

24 November 2021**Agenda Item: 7**

REPORT OF THE DIRECTOR OF PUBLIC HEALTH

IMPROVING OUTCOMES FOR SURVIVORS OF DOMESTIC ABUSE

Purpose of the Report

1. The purpose of this report is to update the Health and Wellbeing Board on the local implementation of the domestic abuse statutory duty in Nottinghamshire, and outline the new governance arrangements for the Domestic Abuse Local Partnership Board.

Information

Local context

2. Domestic abuse is a complex and multifaceted problem affecting a wide range of people and requires comprehensive services and systems to tackle the issues effectively. Nottinghamshire County Council is driving strategic change through partnership and leadership to make Nottinghamshire a place where survivors of domestic abuse receive the support they need to feel safe and rebuild their lives. Perpetrators are held to account for their actions by the police, criminal justice systems and wider services. Communities recognise and respond to domestic abuse early to prevent abuse from happening and support survivors and their families.
3. The Domestic Abuse Act 2021 gives Nottinghamshire County Council, as a lead authority, statutory duties for commissioning Domestic Abuse support services for adults and children within safe accommodation. The Act has created a statutory definition of domestic abuse, established a Domestic Abuse Commissioner, and enhanced legal processes.

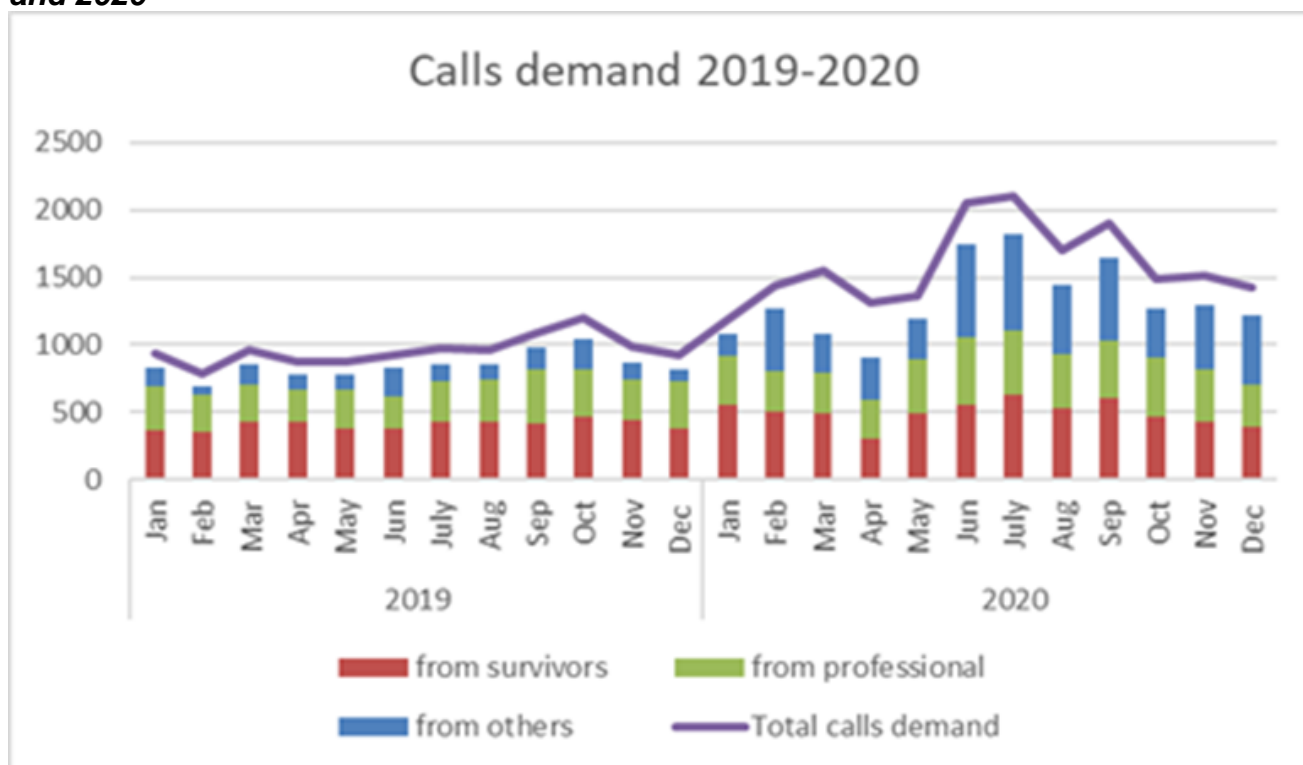
Domestic abuse provision

4. Based on national data (ONS, 2018) the Nottinghamshire County Domestic Abuse Joint strategic needs assessment (2019) reported more than 79,000 people in Nottinghamshire have experienced abuse in their lifetime and 20,362 people in the previous year, resulting in over half of the children on child protection plans citing domestic abuse as an issue. Domestic abuse disproportionately affects women and children. Between April 2020 to the end of December 2020 Nottinghamshire domestic abuse services supported over 1,900 survivors, 99% of these were women.¹ Nearly two thirds (73%) of women living in local refuges have at least one child and over half (53%) have two or more children. Local refuge performance reports have shown that between April 2020 and December 2020, there were an estimated 252 people aged 0-17 living in refuge, with 145 people aged 18 and over.

¹ Domestic Abuse Contract Management Reports 2020

