## **Equality Impact Needs Assessment**

### Part 4 Domestic Abuse Act

Reference No.	
Responsible Officer	Samantha Tinsley Hunt
Quality Control Officer	Revinder Johal
Accountable Officer	Kalvinder Kohli
Purpose of the proposal	The Domestic Abuse Act 2021 recently completed its passage through Parliament in April 2021. Part 4 of the Act includes a new statutory duty on Local Authorities relating to the provision of support to victims of domestic abuse and their children residing within safe accommodation.
	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. This duty is separate to Local Authority housing duties under the Housing Act 1996 and the Homelessness Reduction Act 2017 and does not place a requirement on authorities to provide domestic abuse victims with accommodation.
	Additional resources:
	<ul> <li>https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet</li> </ul>
	<ul> <li>https://www.gov.uk/government/publications/domestic-abuse-bill-2020- factsheets/statutory-definition-of-domestic-abuse-factsheet</li> </ul>
	The Act uses a gender-neutral definition of domestic abuse to ensure that all victims and all types of domestic abuse are sufficiently captured, and no victim is excluded from protection or access to services. Statutory guidance provides more detail on the features of domestic abuse, including recognising that most victims are women.
	The Act also recognises that domestic abuse can impact on a child who sees or hears or experiences the effects of the abuse and it treats such children as victims of domestic abuse in their own right where they are related to either the abuser or the abused.
	The new duty places requirements on Tier One authorities, to appoint a multi-agency Local Partnership Board (LPB) to support them in performing certain specified functions. These include:
	<ol> <li>Assess the need for accommodation-based support for all victims and their children, including those who require cross border support.</li> </ol>
	2. Prepare and publish strategies for the provision of support to cover the locality and diverse groups of victims.
	Give effect to strategies by making commissioning/de-commissioning decisions to meet the support needs of victims and their children.      Manitor and evaluate local delivery of the strategy.
	<ul> <li>4. Monitor and evaluate local delivery of the strategy.</li> <li>5. Report back to Central Government outlining how the functions have been executed under the new duty as above and evidencing spend against this with delivery at a local level.</li> </ul>

To discharge the new duty a Section 31 grant was received from the Department for Levelling Up, Housing and Communities (DLUHC - formerly MHCLG) to Birmingham City Council. The grant is for the period from 01 April 2021 to 31 March 2022 only and for the purpose of and the expectation that they start to prepare and fulfil their relevant functions under the duty from that date as if the new duty were in force and continue to fulfil these functions in line with the duty once it is commenced. Funding for subsequent years has not been confirmed. The value of the grant is £3,263,007. Birmingham City Council has developed an approach to deploy the 1-year funding to initially address pressure on existing services. This approach will seek to enhance the support provision for victims in commissioned safe accommodation and enhance delivery within Housing and Birmingham Children's Trust. Following a needs assessment, a grants prospectus will give opportunities to smaller specialised organisations to bid for monies, which address gaps and considers equality and diversity. The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the **Birmingham City Council Plan 2022:** Birmingham is an entrepreneurial city to learn, work and invest in - by deploying the funding to provide additional support for victims of domestic abuse we will invest and create local jobs. This will allow local people to develop skills and make the best of economic growth. Birmingham is an aspirational city to grow up in -by providing specialist support to address the traumatic experiences of children living with or witnessing domestic abuse, we will intervene to support children to address, recover from domestic abuse and become resilient. Working with the Children's Trust, this will enable children and young people affected by domestic abuse to achieve the best outcomes in childhood and inspire them to be ambitious and achieve their full potential. Birmingham is a fulfilling city to age well in – Vulnerable victims of domestic abuse will be supported to recover, become resilient and move on in their journey to be independent citizens who can have real control over their lives and well-being once again. Birmingham is a great city to live in - We will work with our partners to use this funding to support victims of domestic abuse in safe accommodation and help build a City that supports victims to live happier, healthier and more independent lives in their own communities. Birmingham residents gain the maximum benefit from hosting the Commonwealth Games: We will work closely with the Commonwealth Games Team to ensure through our links with the Pure project, that victims of domestic abuse, who are on the road to recovery, can be considered for volunteering development opportunities., thus maximising the benefits of a sustainable Games legacy in the city. Survey(s) **Consultation Results** Interviews relevant reports/strategies Statistical Database (please specify) relevant research Other (please specify)

