

CABINET MEETING – 12 OCTOBER 2021

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Domestic Abuse Safe Accommodation and Support Services Strategy

Author:

Executive Director of Public Health and Integrated Commissioning

Purpose of Report:

This report has been produced to:

- set the national context for the statutory duty on local authorities in England to assess the need for accommodation-based support for victims-survivors of domestic abuse, and their children, in their areas and to put in place a strategy to meet the needs identified.
- seek approval of the appended draft strategy to support the Council to fulfil its duty under Part 4 of the Domestic Abuse Act 2021 and to comply with The Domestic Abuse Support (Local Authority Strategies and Annual reports) Regulations 2021, which come into force on 01 October 2021, requiring local authorities to publish the strategy before 05 January 2022, with a draft of the strategy published 10 weeks prior to (by 26 October 2021).

Description of Decision:

It is recommended that Cabinet approve the draft Sunderland Domestic Abuse Safe Accommodation and Support Services Strategy 2021-2024, appended to this report, which the Council has consulted on with Sunderland's Domestic Abuse and Violence against Women and Girl's Executive Board.

Is the decision consistent with the Budget/Policy Framework? *Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The reason for the decision is to ensure the Council can fulfil its statutory functions under Part 4 of the Domestic Abuse Act 2021 and comply with regulations 3 to 6 of The Domestic Abuse Support (Local Authority Strategies and Annual reports) Regulations 2021.

Alternative options to be considered and recommended to be rejected:

The Council is under a legal obligation through the Domestic abuse Act 2021 to undertake a number of functions including assessing the need for accommodation-based domestic abuse support for all victims and preparing and publishing a local strategy based on the needs assessment. Not to prepare and publish a strategy would risk the Council being in breach of its statutory duty.

Impacts analysed;

Equality

Yes

Privacy

N.A

Sustainability

N.A

Crime and Disorder

Yes

Is the Decision consistent with the Council's co-operative values? Yes

Is this a "Key Decision" as defined in the Constitution?

Yes

Is it included in the 28 day Notice of Decisions?

Yes

CABINET – 12 OCTOBER 2021

DOMESTIC ABUSE SAFE ACCOMMODATION AND SUPPORT SERVICES STRATEGY

Report of The Executive Director of Public Health and Integrated Commissioning

1. Purpose of the Report

This report has been produced to:

- set the national context for the statutory duty on local authorities in England to assess the need for accommodation-based support for victims-survivors, and their children, of domestic abuse in their areas and to put in place a strategy to meet the needs identified.
- seek approval of the appended draft strategy to support the Council to fulfil its duty under Part 4 of the Domestic Abuse Act 2021 and to comply with the Domestic Abuse Support (Local Authority Strategies and Annual reports) Regulations 2021 (“the Regulations”), which come into force on 1 October 2021, requiring local authorities to publish the strategy before 5 January 2022, with a draft of the strategy published 10 weeks prior to (by 26 October 2021).

2. Description of Decision (Recommendations)

It is recommended that Cabinet:

1. approves the draft Sunderland Domestic Abuse Safe Accommodation and Support Services Strategy 2021-2024 appended to this report;
2. notes that engagement with relevant stakeholders will continue until 8 November 2021;
3. authorises the Executive Director of Public Health and Integrated Commissioning to publish the draft Strategy in accordance with the requirements of the Regulations by 26 October 2021; and
4. notes that the Strategy will be submitted to the December 2021 meeting of Cabinet for final approval before being submitted to the Government before 5 January 2022.

3. Introduction/Background

This report seeks to inform Cabinet of a new statutory duty placed on Sunderland Council, as a Tier One local authority, to develop, publish and put in place a strategy to provide accommodation-based support to meet the needs of victims-survivors of domestic abuse, and their children, as set out in Part 4 of the Domestic Abuse Act 2021.

The Council is required to conduct a needs assessment to determine the level and type of need and to reflect the needs for safe accommodation and support within the strategy. In accordance with the Domestic Abuse Support (Local Authority Strategies and Annual reports) Regulations 2021, this strategy should be published before 05 January 2022 and the draft strategy published at least 10 weeks prior to this date (by 26 October 2021). Current draft guidance indicates that the strategy would be reviewed every three years.

The report presents a high-level summary of the draft Sunderland Domestic Abuse Safe Accommodation and Support Services Strategy ("the Strategy"), which is appended to the report.

4. Current Position

4.1 Domestic Abuse Act 2021 and Regulations

The Domestic Abuse Act 2021 ('the 2021 Act') received Royal assent in April 2021. It provides improved protection for the many victims of domestic abuse (DA) as well as strengthened measures to tackle perpetrators. An overview of the 2021 Act is provided in the [Domestic Abuse Act 2021: overarching factsheet](#).

