

Committee Name and Date of Committee Meeting

Cabinet – 16 August 2021

Report Title

Domestic Abuse Funding Proposals

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Sam Barstow, Head of Community Safety and Regulatory Services
Sam.barstow@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The Domestic Abuse Act received Royal ascent in April 2021. As the Act created new statutory duties for Local Authorities, ‘new burdens’ funding has been provided by the Government.

This paper seeks to outline the existing provision delivered by the Council, which is relevant to the new duty, alongside making further proposals to enable the Council to strengthen its overall response to Domestic Abuse and in particular, strengthen delivery around the statutory provision with the new Act.

Recommendations

1. Cabinet note the extent of existing provision
2. Cabinet approves the funding proposals outlined in section 2.2
3. Cabinet delegates decision-making for the remaining underspend (£134,000) to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member and local Domestic Abuse Partnership Board.

List of Appendices Included

Appendix 1 Equality Impact Assessment
Appendix 2 Carbon Impact Assessment

Background Papers

[Draft Statutory Guidance](#)

[Domestic Abuse Act 2021 Fact Sheet](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Domestic Abuse Funding Proposals

1. Background

- 1.1 The Domestic Abuse Act, which received Royal ascent in April 2021, places a range of new statutory duties on Local Authorities and as a result, Government have provided £125m nationally to support the new burdens. The grant amount for Rotherham is £618k for the year 2021/22 and whilst not yet confirmed, the Ministry of Housing Communities and Local Government (MHCLG) have indicated it is likely to continue at similar levels for at least the next three years.
- 1.2 The Act places a statutory duty on tier one local authorities relating to the provision of support to victims of domestic abuse and their children residing within refuges and other safe accommodation. In addition, the Bill places the following duties on Local Authorities:
1. Appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult as it performs certain specified functions.
 2. Assess the need for accommodation-based domestic abuse support in their area for all victims or their children, including those who come from outside the area.
 3. Develop and publish a strategy for the provision of such support to cover their locality, having regard to the needs assessment.
 4. Give effect to the strategy (through commissioning / de-commissioning decisions).
 5. Monitor and evaluate the effectiveness of the strategy.
 6. Report back to central government.
 7. Require tier two councils to co-operate with the lead local authority, so far as is reasonably practicable.
 8. Require the Secretary of State to produce statutory guidance, having consulted the Domestic Abuse Commissioner, local authorities and such as other persons as considered appropriate.
 9. Require local authorities to have regard to the statutory guidance in exercising their functions.
- 1.3 The Council is already in an advanced position in terms of its provision of domestic abuse services, relevant to the provisions of this Act, with the following services commissioned:

Related Funding Forecasted 2020-21 for Domestic Abuse Service				
Provider	Service Description	Contract Value p.a	Current Service Arrangements	Funding Source
Rotherham Rise	Floating support for Domestic Abuse victims	£170,000	Voluntary Community Faith Sector (VCFS) Commissioned Service	Council

Rotherham Rise	Floating Support for Black, Asian, Minority Ethnic and Refugee (BAMER) people	£120,000	VCFS Commissioned Service	Council
Rotherham Rise	10 Unit Refuge and associated support	£220,000	VCFS Commissioned Service	Council
	Total: £510,000			

1.4 The Council is also in a period of transformational change in relation to Domestic Abuse services, following an independent peer review and full partnership service review. These activities led to the agreement, by the Council's Cabinet on the 25th January 2021, to a new model of delivery for domestic abuse services, including a major market engagement and co-production process to refine the service specification for the commissioned services.

1.5 Aside from the commissioned services, the Council also invests £229k annually for the in-house Independent Domestic Violence Advocates (IDVA) service, which will also be retained within the new model. In addition, through the Community Safety service, the Council employs a full time Community Safety Officer to lead on Domestic Abuse, alongside a dedicated support officer. Domestic Abuse is led strategically by the Head of Community Safety and Regulatory Services within the Regeneration and Environment Directorate and is further supported by Commissioning Services within Adult Care, Housing and Public Health. This represents additional resources totalling around £100k. The total current budget, therefore, including commissioned services, in house provision, oversight and management is currently in the region of £839k. With the addition of the MHCLG new burdens funding, the budget has increased to around £1.5m.

2. Key Issues

2.1 The additional funding allocation of £618k must be spent within the 2021/22 financial year. Whilst ideally services need to conduct a thorough needs assessment, reshape the local strategy and then make longer term decisions in relation to funding of services, the conditions in relation to the funding means that it must be spent and therefore decisions need to be made about how it will be allocated. The table overleaf considers each of the new statutory duties, the current provision that is relevant and any gaps identified. It further identifies proposals for allocation of funding, which totals £484,000. The majority of the options identified are short term. Those that are recurring are marked as such, with a total value of £153,000. In addition, the Council had agreed to increase the value of the commissioned outreach support

service for victims of domestic abuse by £150,000 per year as part of the budget setting process for 2021/22. This means long term commitments would exist which total £303,000. The remaining budget for 2021/22 (£134,000) will be allocated following completion of the Domestic Abuse needs assessment, in agreement with the local Domestic Abuse Partnership Board, Strategic Director and lead Cabinet Member.

