

**8 November 2021**

**Agenda Item: 4**

## **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:
  - a. To endorse the strategic approach for delivering the Domestic Abuse Strategy in Nottinghamshire and recommend the proposed Domestic Abuse Strategy (Appendix A) to the Policy Committee for approval.
  - b. To approve the proposed governance arrangements and terms of reference for the Domestic Abuse Local Partnership Board.

#### **Information**

##### **Statutory 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. The authority 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.
4. The duties are:
  - a. Lead authorities to convene a multi-agency Domestic Abuse Local 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.
  - d. Tier 2 district, borough and city councils and London Boroughs to co-operate with the Local Domestic Abuse Partnership Boards.
5. It has also placed a statutory duty on local authorities in England to provide support to survivors of domestic abuse and their children in refuges and other safe accommodation.

### **Development of Domestic Abuse Support Services Strategy in Nottinghamshire**

6. The Domestic Abuse Support (Local Authority Strategies and Annual Reports) Regulations 2021<sup>1</sup> came into effect on 1<sup>st</sup> October 2021. These regulations state that ‘a relevant local 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 27<sup>th</sup> October 2021.
7. The Draft Domestic Abuse Strategy provided in **Appendix A** 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.
8. 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”*.
9. 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:

- i. Safe Accommodation**
- ii. Health**

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<sup>1</sup> <https://www.legislation.gov.uk/ukxi/2021/990/regulation/3/made>

- iii. **Community**
- iv. **Criminal Justice**
- v. **High risk survivors**
- vi. **Children and Young people**
- vii. **Prevention**
- viii. **Perpetrators**

10. The first chapter of the strategy covers the priority area of 'safe accommodation' as detailed in the Commissioning Plan agreed by 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.

### **Establishment of the Domestic Abuse Local Partnership Board**

11. To deliver on the commissioning plan as presented to Committee on 26th July 2021, temporary arrangements have been in place for the Domestic Abuse Local Partnership Board safe accommodation subgroup to work in shadow form alongside the Domestic and Sexual Abuse Executive.
12. In order to comply with the duties identified under 4a it is proposed that the Domestic and Sexual Abuse Executive, which currently reports into the Safer Nottinghamshire Board, will be replaced by the Domestic Abuse Local Partnership Board.
13. The purpose of the Domestic Abuse Local Partnership Board will be to advise the authority on the delivery of the support for survivors of domestic abuse within Nottinghamshire.
14. 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 B**.
15. Reporting arrangements for this Board will be to the Adult Social Care and Public Health Committee to which it will bring recommendations about commissioning and decommissioning decisions.
16. Operational updates and performance management will be reported via the Safer Nottinghamshire Board Performance Sub Committee as detailed in **Appendix B** (Terms of Reference).
17. 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.
18. 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.
19. 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

20. The next steps for improving the outcomes for survivors of domestic abuse in Nottinghamshire include;
- Nottinghamshire County Council will support 16 days of action to end violence against women and white ribbon day on 25<sup>th</sup> November 2021.
  - Undertake an equality impact assessment on the Draft Domestic Abuse Strategy
  - Submission to Policy committee of the Domestic Abuse Strategy and publication by 5 January 2022.
  - The establishment of the Governance and reporting arrangements outlined in **Appendix B** in this report.
  - The continued delivery of the Domestic Abuse Commissioning Plan approved on 26<sup>th</sup> July 2021.

## Other Options Considered

21. An option was considered regarding the continuation of the Domestic and Sexual Abuse Executive, rather than the creation of a new group. This option was discounted due to the new responsibilities and revised membership of the Local Partnership Board. As a result of this there will also need to be further considerations to decide on the positioning of sexual violence in structures. This will be decided by the Police and Crime Commissioner and the Safer Nottinghamshire Board, who have lead responsibility for commissioning sexual violence support services.

### **Reason/s for Recommendation/s**

22. To fulfil the statutory requirements outlined by the Domestic Abuse Act 2021 in regard to the establishment of a Domestic Abuse Local Partnership Board and Domestic Abuse Strategy

23. To enable the delivery of the recommendations from the needs assessment as required by the Domestic Abuse Act 2021.

### **Statutory and Policy Implications**

24. 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**

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

### **Financial Implications**

26. There are no direct financial implications arising from this report. Any financial implications arising from the delivering of the Local Partnership Board and commissioning required by the Domestic Abuse Duty has been approved and is funded by the Department of Levelling Up, Housing and Communities (DLUHC) allocation and shared with Committee in July 2021.

### **Human Resources Implications**

27. No additional human resource implications.

### **Public Sector Equality Duty implications**

28. The duty requires the authority to consider the availability of safe accommodation for all people with protected characteristics, alongside district partners. This forms part of the responsibility of the Domestic Abuse Strategy.

29. There will be a requirement to undertake an equality impact assessment on the draft strategy.

## **Safeguarding of Children and Adults at Risk Implications**

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

## **RECOMMENDATIONS**

- 1). To endorse the strategic approach for delivering the Domestic Abuse Strategy in Nottinghamshire and recommend the proposed Domestic Abuse Strategy (Appendix A) to the Policy Committee for approval.
- 2). To approve the proposed governance arrangements and terms of reference for the Domestic Abuse Local Partnership Board.

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### **Constitutional Comments (SSR 19/10/2021)**

31. The recommendations set out in the report fall within the scope of decisions that may be approved by Adult Social Care and Public Health Committee

### **Financial Comments (DG 12/10/2021)**

32. 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