

Agenda Item 10



Author/Lead Officer of Report: Alison Higgins,
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Sexual Abuse
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Report of: *John Macilwraith, Executive Director, People*

Report to: *Co-operative Executive*

Date of Decision: *23rd June 2021*

Subject: **Domestic Abuse funding from central government for specialist support for domestic abuse survivors / victims in safe accommodation**

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Executive Member Portfolio does this relate to? <i>Health and Social Care</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Overview and Scrutiny Management</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given?		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

- It is noted that the Council has accepted this funding, a government grant of £1,325,868 for the year 2021-22. The purpose of the grant funding is to assist the Council meeting its new statutory duty within the Domestic Abuse Act 2021. There is a statutory duty upon local authorities to provide specialist support to domestic abuse victims / survivors in safe accommodation. Approval is sought to agree proposed spending plans and a delegated authority to agree a procurement strategy to the Director of to Director for Health and Social Care meet such statutory obligations.

Recommendations:

The Co-operative Executive is recommended to:

1. Note that the Council has approved receipt of a government grant of £1,325,868 to meet its new statutory duties under Domestic Abuse Act 2021.
2. Approve such spending plans and strategy as outlined in this report, in respect of the grant funding.
3. To the extent not covered by existing delegations, delegate authority to Director of Director for Health and Social Care in consultation with the Director of Finance and Commercial Services to carry out such procurement as may be necessary in order to provide specialist support services to domestic abuse victims / survivors in safe accommodation, in line with this report.
4. To the extent not covered by existing delegations, delegate authority to the Director for Health and Social Care in consultation with Director of Finance and Commercial Services to agree appropriate contract terms and following the such procurement approve contract awards and thereafter enter into such contracts.
5. Where no such authority exists under the Leaders Scheme of Delegation, delegate an authority to Director for Health and Social Care in consultation with Director of Finance and Commercial Services and the Director of Legal Services to take such other steps as may be necessary to meet the outcomes and objectives of this report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Sonya Oates
	Legal: <i>Henry Watmough-Cownie</i>
Equalities: Ed Sexton	
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	

2	EMT member who approved submission:	<i>John Macilwraith</i>
3	Executive Member consulted:	<i>George Lindars Hammond</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
Lead Officer Name: Alison Higgins		Job Title: <i>Strategic Commissioning Manager for Domestic and Sexual Abuse</i>
Date: <i>2nd June 2021</i>		

1. PROPOSAL

- 1.1 The Government has provided £125 million for year 2021-22 to support the Council with regard to the additional costs to ensure sufficient provision of specialist support within domestic abuse safe accommodation (see Appendix for definitions). The statutory duty is contained in the new Domestic Abuse Act 2021, which became law on 29 April 2021.

Sheffield has been allocated £1,325,868 in funding for the year 2021-22 to meet the new statutory duties.

It is proposed that this funding is drawn down into the Domestic Abuse budget in Strategy and Commissioning and approve spending plans for 2021/22 (appendix 1) of £1,316,909.

It is also proposed that authority is delegated to the Director for Health and Social Care (in consultation with cabinet lead), to agree a 5 year commissioning plan for domestic abuse safe accommodation to enable re-commissioning in line with the new duty.

The proposed spending breaks down as follows:

- Support in safe accommodation (refuges, dispersed, young women): £716,219.00
- Support for children in safe accommodation: £157,190
- Therapeutic support for adults in safe accommodation: £102,500
- Prevention, advice and casework: £201,000
- Support for victims / survivors with complex needs: £100,000
- Service user engagement: £40,000

2. HOW DOES THIS DECISION CONTRIBUTE ?

The funding is for specialist support to be provided to victims of domestic abuse residing in safe accommodation. This will contribute to reducing victimisation and keeping people safe in Sheffield.