	What sources of data have been used to produce the screening of this policy/proposal? (Please tick all that apply)
	External
Please include any other sources of data	<ul> <li>External consultation with partners has taken place on a regular basis at the Domestic Abuse Local Strategic Partnership Board, chaired by Councillor Brennan, Cabinet advisor for domestic abuse.</li> <li>Subgroups that sit under the above board have also been consulted, this includes the Equalities, Children's and Communications subgroups.</li> <li>The Equalities subgroup was set up to specifically focus on the needs of domestic abuse victims with protected characteristics. This subgroup has several workstreams that aim to address and provide a tailored support offer to these victims, recognising their intersectional needs and looking to address the additional barriers that they face as a result of their protected characteristics.</li> <li>Domestic Abuse Commissioned partners were consulted from February onwards and meetings were held with internal colleagues from the Neighbourhoods directorate and Birmingham Childrens Trust.</li> <li>The Adult social care -Vulnerable Adults Citizens Panel has been consulted.</li> </ul>
	<ul> <li>Cabinet Members have been consulted and support the proposal: Cabinet Member for Social Inclusion, Community Safety and Equalities, Cabinet Member for Health and Social Care, Cabinet Member for Homes and Neighbourhoods and Cabinet Member for Vulnerable Children &amp; Families</li> <li>Acting Director for Adult Social Care and Adult Social Care Management Team supports the approach.</li> <li>Officers from Legal and Governance, City Finance and Corporate Procurement have been involved in the preparation of this report.</li> </ul>
	<ul> <li>Vision and Strategy for the Modernisation of Adult Social Care Cabinet Report October 2017 (Vision Refresh 2020)</li> <li>Putting Prevention First: Delivering the Vision for Adult Social Care and Health Cabinet Report November 2017</li> <li>Domestic Abuse Prevention Strategy 2018-2023</li> <li>Homelessness Prevention Strategy 2018</li> </ul>
6. ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments. – See Below
7. Protected characteristic: Age *	Service Users / Stakeholders  Employees  Wider Community  Not Applicable  Please select those directly impacted or affected.

8. Age details:	The recommissioning and expansion of Domestic Abuse Services delivered by Birmingham City Council recognizes that anyone can experience domestic abuse and as such our response provides an all age support offer. We take a whole life course approach which includes support provision for children, young people, working age adults and older people.
	Our existing commissioned providers Birmingham and Solihull Women's Aid (BSWAID) provide support to victims of all ages, ranging from children's workers to support for older victims who may have lived with domestic abuse for many years, through there purple project. BSWAID have also carried out training for frontline officers in Birmingham City Council on recognizing the signs of domestic abuse and supporting older women.
	Part 4 Domestic Abuse Act 2021 recognizes the devasting impact that domestic abuse can have on children exposed to it in their own home. Part 1 of the Act provides that a child who sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator is also to be regarded, for the first time , as a victim of domestic abuse.
	Our proposals to implement Part 4 of the Domestic Abuse Act will provide specialist support provision for children of all ages, affected by domestic abuse in safe accommodation. Working with our commissioned domestic abuse providers and Birmingham Childrens Trust, our proposals ensure that our locally commissioned services have considered and addressed the needs of children affected by domestic abuse. The proposal enhances the current offer of support provision to children and young people and addresses gaps in provision.
	Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for children, young people, working age and older people in safe accommodation and this will inform our future commissioning/decommissioning decisions.
9.	For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.
10. Disability details:	People with learning disabilities experience some form of abuse or discrimination, which can leave them ill-equipped to recognise domestic abuse and don't seek help.
	Barriers include:
	<ul> <li>Assuming people don't have intimate relationships</li> <li>Having a rose-tinted view of carers – not all of whom act in the best interests of the person they are looking after.</li> <li>There may be a power imbalance; if unnoticed or unchallenged, it can cause dependence on the perpetrator through fear of repercussions, such as having to cope living alone or being made to live in a care setting.</li> <li>Could have additional communication needs</li> </ul>
	The equalities sub-group includes a specific focus on victims with a physical and learning disabilities, with key partners like Midland Mencap being part of the subgroup. They are working with Birmingham and Solihull women's aid to develop training for professionals to understand the intersectional needs of these victims and as such enabling staff to provide a stronger support offer to such victims.
	Recommissioning and expanding commissioned contracts and community grants will have

a positive impact on people with disabilities. Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for those with disabilities in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the Birmingham City Council Plan 2022 (as outlined in the proposal section).