Part 4 of the 2021 Act aims to ensure all victims-survivors of domestic abuse have access to the right support within relevant accommodation. The 2021 Act places a duty on Sunderland City Council, as a Tier One local authority in England, to appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specified functions (below, i - v):

- i. Assess, or make arrangements for the assessment of, the need for accommodation-based 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.
- ii. Prepare and publish a strategy for the provision of such support to cover their area having regard to the needs assessment.
- iii. Give effect to the strategy (through commissioning / decommissioning decisions).
- iv. Monitor and evaluate the effectiveness of the strategy.
- v. Report back annually to central government.

The Department of Levelling Up, Housing and Communities ("the DLUHC ") launched a consultation from 15 June 2021 to 27 July 2021 on the [draft statutory guidance](#) ('the Guidance') and two sets of Domestic Abuse Support Regulations that accompany the 2021 Act.

Following consultation, the [current](#) Regulations state that local authorities must publish the strategy before 05 January 2022, and publish a draft of the strategy 10 weeks prior (by 26 October 2021). These Regulations will come into force on 01 October. A definition is being sought by the Local Government Association, Safer and Stronger Communities Team, from the Government's Domestic Abuse Team, DLUHC, on what is meant by "publish" as the process to engage on the draft strategy would be determined locally in line with each local authority process.

The Guidance sets out what local authorities should do to fulfil their statutory responsibilities (i – v above) and provides further clarity on how the new duty should be delivered on the ground.

According to the Guidance a full needs assessment should be conducted at a minimum every three years with a refresh on an annual basis. The strategy should be based on the needs assessment and should set out the steps to meet the needs of all victims-survivors including:

- Addressing the barriers faced by victims-survivors with protected characteristics and/or multiple complex needs
- Meet the support needs of children and young people who are accommodated
- Draft the funding to be committed to deliver on areas of the strategy.

Strategies do not need to follow a specific format. The Guidance suggests the strategy include:

- An overall and holistic approach to deliver a rounded offer of support to victims in safe accommodation.
- An draft of plans and approaches setting out how this offer will be delivered by working with other services within the local authority, specialist domestic abuse providers, the Police, housing and health bodies.

The strategy is also required to:

- Set out how local authorities plan to spread awareness of domestic violence and abuse and the support available to victims-survivors.
- Demonstrate links with other relevant areas, such as Violence against Women and Girls, Community Safety, Housing, Homelessness Reduction and Safeguarding.

The Guidance suggests that local authorities should ensure support is commissioned in safe accommodation to meet the needs of victims and their children in line with the strategy, as soon as practicable, and in line with council procurement rules and commissioning cycles.

The Government will publish its amended statutory guidance and its consultation response by 01 October 2021.

4.2 Needs assessment for accommodation-based domestic abuse support in Sunderland

The appended Strategy is informed by a needs assessment to identify and understand the level and type of need of victims-survivors of domestic abuse in Sunderland. This has been developed by working with partner organisations including the Northumbria Police Force, other services within the Council (housing, adult social care, children's social care), health, and local specialist domestic abuse service providers. The draft needs assessment has been shared with partners that have supported its development, and the Board, to review and feedback.

As part of the needs assessment, and to inform the strategy, the Council undertook an engagement exercise during July and August 2021 with victims-survivors with lived experience of domestic abuse accessing local safe accommodation and support services.

The Council also engaged with a range of stakeholders, including staff members from local providers, from statutory and non-statutory agencies including commissioners, and members of the recently appointed Sunderland Domestic Abuse and Violence Against Women and Girls Executive Board ('the Board') as part of this engagement work underpinning the strategy development.

The recommendations from the needs assessment and the engagement inform the Strategy's approach to seek to address the gaps identified and to deliver a more robust offer to support victims-survivors in safe accommodation in Sunderland.

The needs assessment and the engagement report can be made available on request.

Key messages, based on the feedback from victims-survivors with lived experience, are summarised in the appended Strategy.

4.3 Draft Sunderland Domestic Abuse Safe Accommodation and Support Services Strategy 2021-2024

The needs assessment and engagement highlight the following areas to address through the strategy:

- a. Evidence that the level of demand for safe accommodation exceeds the bed/units available in Sunderland with a lack of capacity in sustainable forms of accommodation.
- b. Need for evidence-based clinical support for survivors-victims, particularly relating to mental health and substance misuse.
- c. Appropriate and culturally competent services for survivors-victims with protected characteristics, notably Black and Minoritised women and LGBT+ survivors.

- d. Provision of specialist support able to accommodate survivors-victims with complex needs, otherwise prevented from accessing services because of the complexity of presenting needs.
- e. Learning from pilot projects in London and North Yorkshire, to understand how accommodation pathways for perpetrators could support victims-survivors to engage with specialist support services and contribute to their recovery.

