

26 July 2021

Agenda Item: 4

REPORT OF THE DIRECTOR OF PUBLIC HEALTH

IMPROVING OUTCOMES FOR SURVIVORS OF DOMESTIC ABUSE

Purpose of the Report

1. On the 29th April 2021, the Domestic Abuse Bill was given Royal Assent. The Domestic Abuse Act 2021 gives Nottinghamshire County Council statutory duties for commissioning Domestic Abuse support services for adults and children within safe accommodation.
2. The report highlights the needs of survivors of domestic abuse and includes a commissioning plan to improve the outcomes for adults and children, developed using a partnership focused approach.
3. The purpose of this report is to:
 - a. endorse and approve the three-year commissioning plan and procurement approach
 - b. approve the establishment of 0.8 FTE Band D Public Health and Commissioning Manager and 0.6 FTE Band B Public Health Support Officer permanent posts.
 - c. give permission for communications related to the Domestic Abuse Act 2021 and local service provision.
 - d. agree to receive a future paper on the Local Partnership Board governance and the Domestic Abuse strategy in September 2021.
 - e. identify any changes required to the proposed response to the National consultation on the domestic abuse statutory guidance and regulations.

Information

Domestic abuse local context and provision

4. Based on national data (ONS, 2018) the Nottinghamshire County Domestic Abuse Joint strategic needs assessment (2019)¹ reported more than 79000 people in Nottinghamshire have experienced abuse in the previous year with just over half of child protection plans indicated domestic abuse. 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.² 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

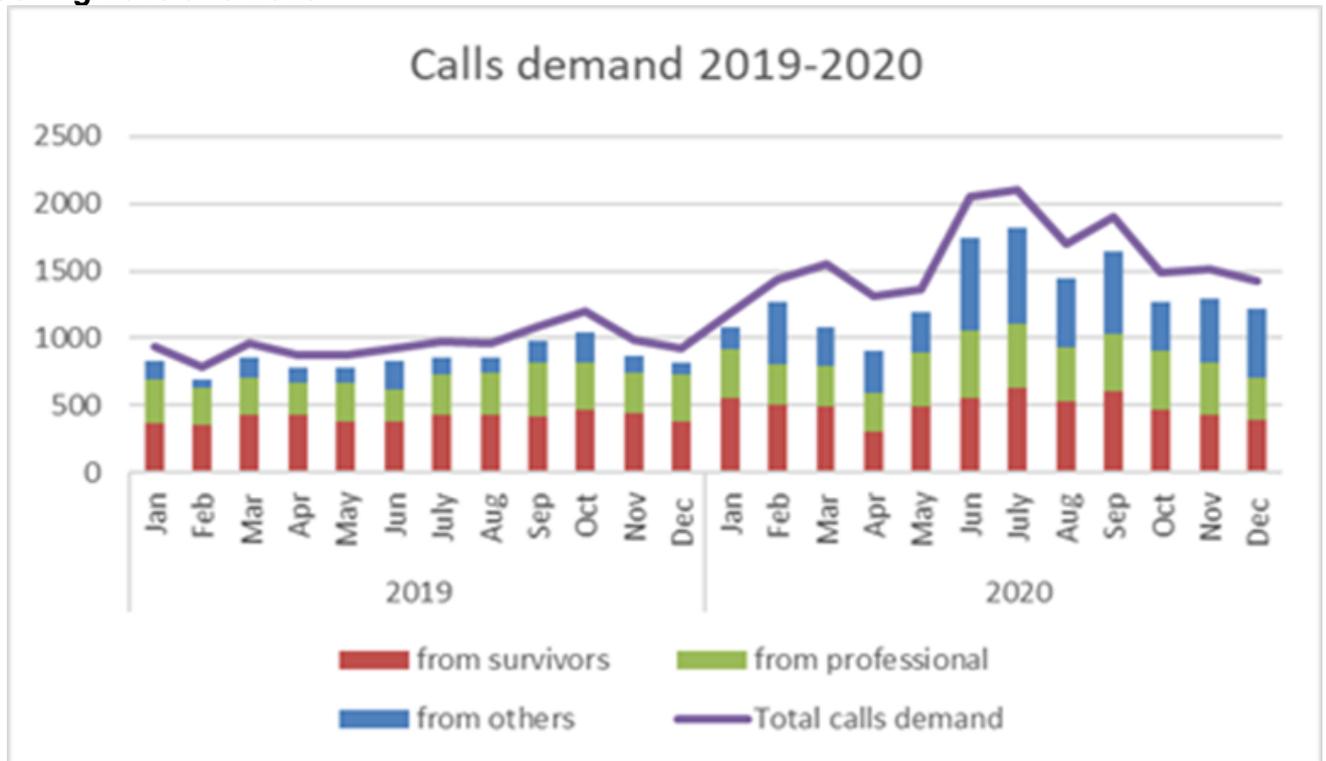
¹ Nottinghamshire County Council (2019) Domestic Abuse Joint Strategic Needs Assessment. Nottinghamshire insight <https://www.nottinghamshireinsight.org.uk/research-areas/jsna/adults-and-vulnerable-adults/domestic-abuse-2019/>

² Domestic Abuse Contract Management Reports 2020

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.

