

## **Appendix 1**

### **Part 4 Domestic Abuse Act 2021 New duty on Local Authority**

#### **1. Purpose of the report**

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- 1.1 To seek retrospective approval for a Section 31 grant received from the Department for Levelling Up, Housing and Communities (DLUHC – formerly MHCLG) to Birmingham City Council to discharge its new duty under Part 4 Domestic Abuse Act 2021. The new duty relates to the provision of support to victims of domestic abuse and their children residing within safe accommodation. The value of the grant is £3,263,007
- 1.2 To outline our approach to utilising this grant to discharge the new duty.
- 1.3 To provide an update to Cabinet on the progress made on implementing Part 4 of Domestic Abuse Act 2021.

#### **2. Background and context**

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- 2.1 Part 4 of the Domestic Abuse Act 2021 places a new duty on local authorities to ensure the provision of support to victims and their children within safe accommodation. It places requirements on us as a tier one authority, to appoint a local partnership board, prepare and publish strategies based on robust needs assessments and give effect to these strategies.
- 2.2 The new duty on local authorities aims to ensure that all victims of domestic abuse have access to the right support within safe accommodation when they need it. To support the implementation of the new duty DLUHC have issued draft statutory guidance for local authorities.
- 2.3 Progress to date

Part 4 Duty	Progress
1. To appoint a local partnership board	<ul style="list-style-type: none"><li>• In March 2020, 1 year in advance, the Domestic Abuse Local Strategic Partnership Shadow Board (DALSP), was set up, in preparation of the implementation of the DA Act.</li><li>• In April 2021 the board moved from its shadow status into a full board.</li><li>• The DALSP board is chaired by Councillor Brennan, Cabinet Advisor for domestic abuse.</li><li>• Maureen Connolly, Chief Executive of Birmingham, and Solihull Women's Aid is vice chair.</li><li>• Membership of the board includes a wide range of senior partners from across the City including statutory partners e.g. West Midlands Police, CCG, hospital trusts and specialist DA providers including Birmingham LGBT.</li></ul>

	<ul style="list-style-type: none"> <li>Internal partners include Adult Social Care, Housing, Community Safety, Public Health, Corporate Communications and Birmingham Children's Trust</li> </ul>
2. Carry out a Needs Assessment	<ul style="list-style-type: none"> <li>The Birmingham needs assessment goes beyond the requirements of the DA Act and sets out a full needs assessment to establish a clear picture of the prevalence and response to domestic abuse across the City. This will also include the mapping of the key DA pathways, to provide a system's view, which can be reviewed, challenged, and changed with the overall aim of embedding a whole systems approach to supporting victims of domestic abuse.</li> <li>In April 21, specification and tender documentation were issued on the Intend portal, for providers to bid to carry out this work.</li> <li>In June, following evaluation and moderation of the bids submitted, BVSC were awarded the contract. Work is currently underway on the need's assessment.</li> </ul>
3. Develop/Review DA strategy	<ul style="list-style-type: none"> <li>Following the findings of the need's assessment, a review will be carried out on the city's existing Domestic Abuse Prevention strategy 2018 – 2023. The strategy will be refreshed in light of the findings.</li> </ul>
4. Implement the strategy/make commissioning and decommissioning decisions.	<ul style="list-style-type: none"> <li>Commissioning of DA services is led by the Adult Social Care directorate as part of its Vulnerable Adults, Prevention First and Social Justice workstreams. Following the findings of the need's assessment, commissioning/decommissioning decisions on the support services in safe accommodation will be made, in consultation with DALSP board, Health and Wellbeing Board and Community Safety Partnership Board.</li> </ul>

### 3. £3.2m New burdens funding

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- 3.1 In April 2021, Birmingham City Council was allocated £3,263,007 (revenue funding) to discharge its new duty under Part 4 of the DA Act. The funding allocation is for 1 year only and future allocation will be dependent on the next comprehensive spending review. As a result, DLUHC have advised Local authorities that this funding should be spent / committed within the financial year of 2021/22.
- 3.2 With the above 1-year allocation of funding and the tight timescale in which to allocate this, our approach adopts a victim centred focus and is set out as follows:
- Short term- using our knowledge on gaps in support provision for victims in safe accommodation, and to help ease the pressure on existing systems, we have worked with partners to enhance the support provision within our currently commissioned safe accommodation by varying existing contracts. We are also enhancing our internal delivery through working with colleagues in Housing and Birmingham Children's Trust.

- Medium term - Using the evidence from the Needs Assessment to underpin our approach to providing support provision in safe accommodation we will develop a grant/ prospectus to create opportunities for specialist non-commissioned domestic abuse organisations to bid for pots of money to provide support in safe accommodation. Such specialist providers are often smaller organisations that are unable to meet the Council's procurement thresholds for contracted work but provide vital support to victims, often who have protected characteristics. The grant prospectus will set out a clear and transparent process and eligibility criteria that will require, amongst other requirements, compliance with the DLUHC, Women's Aid and Imkaan quality standards. This may include additional local quality assurance as required.

The aim of the grant prospectus will be to ensure that the needs of all victims of domestic abuse are addressed with quality support provision across all settings, regardless of whether victims seek support in commissioned or previously non-commissioned safe accommodation.

- 3.3 Under the short-term approach as outlined above, providers have worked together to ensure the right support provision is in place for all victims of domestic abuse across DA commissioned services and it is to a consistent high quality. Over 20 provider bids have been evaluated and moderated. The support provision includes children's workers for all age groups, family support workers, therapeutic interventions and independent domestic violence advocates (IDVAS) and support for additional bed spaces within refuge provision.
- 3.4 Work has also taken place with colleagues in Neighbourhoods and Birmingham Children's Trust to enhance their support provision for victims of domestic abuse. The Sanctuary scheme in Housing, currently provides victims with physical support to remain in their properties, providing alarms, new locks, and other security measures. A lead worker will now enhance this support by providing victims with dedicated emotional support, needed to address the trauma victims and their children have faced. A children's support worker will also be employed by Birmingham Children's Trust and based at the domestic abuse hub to provide support to families facing domestic abuse and acting as a lead into the children's trust services.
- 3.5 Following approval at the Social Justice board, chaired by Louise Collette, Assistant Director for Commissioning, meeting in August, work has begun to vary contracts.
- 3.6 Appendix 2 sets out the details of the support provision agreed by the panel and Social Justice Board. The total value of the support provision is £2,160, 401.66.
- 3.7 It is important to note that all support provision meets the requirements set out in the new duty and follows the draft guidance as currently set out by DLUHC.
- 3.8 Approval of the spend will also be sought from the Domestic Abuse Local Strategic Partnership Board who under the Domestic Abuse Act, have oversight and responsibility to ensure the delivery of Part 4 of the Domestic Abuse Act.

#### **4. Recommendations**

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- 4.1 That Cabinet provides retrospective approval for the grant received by DLUHC of £3,263,007 to enable the Local Authority to discharge its new duty under Part 4 Domestic Abuse Act 2021.
- 4.2 It also notes the delivery of this new duty using the funding, as set out.