The appended draft Strategy sets out four strategic priorities for 2021 to 2024:

- 1. Ensure that what we do is underpinned by a robust needs assessment: to improve our knowledge of demand and capacity; to better understand and evidence the levels of unmet need (including needs of male victims-survivors) and the barriers that prevent victims-survivors with diverse and additional needs from accessing support.
- 2. Deliver quality service interventions which contribute to improving outcomes for survivors and children; to commission outcome-based services to meet needs identified giving priority to support services which address mental health and substance misuse and services which work directly with children.
- 3. Increase safe accommodation provision; to ensure victims-survivors achieve stable and secure accommodation with a minimum of moves which contributes to their recovery and ability to engage with specialist support services, including how pathways into accommodation for perpetrators could be developed.
- 4. Strengthen our approach in hearing the voice of survivors, and children and young people, including those with protected characteristics, to ensure their views are heard and influence what we do; to involve survivors-victims in commissioning processes to ensure support services are accessible, equitable and inclusive and outcomes for victims-survivors are understood.

The draft Strategy also sets out a high-level action plan for the delivery of the priorities, including measures to use to monitor and evaluate success.

4.4 **Sunderland Domestic Abuse and Violence Against Women and Girls Executive Board**

Cabinet approved the appointment of a Sunderland Domestic Abuse and Violence Against Women and Girls Executive Board on 14 September 2021 in line with the 2021 Act (4.1 above).

In accordance with the 2021 Act, the Council has consulted with the Board on the appended draft Strategy at its meeting on 24 September 2021. The Board provided feedback on and agreed to the 4 strategic priorities. They endorsed in principle the broad content of the strategy acknowledging that further work would be required to support strategy delivery supported by governance arrangements.

Although the 2021 Act aims to ensure all victims-survivors of domestic abuse have access to the right support within safe accommodation, many victims-survivors do not live single issue lives, as they can experience multiple forms of gendered violence and abuse. The Board will not only support the Council to meet the requirements of the 2021 Act but also to tackle the whole of the VAWG agenda. A detailed Violence Against Women and Girls (VAWG) Needs Assessment was completed in 2019 and was widely shared across the City. It is anticipated that a Sunderland VAWG strategy would need to be developed in response to this needs assessment. This accommodation-based support strategy would be an integral part of this wider work overseen by the Board.

The members of the Board, representing Council functions and partner agencies, would ensure alignment of this Strategy with other relevant local authority functions, for example Violence against Women and Girls, Housing and Homelessness, Safeguarding and Supporting Families.

The implementation of the Strategy would be overseen by the Board supported by an Operational Partnership, a multi-agency group, which reports to the Board. A delivery plan will be developed for the Strategy and monitored quarterly supported by a financial plan. The Strategy would be reviewed within the context of the requirement to refresh the needs assessment.

4.5 Timescales associated with the decision and next steps

The timeline is set out below:

	Deadline
Consultation on the Strategy with Sunderland Domestic Abuse and Violence against Women and Girls Executive Board	24 September 2021
Engagement with stakeholders, including statutory and non-statutory partner organisations, and victims-survivors on the draft Strategy	04 October – 08 November 2021
Submission of the draft Strategy to Cabinet	12 October 2021
Submission to Cabinet for approval of the final Strategy following stakeholder engagement	07 December 2021
Submission to the Department of Levelling Up Housing and Communities	Before 05 January 2022

Having consulted with the Board on the draft Strategy, the Council will share the draft Strategy with the stakeholders involved in the needs assessment, stakeholder engagement exercise and strategy development to review, provide feedback and refine the Strategy. The final Strategy will be submitted to Cabinet for approval in December 2021, ahead of submission to the DLUHC before 05 January 2022.

5. Reasons for the Decision

The reason for the decision is to ensure the Council can fulfil its statutory duty under Part 4 of the Domestic Abuse Act 2021 and regulations 3 and 6 of the 2021 Regulations.

6. Alternative Options

The Domestic Abuse Act 2021 places a statutory duty on Sunderland Council to develop, publish and put in place a safe accommodation and support services strategy for victims-survivors of domestic abuse (and their children). There is no alternate option to fulfil this statutory function under the 2021 Act.

7. Impact Analysis

(a) Equalities – The Council must comply with the public sector equality duty (PSED) and this includes having due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

This is known as the “general equality duty.”

The “protected characteristics” are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and marriage or civil partnership.

Appointing a new Board, consulting them on the delivery of the authority’s statutory duties, including the development, publication and delivery of this Strategy, will have a positive impact on equality.

The Strategy would have a positive impact on those with protected characteristics and/or additional/complex needs. A full equality analysis has been completed as the draft accommodation-based support strategy has been developed. This is appended to the report.