5. The Covid-19 pandemic has had an impact on domestic abuse survivors and their children. A national study on the impact of Covid-19 on domestic abuse conducted by Women's Aid² stated that 53% of survivors said their children had witnessed more abuse and 38% said their abuser had shown increasing abusive behaviour towards their children. The delay in seeking help results in increased levels of trauma being experienced and this means more complex cases presenting to services requiring accommodation and support. Calls to the local helpline have increased during 2020 as illustrated in graph 1.

Graph 1 Juno 24-hour free phone domestic and sexual violence and abuse helpline 2019 and 2020



6. Services for individuals experiencing domestic abuse are currently funded via the Ministry of Housing Communities and Local Government (MHCLG), Nottinghamshire County Council, Police and Crime Commissioner, and Charitable support. These services include prevention work, training programmes, a free 24/7 telephone helpline, one to one and group support services and support within some refuge accommodation.³
7. There are 40 units of refuge accommodation in Nottinghamshire funded through either MHCLG or Nottinghamshire County Council.⁴ Survivors access this accommodation through: self-referral, following contact with helplines, domestic abuse sector, local authority district housing teams, social care and the police. The refuge provision in Nottinghamshire County comprises

² Women's Aid (2020) A Perfect Storm: The impact of the Covid-19 pandemic on domestic abuse survivors and the services supporting them <https://www.womensaid.org.uk/a-perfect-storm-the-impact-of-the-covid-19-pandemic-on-domestic-abuse-survivors-and-the-services-supporting-them/>

³ Nottinghamshire County Council, Adult Social Care and Public Health Committee Report (April 2019), [Domestic Abuse Support Services Procurement](#)

⁴ Nottinghamshire County Council, Adult Social Care and Public Health Committee Report (December 2019), [Funding for Support to Survivors of Domestic Abuse within Safe Accommodation](#)

two main cost components - Sustaining suitable arrangements for people fleeing domestic abuse requires both components to be funded.

8. The first is the cost of the accommodation, fully funded by district councils, through Housing Benefits. The second is the cost of the support services provided to survivors (women and their children) in refuges and other safe accommodation settings funded centrally by MHCLG and in the future via the Domestic Abuse duty allocation.

Statutory context and funding allocation

9. The Domestic Abuse Act 2021 has created a statutory definition of domestic abuse, established a Domestic Abuse Commissioner, and enhanced legal processes. The new Act has also placed a duty on local authorities in England to provide support to survivors of domestic abuse and their children in refuges and other safe accommodation.

