** - interchangeable terms for projects temporarily accommodating victims, including families who no longer need the intensive level of support provided in a refuge, but would still benefit from a lower level of domestic abuse specific support for a period before they move to fully independent and permanent accommodation. There is no expectation that every victim will require this. Many victims are ready to move straight to a permanent new home from refuge. However, move-on and / or second stage accommodation may be helpful in some cases.
- **Other forms of domestic abuse emergency accommodation** – i.e., a safe place with support. To give victims an opportunity to spend a temporary period of time to consider and make decisions in an environment which is self-contained and safe. This would include access to wrap around support and specialist support for victims with complex needs (including mental health needs and substance misuse).

1.4 A Sussex Domestic and Sexual Violence and Abuse Strategic Framework was produced in 2020 and acknowledges the strategic priorities that are consistent across all three Tier One Local Authority areas and to improve partnership working across Sussex.

1.5 A Sussex Domestic Abuse Local Partnership Board has been appointed to comply with the statutory duty. The Board will oversee the implementation of the Strategic Framework and associated action plans that are consistent pan-Sussex.

The Sussex Domestic Abuse Local Partnership Board has been appointed with the required membership as detailed in section 58 of the Act 2021 . Membership as stipulated includes representatives for all three Tier One Authorities in Sussex. West Sussex County Council is represented by the Head of Community Safety & Wellbeing, Head of Strategic Housing and Head of WORTH Services. Other representatives as required by legislation includes community domestic abuse providers, Sussex Police and local health partners.

The Board has also appointed a Lived Experience Coordinator to ensure the board has a true reflection and understanding of the victim and survivor voice and is in the process of appointing an Independent Chair. The Board requirements have been met from within the existing partnerships and include local service providers from the voluntary & community sector. The Terms of Reference are held with members and the Board is currently administered by Sussex Police until the Independent Chair, has been appointed.

1.6 West Sussex County Council will continue to use the existing West Sussex Domestic and Sexual Violence and Abuse Steering group to review progress and activity against our local action plan.

1.7 In support of the strategic framework, the needs assessment that is required by the new duty, has been completed in partnership with East Sussex County

Council and Brighton and Hove City Council. The supporting strategy will identify where the council needs to consider responding to the needs identified. In addition to a response solely focussed on West Sussex the County Council will consider where it would be beneficial to work in a pan-Sussex partnership for the benefit of West Sussex residents.

- 1.8. The DLUHC grant fund allocation will be used to respond to the requirements of the strategy and where appropriate the County Council will collaborate with the other Tier One Authorities across Sussex.
- 1.9 The County Council was required to publish a draft strategy by 26 October 2021 with the final version to be published no later than 5 January 2022.

2 Proposal details

- 2.1 The purpose of this Strategy is to outline the findings of the needs assessment and provide an overview of the Local Authorities' commitment to improving access and increasing options for those in need of support.
- 2.2 The findings of the needs assessment have shaped six strategic priorities to ensure improvement in the provision available for victims and survivors of domestic abuse.
 - **Consistent and Collaborative:** Promoting multi-agency and partnership commissioning and working to ensure a consistent offer across Sussex
 - **Diverse and Appropriate:** Providing a wide range of appropriate safe accommodation and support options
 - **Responsive:** Establishing specialist provision to support victims/survivors with Multiple Complex Needs
 - **Victim-centered:** Empowering victims/survivors through expanding choices and enabling victims/survivors to remain in their own homes
 - **Trauma-informed:** Embedding trauma-informed practice in services and processes through training and specialist knowledge.
- 2.1 The recommendations in the Strategy are fully outlined and also summarised in Appendix 1.
- 2.2 The grant covers revenue expenditure in relation to the functions set out in the duty relating to the provision of support to victims of domestic abuse and their children residing in safe accommodation
- 2.3 The County Council will have a duty to deliver on the commitments made and report progress to the Secretary of State each year.
- 2.4 The Domestic Abuse Partnership Board will oversee the delivery of our annual Action Plans. The Strategy itself will be reviewed and refreshed every three years in response to the changing needs of victims and survivors of domestic violence and abuse.

3 Other options considered (and reasons for not proposing)

3.1 Other options have not been considered as duties have been placed on West Sussex County Council under the Domestic Abuse Act 2021.

4 Consultation, engagement and advice

- 4.1 Over 70 stakeholders, professionals, service providers and survivors took part in engagement meetings to inform a needs assessment. This helped to understand current provision and identify gaps and opportunities for improving the offer. Key stakeholders and partners have been engaged in the completion of the needs assessment due to the wide range of information needed to obtain the clearest identification of need.
- 4.2 [Further consultation](#) with partners and stakeholders has taken place following the publication of the draft strategy on 26th October 2021 to inform the final strategy.
- 4.3 Domestic and Sexual Violence and Abuse is the subject of the annual Community Safety Report, presented to the Communities, Highways and Environment Scrutiny Committee (CHESC) at the November 2021 meeting.