2.2

Statutory Duties	Current Provision	Gaps Identified	Proposal(s)	Value	Provider
Provision of support for victims and their children within safe accommodation	<ul style="list-style-type: none"> • Refuge provision (including dispersed properties) • Family support within Refuge • Outreach support service (Rotherham Rise) • BAME Outreach service (Rotherham Rise) • In house Domestic Abuse advocates • Housing options and on-going support 	The need to reduce use of temporary (hotel) accommodation	Refurbish and maintain 5 x Council properties for DA Victims, ensuring a range of accessibility options	50,000	Council
		The need to ensure accessible forms of accommodation to meet the needs of all victims	Uplift the contract value in year for Refuge provision to increase accommodation levels by an additional 4 dispersed properties (minimum) (50%)	60,000	Rotherham Rise
		The need to ensure a diverse location of properties available	Continue existing Safer Options project with Rotherham Rise (8 dispersed properties with wrap around support)	88,000	Rotherham Rise
		Additional supported provision required	Introduce an additional 2 x IDVA roles - 12 month temp – provide support for up to 150 presentations of homelessness/DA – wrap around support focussing on issue wider than DA alone in order to resolve route causes	69,000	Council
		High demand on the IDVA service Additional support needed for Housing Services Properties need additional security measures to support		15,000	Council

		victim safety Victims and their children fleeing domestic abuse may often have to leave with nothing or very little	Provide funding for additional security measures and comfort packs		
Appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult as it performs certain specified functions.	Domestic Abuse Partnership Group in place and led by Strategic Lead	With the increased statutory requirements this Board will require greater support and more generally the Council will require a more robust management structure to continue to drive improvements in domestic abuse	Create a Service Manager for Community Safety (30% contribution) (Recurring) Dedicate the existing domestic abuse coordinator on partnerships and quality (to include Domestic Homicide Reviews) (Recurring)	20,000 49,000	Council Council
Assess the need for accommodation-based domestic abuse support in their area for all victims or their children, including those who come from outside the area. Monitor and Evaluate the Effectiveness of the Strategy Report back to central government	Domestic Abuse Peer Assessment (2018) Domestic Abuse Service Review (2019) Recommissioning of Domestic Abuse	Increased demand and limited resources within community safety for data collation and analysis, which will be required for the needs assessment and ongoing reporting requirements Additional resources for completion of needs assessment, which will require annual refresh	Domestic Abuse Data and Quality Lead (Recurring) LGA Graduate	35,000 29,000	Council Council
Develop and publish a strategy	Strategy in existence	Increased national focus	Create an additional Domestic	49,000	Council

<p>for the provision of such support to cover their locality, having regard to the needs assessment.</p> <p>Give effect through commissioning/decommissioning</p>	<p>Draft prepared, will be adjusted following needs assessment</p>	<p>on strategy and reporting requirements, alongside the need to strengthen contract management, will require resourcing appropriately</p> <p>The need to increase communications into all communities to highlight opportunities for support and intervention, including perpetrator programmes</p>	<p>Abuse lead to deliver on strategy and contract management (Recurring)</p> <p>Budget for development and delivery of partnership communications campaign throughout the year, focussing on lived experiences</p>	<p>20,000</p>	<p>Council</p>
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3. Options considered and recommended proposal

- 3.1 The Council has considered a range of options to meet the needs of victims and the new duties within the Domestic Abuse Act 2021 however, due to the short timescales relating to the current funding, and the need to conduct the full needs assessment to inform long term decision making, the proposals within this document are the ones deemed viable for immediate delivery.

Whilst there is an option to leave funding unallocated until a full review and needs assessment takes place, this is likely to result in the funding being 'clawed back' by Government and the loss of the opportunity to add value to existing services during 2021/22. This option is therefore not recommended.

- 3.2 It is recommended that

Cabinet notes the extent of existing provision

- 3.3 Cabinet approves the funding proposals outlined in section 2.2

- 3.4 Cabinet delegates decision-making for the remaining underspend (£134,000) to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member and local Domestic Abuse Partnership Board.