10. The duties regarding domestic abuse are:

- a) Lead authorities to convene a multi-agency Local Domestic Abuse Partnership Board, to:
 - i. Assess the need and demand for accommodation-based support for all victims and their children, including those who require cross-border support.
 - ii. Develop and publish strategies for the provision of support to cover the locality and diverse groups of victims.
 - iii. Make commissioning / de-commissioning decisions.
 - iv. Meet the support needs of victims and their children.
 - v. Monitor and evaluate local delivery
 - vi. Report back to Central Government
- b) Lead authorities to have regard to statutory guidance in exercising these functions;
- c) The Secretary of State to produce the statutory guidance; and
- d) Tier 2 district, borough and city councils and London Boroughs to co-operate with the Local Domestic Abuse Partnership Boards.

11. Nottinghamshire County Council will be responsible for delivering the first two requirements as the lead authority, working closely with all partners.

12. The MHCLG allocated £1,540,091 in 2021/22 to Nottinghamshire County Council for the delivery of the domestic abuse duty and a further £223,315 to the districts and boroughs.

Domestic Abuse Needs Assessment and Commissioning Plan

13. As required by the Domestic Abuse Act a Needs Assessment was undertaken to inform the local commissioning plan and ensure that Nottinghamshire County Council are meeting all the new statutory duty requirements. The needs assessment has highlighted several key findings and recommendations for the County.

14. Key findings from the needs assessment included; limited refuge capacity, limited safe accommodation provision for survivors with physical disabilities; financial barriers preventing some survivors from seeking help or leaving an abusive relationship; inconsistent delivery of Sanctuary Schemes across the County; a lack of understanding around the needs of male survivors; barriers to access for those with protected characteristics.
15. Recommendations from the needs assessment included:
- a. **The development of survivor centred pathways for accessing safe accommodation and support.** This requires whole system change in the way partners communicate and collaborate in delivering housing provision and access to support. Increasing the number of units of safe accommodation as well as the type of accommodation available to address capacity issues. It has also been recommended that Sanctuary Schemes are refreshed and re-developed to ensure consistency across the County as well as increase capacity, to provide a greater number of survivors with safety measures to prevent homelessness. Sanctuary Schemes should be more widely publicised to increase the number of people who can benefit.
 - b. **Improvements to understanding, accessibility and overcoming barriers faced by protected characteristic groups including languages, no recourse to public funds, LGBT+ and disabilities.** Further in-depth work is required to fully understand the needs of some of these groups and this work must be undertaken before pathways and services can be developed accordingly.
16. The recommendations were discussed with local stakeholders including frontline services, at a workshop held on 18th May 2021. The feedback provided from this session along with the findings and recommendations from the needs assessment have been used to formulate the commissioning plan (**Appendix 1**).
17. The Commissioning plan is a three-year plan to provide stability within the domestic abuse sector, contracts will be awarded following successful commissioning processes for 2 years plus one year to allow for any fluctuations in funding. Funding for 2022/23 is expected at the same level as 2021/22 but will not be confirmed until the Spending Review in Autumn 2021.
18. The commissioning plan has been supported by District and Borough Councils. It identifies that some funding will be passported through to District and Borough Councils to match fund their contributions on the Housing agenda. This is intended to generate ongoing partnership working, helping District and Borough Councils to meet their responsibilities, and secure the financial investment required to improve outcomes across all districts in the County.
19. The Commissioning plan was approved by Nottinghamshire County Council's Adult Social Care and Health Committee on 26th July 2021 and is currently being progressed with a number of procurement projects ongoing.