3. HAS THERE BEEN ANY CONSULTATION?

Consultation thus far has been with Cllr George Lindars-Hammond at ICM briefing 7th April, with Commercial Services, with the Domestic and Sexual Abuse Provider Consultation Group on 15th March and 17th May, and with the Domestic Abuse Service User Reference Group on 21st April. A public consultation on safe accommodation options opened at the end of April via citizenspace to inform the needs assessment and strategy required by the Ministry of Housing Communities and Local Government in August and the re-commissioning of the women's refuges later in the year. A stakeholder event on the needs assessment initial findings will be held on June 10th.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Domestic Abuse is a gendered issue and it is planned that some of the funding will be used to enhance support offered by our Women's Refuges. However it is also planned that the funding will enable increased support to male victims, including GBT+ victims being supported in dispersed accommodation and via our Sanctuary Scheme provision (target hardening for domestic abuse victims to enable them to stay safe in their own homes). The needs assessment underway will consider all people with protected characteristics in relation to domestic abuse and is designed to help us ensure that services are accessible to all sections of local communities.

4.2 Financial and Commercial Implications

4.2.1 The government states that the amount of funding in 2022/23 and beyond will be dependent on future spending reviews. This means that plans for spending for 2021/22 have to be put in place urgently and based on current knowledge of needs.

As next year's funding is not yet known and as it may be difficult to fully spend the allocation this year it is proposed that any underspend is carried forward into 2022/23.

It is proposed that authority is delegated to the Director for Health and Social Care (in consultation with cabinet lead), to agree a 5 year commissioning plan for domestic abuse safe accommodation. This would enable a procurement strategy to be developed using the existing resources from the Housing Independence Service budget combined with the anticipated future funding from the MHCLG. The procurement would then

be conducted through an open tender.

4.2.2

External Funding review of Memorandum of Understanding (MoU):

The MoU has been issued by the Ministry of Housing, Communities and Local Government and is determined by Section 31 of the Local Government Act 2003. The MoU is not a legally binding document; however, there is an expectation that the obligations within it will be honoured. Key points and obligations to note are highlighted below.

The MoU has already been approved and accepted; approval to spend the grant funding is now being sought.

The grant of £1,325,868 is to enable the provision of support to victims of domestic abuse and their children who are residing in safe accommodation as per the new statutory duty within the Domestic Abuse Bill.

Grant funding only covers revenue expenditure related to the functions of the new statutory duty.

The grant funding period is 01/04/2021 – 31/03/2022. Further funding may be received for 2022-23; however, this has not been confirmed and as such will be subject to a separate approval.

A multi-agency Local Partnership Board is required to be put in place by Tier 1 Local Authorities to carry out functions as specified in the MoU.

A first strategy, based on robust needs assessment, must be finalised by 21st August 2021.

All procurement in Sheffield City Council must comply with its own Procurement Policy, and internal regulations known as 'Contracts Standing Orders' (CSOs).

Contracts Standing Orders requirements will apply in full to the procurement of services, goods or works utilising grants. All grant monies must be treated in the same way as any other Council monies and any requirement to purchase/acquire services, goods or works must go via a competitive process.

The Project Manager will need to read, understand and comply with all of the grant obligations and the [Code of Conduct for Grant Recipients](#).

4.3 Legal Implications

- 4.3.1 The Domestic Abuse Act 2020 became law on 29 April 2021. Creating a new statutory duty on local authorities to ensure the needs of victims of domestic abuse in safe accommodation are met in a consistent way.

A local authority is required to meet the needs of all domestic abuse victims including those who present from outside of the locality and to provide such support as therapy, advocacy and counselling in safe accommodation, including refuges, to victims of domestic abuse and their children; local authorities are also required to report back to central government. The Act also provides for those who are homeless, as a result of domestic abuse priority need for accommodation secured by the Council.

The grant funding has been accepted by the Council under the terms of a Memorandum of Understanding (MOU), a non-binding legal agreement. This report seeks to secure authority to utilize that grant funding to best meet the new statutory obligation,

4.4 Other Implications

- 4.4.1 None

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 None

6. **REASONS FOR RECOMMENDATIONS**

- 6.1 The funding is related to the statutory duty which is included in the Domestic Abuse Act that had cross party support and received Royal Assent on the 29th April. Part 4 of the Domestic Abuse Act has introduced a statutory duty for Local Authorities to ensure all victims of domestic abuse have access to the right support within safe accommodation when they need it.