5 Finance

5.1 Revenue consequences

The aims set out in the Strategy will be delivered within existing resources, supplemented by the use of the grant funding available to West Sussex and working with partners where this is the most efficient way of delivering the required outcomes.

5.2 The effect of the proposal:

(a) **How the cost represents good value**

The County Council will make best use of resources by bringing partners together to deliver best possible outcomes for West Sussex residents.

(b) **Future savings/efficiencies being delivered**

There are no identified savings that are directly linked to the implementation of the strategy. It is expected that successful implantation of the Strategy will reduce demand across a number of County Council services avoiding future demand pressures on resources.

(c) **Human Resources, IT and Assets Impact**

None

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Failure to comply with new Duty	<ul style="list-style-type: none"> • Project team has been established and in place for several months to ensure production of required documents within time scales. • Pan Sussex accommodation sub-group established to consider the needs assessment and requirements of the strategy. • Partnership Board established to oversee required duties.
Unable to spend all of the allocated grant by 31 st March 2022	<ul style="list-style-type: none"> • Funding decisions and any required procurement processes will take place at the earliest opportunity. • It is anticipated that government will confirm that any unspent monies will not need to be repaid as long as evidence can be provided that progress is being made.
Insufficient funds to respond to all the requirements identified in the strategy	<ul style="list-style-type: none"> • Allocation of funds will be based on best value • Where necessary spending decisions will be based on prioritisation in agreement with the Partnership Board

7 Policy alignment and compliance

7.1 In West Sussex the local programme supports the priorities set out in [Our Council Plan 2021-25](#)

Keeping people safe from vulnerable situation by ensuring that we comply with the duties of the Domestic Abuse Act to support victims of domestic abuse and their children to be safe from further harm

Helping people and communities to fulfil their potential through supporting people to flee from harm and allowing victims and their families to remain independent and healthy lives.

Making the best use of resources by being evidence led in spending decision and working in collaboration with partner authorities where appropriate.

7.2 **Equality Duty and Human Rights Assessment:** The equality impact has been considered. It is considered that no group or groups are discriminated against and that through improved access to services that keep people safe in vulnerable circumstances the strategy will have a positive social impact. The Services will aim to improve and/or maintain customers wellbeing and quality of life, in particular each Customers independence, safety and community inclusion. The response to the needs assessment will recognise the duty place on the council to provide safe accommodation support for all communities and will therefore

specifically consider Black and minoritised ethnic women; elderly people; LGBTQI+ people, and Gypsy, Roma and Traveller women

- 7.3 **Climate Change:** The proposed improvements will have positive impacts on climate change as it promotes the use of sustainable travel modes and create safer environment for facilities users.
- 7.4 **Crime & Disorder:** The grant covers revenue expenditure in relation to the functions set out in the Domestic Abuse Act 2021 and covers the duty relating to the provision of support to victims of domestic abuse and their children residing in safe accommodation. The Crime and Disorder Act 1998 gives more responsibility to Local Authorities with regards to implementing this type of strategy to help with the reduction of crime and public disorder within the local community. The Pan Sussex Domestic Abuse Accommodation and Support Strategy supports the Safeguarding West Sussex Safeguarding Adults Board 3 Year Strategy 2019-2022 by assisting to build the resilience of those who may be at risk of abuse and neglect, including adolescents who are transitioning into adulthood and those who are homeless, to promote wellbeing. The Safeguarding Adults Board (SAB) maintains links with other strategic boards including West Sussex County Council's Community Safety Partnership and the West Sussex Safeguarding Children's Partnership. The SAB cross references the work of these Boards with others including West Sussex Domestic and Sexual Violence and Abuse Steering Group; Violence and Exploitation Board as well embedding links with neighbouring East Sussex and Brighton and Hove's Safeguarding Adults' Boards.
- 7.5 **Public Health:** The strategy and grant monies will help victims of domestic abuse and their children to be safe from further harm, providing generally improved health and well-being for the local community.
- 7.6 **Social Value:** The Strategy will contribute to generally improved health and well-being for the local community. The Strategy development and Service Redesign will assist with understanding community needs. This work will support people to flee from harm and allow victims and their families to remain independent and lead healthy lives. This work will also identify opportunities for partnership working for sustainable refuge provision that meets need and bring relevant partners together to understand how best to meet housing needs where domestic and sexual violence and abuse are a factor.

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Appendices Appendix 1 - Pan Sussex Domestic Abuse Accommodation and Support Strategy

Background Paper: [Domestic Abuse Act 2021](#)