- The Covid-19 pandemic has had a devastating impact on domestic abuse survivors and their children. A national study on the impact of Covid-19 on domestic abuse conducted by Women’s Aid³ 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. There have been delays in seeking help resulting in increased levels of trauma being experienced and more complex cases requiring accommodation and support services. 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 during 2019 and 2020



- 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. In April 2019, Committee heard that 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.
- There are currently 40 units of refuge accommodation in Nottinghamshire funded through either MHCLG or Nottinghamshire County Council which Committee approved in December 2019. 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 two main cost components. Sustaining suitable arrangements for people fleeing domestic abuse requires both components to be

³ 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/>

funded. 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 financial allocation.

Statutory context, interim governance arrangements and funding allocation

8. 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.
9. The duties are:
 - I. Lead authorities to convene a multi-agency Domestic Abuse Local Partnership Board, to:
 - o Assess the need and demand for accommodation-based support for all victims and their children, including those who require cross-border support.
 - o Develop and publish strategies for the provision of support to cover the locality and diverse groups of victims.
 - o Make commissioning / de-commissioning decisions.
 - o Meet the support needs of victims and their children.
 - o Monitor and evaluate local delivery
 - o Report back to Central Government
 - II. Lead authorities to have regard to statutory guidance in exercising these functions
 - III. The Secretary of State to produce the statutory guidance
 - IV. Tier 2 district, borough and city councils and London Boroughs to co-operate with the Local Domestic Abuse Partnership Boards.
10. Nottinghamshire County Council are responsible for delivering the first two requirements as the lead authority, working closely with all partners. The Statutory Guidance mentioned in part III above has now been drafted by the Secretary of State and is currently subject to a national consultation which began on 15th June 2021 and will close on 27th July 2021. The proposed consultation response from Nottinghamshire County Council has been drafted and can be found in Appendix 1. In summary the Draft Guidance and Regulations are comprehensive. The proposed main points of feedback are on the proposed timescales, to ensure there is sufficient time for authority's approval processes.
11. Temporary governance arrangements are in place for the Domestic Abuse Local Partnership Board to work in shadow form alongside the Domestic and Sexual Abuse Executive. A further report will be presented to ASCPH Committee outlining proposed arrangements in September 2021.
12. The MHCLG allocated £1,540,091 in 2021/22 to the authority for the delivery of the domestic abuse duty and a further £223,315 to the districts and boroughs. As agreed by Committee in March 2021 and following legal and procurement advice, £674,000 has been allocated for the extension of the existing 40 units of refuge provision for 2021/22 along with a further £100,000

to provide extra provision for support within refuges, particularly for children and young people. This ensures there is no gap in service, while the commissioning plan is being developed and approved (point 2.1a in the Commissioning Plan in Appendix 2).

Domestic Abuse Needs Assessment and feedback from stakeholder engagement event

13. A Domestic Abuse Needs Assessment has been developed 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. The draft recommendations were presented to the Domestic and Sexual Abuse Executive on 10th March 2021.
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 Schemes⁴ 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 to improve access to safe accommodation and support. This requires whole system change in the way partners communicate and collaborate in delivering housing provision with support. Addressing capacity issues by increasing the number of units of safe accommodation as well as the type of accommodation available. It has also been recommended that Sanctuary Schemes are refreshed and re-developed to ensure consistency across the County and increase capacity, to provide a greater number of survivors with safety measures to prevent homelessness. Sanctuary Schemes should be widely publicised to increase the number of people who can benefit.
 - b. improvements to understand needs including accessibility to overcome barriers faced by those groups with protected characteristic 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 along with male survivors 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. 35 partners from 22 organisations were at the session (See Appendix 3 for a full list of stakeholders). This gave wider stakeholders the opportunity to input into the needs assessment process and inform the commissioning plan. Attendees at the workshop were asked to provide feedback on solutions and to prioritise areas of work. The feedback provided from this session along with the findings and recommendations from the needs assessment have been used to formulate the commissioning plan (See Appendix 2).