Development of Domestic Abuse Support Services Strategy in Nottinghamshire

20. The Domestic Abuse Support (Local Authority Strategies and Annual Reports) Regulations 2021⁵ came into effect on 1st October 2021. These regulations state that 'a relevant local

⁵ <https://www.legislation.gov.uk/ukxi/2021/990/regulation/3/made>

authority must ... publish a section 57 [Domestic abuse] strategy before 5th January 2022.' Prior to the publication of the Strategy 'a relevant local authority must publish a draft of the strategy, at least 10 weeks before the date on which the authority intends to publish it.' This regulation therefore requires the publication of a draft domestic abuse safe accommodation strategy by 27th October 2021.

21. The Draft Domestic Abuse Strategy provided in **Appendix 2** outlines plans to improve the systemwide response to domestic abuse. The Strategy will be a live document with individual chapters being developed for each priority area. The strategy will be reviewed at least every three years in line with the regulations and to reflect best practice.
22. The strategic vision is to ensure *"Nottinghamshire is a place where survivors of domestic abuse receive the support they need to feel safe and rebuild their lives. Perpetrators are held to account for their actions by the police, criminal justice systems and wider services and communities recognise and respond to domestic abuse early to prevent abuse from happening and support survivors and their families"*.
23. The Strategy sets out Nottinghamshire County Council's approach to tackling Domestic Abuse. Domestic abuse is a complex and multifaceted problem affecting a wide range of people across the population and requires comprehensive services and systems to tackle the issues effectively. To deliver the vision there are eight priority areas within the Domestic Abuse Strategy and a chapter will be developed for each:
 - a. **Safe Accommodation**
 - b. **Health**
 - c. **Community**
 - d. **Criminal Justice**
 - e. **High risk survivors**
 - f. **Children and Young people**
 - g. **Prevention**
 - h. **Perpetrators**
24. The first chapter of the strategy covers the priority area of 'safe accommodation' as detailed in the Commissioning Plan agreed by Nottinghamshire County Council's Adult Social Care and Public Health Committee on 26th July 2021. Future commissioning decisions for each priority area will follow a similar process to the approach developed for the delivery of the domestic abuse duty and safe accommodation commissioning.

Domestic Abuse Local Partnership Board

25. In order to comply with the duties identified under 4a it is proposed that the Domestic and Sexual Abuse Executive Group, which currently reports into the Safer Nottinghamshire Board, will be replaced by the Domestic Abuse Local Partnership Board. The establishment of the Local Partnership Board was agreed by Adult Social Care and Public Health Committee on 8 November 2021.
26. The purpose of the Domestic Abuse Local Partnership Board will be to advise Nottinghamshire County Council on the delivery of the support for survivors of domestic abuse within Nottinghamshire.

27. The proposed organisational membership, governance and reporting arrangements for the Domestic Abuse Local Partnership Board is included in the draft Terms of Reference provided in **Appendix 3**.
28. Reporting arrangements for this Board will be to Nottinghamshire County Council's Adult Social Care and Public Health Committee to which it will bring recommendations about commissioning and decommissioning decisions.
29. Operational updates and performance management will be reported via the Safer Nottinghamshire Board Performance Sub Committee as detailed in **Appendix 3** (Terms of Reference).
30. As stipulated in the Domestic Abuse Act 2021 (Part 4 [Section 58.2](#)), the Domestic Abuse Local Partnership Board membership must include individuals who are able to represent the interests of local authorities, survivors of domestic abuse and their children, domestic abuse charities or voluntary organisations, health care providers and the police or other criminal justice agencies.
31. Therefore, the proposed membership of the Local Partnership Board in Nottinghamshire is;
- a. **Local Authority:** Officers will provide representation from all district/borough authorities, with Nottinghamshire County Council fulfilling the role of lead authority when administering the duty and associated returns.
 - b. **Representative of the interests of victims of domestic abuse:** The interest of survivors will be the focus for the Board, and responsibility of all members of the board, with at least one organisation representing their interests.
 - c. **Representative of the interests of the children of domestic abuse:** This role will be fulfilled by services and/or organisations that support the needs of children, recognising the new status of children in the Domestic Abuse Act 2021 as survivors in their own right.
 - d. **Domestic Abuse Support Services:** Many commissioned domestic abuse services, local organisations and charities that work with survivors of domestic abuse have been involved in the engagement and production of the Commissioning Plan that was approved by Committee in July 2021. The interests of these parties have been represented by the membership of Equation, Juno Women's Aid and Nottinghamshire Women's Aid Limited. It is proposed that all three services have a place on the Domestic Abuse Local Partnership Board, with other services linked via the third sector group.
 - e. **Health Care Providers:** Nottinghamshire Healthcare Trust will be invited to represent health care providers on the Local Partnership Board. A representative from the Nottinghamshire Integrated Care System will be invited to represent healthcare commissioning.
 - f. **Policing and Criminal Justice:** Nottinghamshire Police and the Office of the Police and Crime Commissioner will be invited.
32. The role of the Chair of the Domestic Abuse Local Partnership Board is to provide strategic oversight and the delivery of the Domestic Abuse Strategy. As an interim arrangement the

