

Southend-on-Sea Borough Council
Interim Chief Executive & Executive Director

Cabinet

On
14th September 2021

Report prepared by: Julie Jones – Domestic Abuse
Coordinator and Lead

**Agenda
Item No.**

Domestic Abuse Act 2021 Implementation Strategy
Cabinet Member: Councillor Anne Jones
Part 1 Public Agenda item

1. Purpose of Report and desired outcome/s

- 1.1 This report outlines the work undertaken so far to prepare Southend on Sea Borough Council to comply with the new statutory obligations which became law through the Domestic Abuse Act 2021(The Act) in April this year.
- 1.2 Members are asked to approve an initial Implementation Strategy- derived from a needs analysis – and an action plan in order that the Council can ensure compliance with the legal requirements of the Act. The Strategy will be reviewed and further developed within the next twelve months to more fully articulate the Council's and its partners approach to Domestic Abuse in Southend once initial development actions have been undertaken.

2. Recommendation

It is recommended that Cabinet:

- **Note the contents of this report and its appendices;**
- **Approve the attached Strategy set out in appendix 1; and**
- **Agree to a review of the Strategy within a 12 month period; and**
- **Agree that the Community Safety Partnership is the appropriate governing Partnership Board for Domestic Abuse.**

3. Background

On 29th April 2021, The Domestic Abuse Act (see appendices) was passed to 'support all victims of Domestic Abuse' (DA). 'The Act aims to ensure that victims have the confidence to come forward and report their experiences, safe in the

knowledge that the state will do everything it can, both to support them and their children and pursue the abuser’.

Local Authorities are required to undertake a local needs assessment, to assess the need for domestic abuse support for all victims (and their children) who reside in relevant safe accommodation, including those who come from outside of their area.

This needs assessment helps to determine the met and unmet needs of the area, providing evidence to enable strategic planning. The requirement thereafter is that the Local Authority will formulate a Strategy informed by the Needs Assessment to meet the ongoing requirements for support for DA victims in safe accommodation and that this Strategy is to be published by 31st October 2021.

Local Authorities were provided with some funding (New Burdens funding) relevant to their area for use within the year 2021/22, in order to implement the requirements of the Act. For support within Safe Accommodation for DA Victims in particular, with the understanding that the Government Spending Review would decide on future funding allocations.

Southend undertook its own Needs Assessment (see appendix 2) gathering data across partners and internally, setting up a Task and Finish group and covering the overarching needs for DA victims in the borough. The timescales for publication of the Strategy is challenging and given the nature and importance of this area, it has been difficult to produce a comprehensive DA Strategy for Southend which would address all areas of need from the outset. The Strategy produced therefore is a high level statutory compliant document which will be developed further over the course of the next 12 months along with an action plan, to ensure the full needs are addressed and brought back to members for approval.

The Strategy is an important part of the Southend 2050 Outcomes of Safe and Well and milestones identified as part of the 2050 roadmap specifically address the need for a DA strategy (see appendix 1).

Whilst this report focusses on the legislative requirements in the Act that Southend Council must comply with as a Local Authority, tackling domestic abuse requires a multi-agency approach. As a consequence, the work of the Domestic Abuse Steering Group, the Community Safety Partnership Board and other relevant forums will seek to identify and maximise relevant contributions from all agencies to provide the best outcomes for victims and their families.

4. Recommended Action

4.1 The needs assessment highlighted the following key recommendations:

- A need for better data recording across the local authority and partners particularly around protected characteristics and pathway mapping was needed;

- Further work to understand the needs of DA victims to ensure all residents of the Borough are provided with, and are able to access, the support they need;
- Improved collaboration with partners in communications and training to raise awareness in the community but also amongst staff both within the Council and across partner organisations;
- Recommendation that the Council consider perpetrator intervention;
- Recommendation that the funding, commissioning and procurement needs collaboration and identifying of gaps. The needs assessment highlighted a key finding that there were gaps in commissioning specifically around housing, information and advice, advocacy services within Children’s and Adult services required by the new DA Act. The requirements of the Act in section 4 cannot fully be complied with unless there is sufficient safe accommodation and support for those requiring safe accommodation. Southend on Sea Borough Council currently commissions a 7 bed refuge as specific domestic abuse accommodation. The Southend Domestic Abuse Needs Assessment conducted this year, shows the amount of those wishing to access refuge and applying for accommodation as homeless due to DA exceeds capacity and as consequence victims are being housed temporarily, such as in bed and breakfast. Temporary accommodation does not provide suitable provision for some and is not a cost effective option. The New Burdens funding is specific in that it must be used for Domestic Abuse specific accommodation, and cannot be used to put victims fleeing domestic abuse into bed and breakfast or other hostels as this is not deemed “safe” accommodation in the Act;
- The recommendation of the Strategy is that further domestic abuse specific accommodation is provided by means of renovation of existing, currently unutilised, housing stock. Those victims and families accessing this provision would be provided with housing and domestic abuse support by specifically recruited specialist roles;
- There is also a requirement that local authorities will accommodate victims from a secure tenancy in a further secure tenancy (to be implemented at an as yet unspecified date) and the Strategy sets out the need to review the registered provider policy and tenancy strategy;
- The Southend Domestic Abuse Steering group is the operational partnership group and they will be working together to further develop the work required as per the Needs Assessment which will go beyond the legal duty set out in the new DA Act and set out the Council’s approach, alongside partners, on how to tackle the wider determinants of domestic abuse in Southend. This group will also collaborate with the Southend, Essex and Thurrock Domestic Abuse team and arrangements to provide for the best outcomes for Southend victims and their families.