4. Consultation on proposal

- 4.1 The options have been informed through a range of processes which includes a full Domestic Abuse Service review conducted in 2019, which took account of the views of service users, victims and survivors. In addition, the future strategy will be subject to further public consultation.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Implementation will be immediate, following Cabinet approval. As can be noted there are a range of options, some of which, where either delivery of a grant or increase to contract values can take place quickly following Cabinet approvals however, in cases where recruitment may be required, this will take a number of weeks to complete.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

6.1 Finance

There is existing budget provision for the Domestic Abuse services within the Council. The allocation of New Burdens Funding set at £618,000 is accompanied by guidance on use of the funding which states it ought to be utilised within the parameters determined by the guidance.

- 6.2 The plan as set out in the report meets the grant criteria thus providing additional funding to the service. The permanent budget plan will be recommended to Cabinet and Council for inclusion in budget decisions for 2022 onward. Whilst there are indications of ongoing funding there is no

certainty and hence should the Government not confirm continuation of the funding at similar levels, then the recurring elements of spend and any necessary actions to address the shortfall will need to be considered as part of budget setting.

6.3 Procurement

There are a number of proposals contained within the table at section 2.2 including some internal recruitment activity which will not be subject to any procurement implications.

6.4 Any procurement activity including contract variations that are progressed as a result of the funding detailed in this report must be carried out in compliance with the Council's Financial and Procurement Procedure Rules and Public Contracts Regulations (as amended).

7. **Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

7.1 Part 4 of the Domestic Abuse Act introduces a new statutory duty on local authorities, placing clearer accountability on local areas to ensure the needs of victims within refuges and other forms of domestic abuse safe accommodation are met in a consistent way across England. Under the new duty in the 2020 Act, tier one authorities in England will be required to appoint a Domestic Abuse Local Partnership Board to support them in undertaking local needs assessments including developing and monitoring local strategies. The Board will be made up of members representing organisations who have a stake in this vital work. The Local Partnership Boards will be central to ensuring that local authorities set out a robust strategy for tackling domestic abuse based on an assessment of the needs of all victims in their local area. The Local Partnership Boards will also be required to assess the need for accommodation-based domestic abuse support for all victims in their area, including those who require cross-border support.

7.2 Tier one authorities will be required to deliver their strategy, and report back annually to Government. The annual reporting requirement will help the Government and others to monitor how the new duties on local authorities are working, understand where there may be challenges and how the funding is being used, and help identify and disseminate good practice. The duty will also require tier two authorities to co-operate with the lead tier one authority.

7.3 Under the 2020 Act there is a requirement for statutory guidance to be introduced. This is currently in draft form and subject to consultation which is due to conclude on the 27 July 2021. Once this guidance is published, it must be followed by the Local Authority in order to minimise risks of legal challenge.

7.4 There are also two sets of draft Regulations which are open for consultation:

- The Domestic Abuse Support (Relevant Accommodation) Regulations 2021
- The Domestic Abuse (Local Authority Strategies) Regulations 2021

Once published, these Regulations must be complied with in conjunction with the 2020 Act, in order to minimise any risks of legal challenge.

8. Human Resources Advice and Implications

- 8.1 It is proposed to create a number of additional posts to support service delivery. Details of the posts/roles to be established are outlined within section 2.2 of the report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 Victims of Domestic Abuse within safe accommodation often have children. Through the commissioned provision wider family support is offered. In addition, Children's service are well linked in with Domestic Abuse services both operationally and strategically. Victims of Domestic Abuse may have additional vulnerabilities, which will be identified through service assessments and addressed with the appropriate partners.

10. Equalities and Human Rights Advice and Implications

- 10.1 As noted within the attached Equality Impact Assessment, these proposals seek to promote equality in relation to access to services by ensuring accessible options within the wider service provision. The report also notes extensive work underway to conduct a thorough needs assessment which will inform future activity.

11. Implications for CO2 Emissions and Climate Change

- 11.1 As noted within the attached Impact Assessment, there are no identified implications for Carbon Emissions.

12. Implications for Partners

- 12.1. Part of the new duty creates the requirement for a local Domestic Abuse Partnership Board. This has been in place for a significant period of time within Rotherham, as part of the Safer Rotherham Partnership. Partners routinely come together to agree strategy and policy, develop new initiatives and scrutinise service delivery.

13. Risks and Mitigation

- 13.1 The proposals within this report do leave further funding available for the year ahead when considered in isolation against the grant amount received. As noted within the report, the Council already commissions or delivers a range of services which ensure the statutory requirements are met. Any underspends will be routinely monitored, and further initiatives will be developed throughout the course of this year.

14. Accountable Officers

Sam Barstow, Head of Community Safety and Regulatory Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	02/08/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	28/07/21
Head of Legal Services (Monitoring Officer)	Stuart Fletcher	28/07/21

Report Author: Sam Barstow, Head of Community Safety and Regulatory Services
Sam.barstow@rotherham.gov.uk

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