Director of Public Health will chair the Local Partnership Board for up to 12 months, during which time the Board will be consulted about suitable permanent arrangements for chairing.

Next Steps

33. The next steps for improving the outcomes for survivors of domestic abuse in Nottinghamshire include;
- a) Nottinghamshire County Council, District Councils and partners in the Domestic Abuse Sector, will support 16 days of action to end violence against women and white ribbon day on 25th November 2021.
 - b) Undertake an equality impact assessment on the Draft Domestic Abuse Strategy.
 - c) Submission to Nottinghamshire County Council's Policy committee of the Domestic Abuse Strategy and publication by 5 January 2022.
 - d) The establishment of the Governance and reporting arrangements outlined in Appendix 3 in this report.
 - e) The continued delivery of the Domestic Abuse Commissioning Plan approved on 26th July 2021.

Other Options Considered

34. There was the option to not provide this information to the Health and Wellbeing Board. This option was not advisable as the Board and its partners will be key for supporting the delivery of the Domestic Abuse Duty in Nottinghamshire.

Reason/s for Recommendation/s

35. To provide an update on the development of the domestic abuse statutory duty requirements.

Statutory and Policy Implications

36. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

37. There are no financial implications arising directly from this report.

Safeguarding of Children and Adults at Risk Implications

38. All domestic abuse survivors' and their children's needs will be aligned with wider safeguarding procedures.

RECOMMENDATION/S

The Health and Wellbeing Board is asked –

- 1) To consider whether there are any actions they require in relation to issues contained within the report, including future working between the Domestic Abuse Local Partnership Board and the Health and Wellbeing Board on improving outcomes for survivors of Domestic Abuse.

Jonathan Gribbin
Director of Public Health
Nottinghamshire County Council

For any enquiries about this report please contact:

Cath Pritchard
Consultant in Public Health
Catherine.pritchard@nottscc.gov.uk

Rebecca Atchinson
Senior Public Health and Commissioning Manager
Rebecca.atchinson@nottscc.gov.uk

Tracy Lyon
Public Health and Commissioning Manager
Tracy.lyon@nottscc.gov.uk

Constitutional Comments (LPW 12/11/2021)

39. The recommendations fall within the remit of the Health and Wellbeing Board by virtue of its terms of reference.

Financial Comments (DG 05/11/2021)

40. There are no direct financial implications arising from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Domestic Abuse Act 2021 [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

[Commissioning Domestic Abuse Support Services](#)
Adult Social Care and Public Health Committee (1 April 2019)

[Funding for support to survivors of Domestic Abuse within safe accommodation](#)
Adult Social Care and Public Health Committee (9 December 2019)

[Consultation response and preparation for the Domestic Abuse duty](#)
Adult Social Care and Public Health Committee (9 November 2020)

[Improving Outcomes for Survivors of Domestic Abuse](#)
Report to Adult Social Care and Public Health Committee (26 July 2021)

Electoral Division(s) and Member(s) Affected

- All