Developing the Commissioning Plan

17. The overall outcome of the commissioning plan (Appendix 2) is to improve safe accommodation support across the county and to ensure survivors can be safe from domestic abuse regardless

⁴ Sanctuary schemes provide additional security and safety measures within a survivor's home, this can include new doors, window locks, CCTV, or alarms.

of their personal circumstances. It includes several new services to improve pathways and build a co-ordinated and consistent high quality service for survivors.

18. The three-year plan provides stability within the domestic abuse sector, contracts will be awarded following successful commissioning processes for two 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.
19. The authority's procurement team have been consulted on the best approach to deliver each element including use of existing contracts and the open market where required. Contracts will include robust financial audits of all spend to ensure funds are used for the purposes intended. These will be monitored through Public Health's quarterly monitoring processes.
20. The commissioning plan has been developed with District and Borough Councils Housing leads. The Domestic Abuse Framework (activated April 2020) will passport funding to the domestic abuse service providers. The district councils will have funding transferred to match fund their contributions on the domestic abuse survivor homelessness and housing support pathways. 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 survivor outcomes across all districts in the County.
21. A robust communications approach will be commissioned and developed by the provider. The key aim of this plan will be to provide service information to communities and professionals to ensure they know the points of access and pathways to safe accommodation support as well as informing on the new powers and protections within the Domestic Abuse Act 2021. This will have the survivor voice (utilising co-production methods) at the heart of all communications and ensure that survivors know the services available and the best ways to access support. This will also link with the stakeholder training plan to provide professionals with the skills and knowledge to support survivors to access safe accommodation. Activities will be monitored through the Domestic Abuse Local Partnership Board governance structures.

Next steps

22. A Domestic Abuse Strategy will be developed, following the development of the Domestic Abuse Local Partnership Board governance structure. This will provide a framework for the Authority and wider stakeholders to follow to improve the range of support services available to survivors over the next three years. This will improve outcomes for domestic abuse survivors in the county.
23. The Commissioning Plan and the process used to develop it, will be shared with the Independent Domestic Abuse Commissioner, who is focused on reducing the postcode lottery of domestic abuse support across the Country.

Reason/s for Recommendation/s

24. To enable the commissioning of services in 2021 using the funding allocated to Nottinghamshire for use in the current financial year.

25. To deliver on the recommendations from the needs assessment as required by the Domestic Abuse Act 2021.
26. To agree the reporting of progress to the Domestic Abuse Commissioner and Ministry of Housing and Local Government on the delivery of the Statutory Duty in Nottinghamshire.

Statutory and Policy Implications

27. 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.

Data Protection and Information Governance

28. Services will be required to adhere to all data protection and governance processes.

Financial Implications

29. The report has been shared with financial colleagues.

Human Resources Implications

30. The posts will be externally advertised following the authority's recruitment processes and timelines due to their permanent status. There is currently a fixed term Band D Public Health Commissioning Manager within Public Health working on the Domestic Abuse duty which comes to an end in March 2022.

Public Sector Equality Duty implications

31. The duty will require the authority to consider the availability of safe accommodation for all people with protected characteristics, alongside district partners.

Safeguarding of Children and Adults at Risk Implications

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

RECOMMENDATION/S

- 1) To endorse and approve the three-year commissioning plan and procurement approach.
- 2) To approve the establishment of 0.8 FTE Band D Public Health and Commissioning Manager and 0.6 FTE Band B Public Health Support Officer permanent posts.
- 3) To give permission for communications related to the Domestic Abuse Act 2021 and local service provision.

- 4) To agree to receive a future paper on the Local Partnership Board governance and the Domestic Abuse strategy in September 2021.
- 5) To identify any changes required to the response to the National consultation on the domestic abuse statutory guidance and regulations (Appendix 1) for submission to MHCLG as part of the National consultation on guidance and regulations for the domestic abuse statutory duty.

Jonathan Gribbin
Director of Public Health
Nottinghamshire County Council

For 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 (AK 30.6.2021)

33. This report falls within the remit of Adult Social Care and Public Health Committee under its terms of reference

Financial Comments (DG 30.6.2021)

34. £1.5m has been received from the MHCLG and will be used to fund the £774k refuge provision, as detailed in paragraph 12 and £48,014 Band D 0.8 FTE and £29,507 Band B 0.6 FTE as detailed in paragraph 3

HR Comments (WI 02.07.2021)

35. Recruitment to the newly established posts will be undertaken in line with the authority's recruitment procedures.

36. The proposals have been shared, for information, with the relevant recognised trade unions.

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.

- [Commissioning Domestic Abuse Support Services](#) (1 April 2019) – references the support to the Refuge provision across the County
- [Funding for support to survivors of Domestic Abuse within safe accommodation](#) (9 December 2019)
- [Consultation response and preparation for the Domestic Abuse duty](#) (9 November 2020)

Electoral Division(s) and Member(s) Affected

- All