(b) Privacy Impact Assessment (PIA) – N/A

(c) **Sustainability** – N/A

(d) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** - The Strategy will inform the work of the Board and contribute to its wider agenda on reducing the prevalence of domestic abuse and other associated crimes. The Strategy also seeks to define what good specialist support services “look like”. This includes a requirement for trauma informed therapeutic work with victims-survivors and their children, accompanied by other additional practical and skilled support which includes, life skills training, support with routes into employment, which will contribute to improved social inclusion

8. **Other Relevant Considerations / Consultations**

(a) **Co-operative Values** – Sunderland’s Domestic Abuse and Violence against Women Executive Board appointed by the Cabinet in September 2021 will oversee the delivery of the strategy. The Board will work in a way that is consistent with the Council’s values:
“Sunderland City Council is a co-operative Council and in being so will act ethically in all its actions while adhering to and actively promoting its co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. These values will underpin its decision making and actions.”

(b) **Financial Implications** – The DLUHC secured £125 million to cover the cost of new burdens placed upon local authorities in England to meet the statutory duty relating to the provision of support within domestic abuse safe accommodation. This funding covers two combined aspects: support costs, i.e commissioning services, and administrative burdens.

The Council received a £666,874 grant fund for the period 01 April 2021 to 31 March 2022 to support it to fulfil the functions under the statutory duty as set out in Part 4 of the 2021 Act. This funding allocation has only been confirmed for 2021/22 by DLUHC. Future funding allocations would form part of the local government finance settlement and at this stage there is no indication as to the funding levels for 2022/23.

The financial implications for the provision of support in line with the Strategy, and having regard to the needs assessment, will be considered at the appropriate time prior to commissioning the relevant activity or service.

(c) **Risk Analysis** - There is a risk of not meeting the requirements of the Domestic Abuse Support (Local Authority Strategies and Annual Reports) Regulations to publish the draft strategy at least 10 weeks before the 05 January 2022.

- (d) **Employee Implications** – There are no employee implications in the development and delivery of the strategy. A Public Health Practitioner is being recruited to support the work of the Board and the implementation of the Strategy.
- (e) **Legal Implications** – The Council is under a legal obligation, based on the new duty of the 2021 Act, to assess the need for support, prepare and publish a local strategy for provision of support for victims-survivors, and their children, who need to reside in safe accommodation. There is a risk of the Council being in breach of its statutory obligations if it does publish the strategy as required.
- (f) **Policy Implications** – The new duty requires the Council to prepare and publish its strategy for the provision of support to victims of domestic abuse and their children who reside in safe accommodation before 05 January 2021 and the draft strategy at least 10 weeks prior. The Council have consulted with the Sunderland Domestic Abuse and Violence against Women and Girls Executive Board on the Strategy.
- (g) **Implications for Other Services** – the Council should ensure support is commissioned in safe accommodation to meet the needs of victims-survivors and their children in line with the local Strategy and, as soon as reasonably practicable, in line with the Council's procurement rules and commissioning cycle. When fulfilling the duty the Council should ensure all support provided under the duty to victims-survivors of domestic abuse, and their children, should meet the DLUHC Quality Standards, Women's Aid National Quality Standards and/or ImKaan Accredited Quality Standards.
- (h) **The Public / External Bodies** – The development of the draft strategy has been informed by an engagement exercise involving: seventeen survivors-victims; twenty staff members from local providers; thirty-two members of staff from statutory and non-statutory agencies, including commissioners from the Council, Sunderland Clinical Commissioning Group and Together for Children. Thematic analysis of all interviews was conducted to identify key messages, which are reflected in the Strategy. The draft Strategy will be shared with stakeholders for feedback and comment.
- (i) **Children's Services** - The Chief Officer of Together for Children / Director of Children's Services is a member of the Board and the Board has been consulted on the Strategy. Officers from Children's Social Care and frontline managers of staff from Together for Children have been involved in the engagement exercise which has informed the Strategy.

9. Glossary

VAWG – Violence Against Women and Girls

DLUHC – The Ministry of Housing, Communities and Local Government

10. List of Appendices

Appendix 1 - Domestic Abuse: Safe Accommodation and Support Services Strategy
Appendix 2 – Equality Impact Assessment

11. Background Papers

[The Domestic Abuse Act 2021](#)

[Delivery of Support to Victims of Domestic Abuse, including Children, in Domestic Abuse Safe Accommodation Services: Statutory guidance for local authorities across England. Draft for consultation Issued under the Domestic Abuse Act 2021](#)

[Domestic Abuse Act 2021: Overarching factsheet](#)

[The Domestic Abuse Support \(Local Authority Strategies and Annual reports\) Regulations 2021](#)