Tier one LAs (such as Sheffield) have a duty to assess the need for support and prepare strategies to provide specialist support for victims who need to reside in the relevant safe accommodation.

The Government have provided £125 million to cover costs of the new duty in 2021/22 to ensure there is sufficient provision of support within domestic abuse safe accommodation.

Sheffield has been allocated £1,325,868 in funding for the year 2021-22 to meet the new statutory duties. As the funding is

related to Domestic Abuse it is proposed that the funding is managed in the Domestic Abuse / Drug and Alcohol Coordination Team (under Head of Commissioning Sam Martin) who will work closely with Housing Independence Service and colleagues in Housing on implementing the proposals.

The governments draft statutory guidance for support in safe accommodation states that 'where possible, commissioning should be conducted on a long-term basis to encourage consistency and security for victims and their children. Unless there is good reason not to, commissioning should at a minimum reflect the period covered under the local strategy (3 years).' It is recommended that for key services such as the women's refuges, a 5 year commissioning plan with break clauses and mitigations around central government funding reductions will enable high quality service provision for the city and demonstrate our ongoing commitment to reducing the impact of domestic abuse on individuals and families.

Appendix

Draft Statutory Guidance for Part 4 of Domestic Abuse Bill definitions:

1. Definition of 'Safe accommodation

- **Refuge accommodation** – *accommodation & intensive support tied to the accommodation – to victims and their children.*
- **Specialist safe accommodation** – *safe accommodation providing specialist support to victims with protected characteristics and / or complex needs e.g., specialist refuges for BAMER, LGBTQ, disabled victims*
- **Dispersed accommodation 1** *Safe (secure and dedicated to supporting victims of DA in self-contained accommodation with the same level of DA support as provided in a refuge or*
- **Dispersed accommodation 2.** *Safe (as above) but living in semi-independent accommodation who may not require as intense support as the refuge or dispersed 1.*
- **Sanctuary schemes** – *property with LA or similar scheme providing enhanced physical security measures in the home*
- **Move on and/or second stage accommodation** – *projects who temporarily accommodate victims and their families who no longer need refuge but would benefit from lower-level DA support before moving to living independently.*
- **Other forms of domestic abuse emergency accommodation** – *e.g. a safe place with support. Includes access to wrap around and specialist support for victims with complex needs including Mental Health and Substance Misuse – 'whole housing approach'*
- **Excludes** – *generic homeless hostels and Bed and Breakfast provision– as they are not solely dedicated to providing a safe place for DA victims*

- *‘Commissioning authorities will need to ensure that accommodation covered under other Acts, such as temporary accommodation provided under Part 7 of the Housing Act 1996, are not utilised in fulfilling the requirements of this duty.’*

2. Eligible Support to those in safe accommodation is:

- **Overall management of services within relevant accommodation** – including, the management of staff, payroll, financial and day to day management of services and maintaining relationships with the local authority (such functions will often be undertaken by a service manager);
- **Support with the day-to-day running of the service**, for example scheduling times for counselling sessions, group activities (such functions may often be undertaken by administrative or office staff);
- **Advocacy support** – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers);
- **Specialist support for victims - Designed specifically for victims with relevant protected characteristics** (e.g. faith services, translators and interpreters within BAME-led refuges, immigration advice, interpreters for victims identifying as deaf and / or hard of hearing, and dedicated support for LGBTQ+ victims);
- **Specialist support for victims - Designed specifically for victims with unique and / or complex needs** such as, mental health advice and support, drug and alcohol advice and support, including signposting accordingly;
- **Domestic abuse prevention advice** – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online), and to prevent re-victimisation;
- **Children’s support** – including play therapy and child advocacy;
- **Housing-related support** – providing housing-related advice and support, for example, securing a permanent home, rights to existing accommodation and advice on how to live safely and independently;
- **Advice service** – financial and legal support, including accessing benefits, support into work and establishing independent financial arrangements; and,
- **Counselling and therapy** (including group support) for both adults and children, including emotional support.