4.2 The Act requires Local Authorities to “Appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specified functions”. A discussion was held with senior leadership and with partners. A request was made of the existing Community Safety Partnership Board to act as the governing body for the monitoring of the Strategy and action plan and this was agreed as the most appropriate option.

5. Other Options (this section should only be included in Cabinet and Cabinet Committee reports, for which it is a statutory requirement).

The option to do nothing is not viable as the DA Act 2021 is enshrined in Law and local authorities will be required to report back annually.

6. Reasons for Recommendation (this section should only be included in Cabinet and Cabinet Committee reports).

It is recommended that the Strategy is implemented in order to ensure the Council is compliant in line with the timescales of the Act i.e. Strategy is published by 31st October 2021 This would then be reviewed within twelve months and a further Domestic Violence strategy that builds on the work of the initial document is agreed.

7. Corporate Implications

7.1 Contribution to the Southend 2050 ambition, outcomes and road map and Transforming Together, the Strategy links with:

Opportunity and Prosperity

- Outcome 3 - Our children are school and life ready and young people are ready for further education, training or employment.

Safe and Well

- Outcome 1 - Residents feel safe and secure in their homes, neighbourhoods and across the borough;
- Outcome 2 - We are well on our way to ensuring that everyone has a home that meets their needs;
- Outcome 3 - We are all effective at protecting and improving the quality of life for the most vulnerable in our community.

Pride and Joy

- Outcome 1 - There is a sense of pride in the place and local people are actively, and knowledgeably, talking up Southend.

7.2 Finance and value for money implications

- Current DA commissioned services budget including refuge- £255k - Within current budget resources there is provision for DA commissioned services which includes refuge, however the needs assessment has identified that the 7 beds currently within Southend is not sufficient to meet the requirements within the DA Act . Should demand outstrip supply then there may be financial implications in housing victims and their families. All avenues will be explored to reprioritise and repurpose current resources in the first instance.
- Money received from government for New Burdens - £372k, is for the year 2021/22. There is not a commitment from Government about **how much**

funding will be allocated from 2022 onwards, although they have indicated that funding will be made available annually. Consideration needs to be given about meeting costs should this funding not be made available for any reason in 2022.

7.3 Legal implications

- **The Domestic Abuse Act 2021** introduces a statutory duty on tier one local authorities in England to support victims and their children in domestic abuse safe accommodation and a duty on tier two authorities to co-operate with tier one authorities in the fulfilment of their duties;
- It has amended the Housing Act 1996 to give those who are homeless as a result of fleeing domestic abuse priority need for accommodation secured by the local authority;
- It states that local authorities have a duty to protect security of tenure for domestic abuse victims.

The above are the requirements directly involving Local Authorities and the Act became Law 29th April 2021 and Southend Borough Council have a duty to comply. There is also a requirement that Local Authorities will evaluate and report back on its interventions and the expenditure of the New Burdens funding for domestic abuse within safe accommodation by June 2022 and thereafter ongoing annually. There could be legal and financial implications if Southend Borough Council do not comply with the new statutory duties.

7.4 Equalities and diversity Implications

An Equality Impact Assessment for the Strategy is being currently undertaken and will be ready for when it goes to full Cabinet.

7.5 Other corporate implications:

Consultation

A strategy workshop involving partners and also the commissioned DA service to add the voice of victims was held in July 2021. Interviews of 4 DA victims were undertaken as part of the needs assessment. Plans are for a survivor survey going forward.

Commissioning

Existing contract and new burdens funding will need to be considered together and a review of the arrangements undertaken to ensure coordination.

People

Recruitment to the posts of the support workers is due to begin imminently due to short timescales

Risk

The key risks are not publishing the Strategy by 31st October in line with the requirement of the Act and not being DA Act compliant. Southend will also need to be ready to evaluate the interventions and report back to government by June 2022 which means that performance needs to be considered.

Background Papers

- **DA Act 2021** [Domestic Abuse Act: Factsheet - Home Office in the media \(blog.gov.uk\)](#);
- **Southend DA Act Needs Assessment**;
- **Southend DA Act 2021 Strategy**.

8. Appendices

- Southend DA Act 2021 Strategy appendix 1;
- Southend DA Act 2021 Needs Assessment appendix 2.