#### 11. Gender details:

All victims should be able to access appropriate support. Whilst both men and women may experience incidents of inter-personal violence and abuse, women are considerably more likely to experience repeated and severe forms of abuse, including sexual violence.

Type of domestic violence experience by individuals can include:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial or economic abuse
- Harassment and stalking
- Online or digital abuse

Our current domestic abuse commissioned services provide support for both male and female victims in safe accommodation. Support for males is via Trident Reach and Cranstoun and females via several providers including Birmingham and Solihull Women's Aid.

Recommissioning and expanding commissioned contracts and community grants will enhance the current offer and bridge gaps ensuring a positive impact on gender equality, whereby all citizens of Birmingham will be able to access support services in safe accommodation irrespective of their gender identity.

Working with our commissioned domestic abuse providers, our proposal will put in place enhanced support provision for women through independent domestic abuse advocates, (IDVAS) and dedicated support workers. Whilst this provision will meet the needs of women, our proposal will also provide a dedicated domestic abuse male support worker and will expand the helpline for all victims including men.

Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for both females and male victims in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.

## 12. Gender reassignment details:

Trans people experience domestic abuse and some of them are:

- controlling behaviours,
- threatening behaviours and
- trans specific behaviours (made to feel ashamed, guilty, or wrong about their trans background or identity, stopped from taking medication or having treatment needed to express their gender identity (e.g. hormones, surgery), wearing preferred clothes or using the wrong pronouns)
- sexual abuse behaviours
- physical abuse behaviours.

Recommissioning and expanding commissioned contracts and community grants will have a positive impact on gender reassignment, whereby all citizens of Birmingham will be able to access services irrespective of their gender identity.

Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for those who are trans people in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to

	do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.
13. Marriage and civil partnership details:	Domestic abuse can affect anyone in a committed relationship, whether it is a marriage or civil partnership. It can be difficult and traumatic, as frequently victims still have strong feelings for their partner and will forgive incidents in which they may end up feeling emotionally or psychologically hurt or physically injured.
	Domestic abuse can involve:
	<ul> <li>Child abuse</li> <li>Controlling behaviour</li> <li>Emotional abuse</li> <li>Financial abuse</li> </ul>
	Physical abuse
	<ul><li>Psychological abuse</li><li>Sexual abuse</li><li>Verbal abuse</li></ul>
	Domestic abuse an also start with what appears to be harmless behaviour – such as one party losing their temper frequently and causing the other party to be fearful for their own safety – to actual physical assault or verbal abuse of a partner, including belittling them publicly or privately and undermining their confidence to the point they become unable to defend themselves physically, verbally or emotionally.
	By recommissioning and expanding commissioned contracts and community grants, we will have a positive impact on those victims who are married or in civil partnerships , as all citizens of Birmingham will be able to access support services in safe accommodation irrespective of whether their marital status.
	Working with our commissioned domestic abuse providers, our proposal will put in place support provision for women through independent domestic abuse advocates, (IDVAS) and dedicated support workers who understand the abuse faced by victims who may have been subjected to this for years in a marriage or civil partnership and how devastating that can be especially where children are also involved. These proposals will help to support victims to rebuild and recover from the trauma they have faced and move on with their children.
	Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for victims who have been/ currently in a marriage or civil partnership and this will inform our future commissioning/decommissioning decisions.
14. Pregnancy and maternity details:	Domestic abuse can begin or significantly increase whilst a female is pregnant crossing all racial, ethnic, and economic lines. Triggers for this abuse can include increased stress and some partners feel:
	Upset because this was an unplanned pregnancy
	Stressed at the thought of financially supporting a first baby or another baby
	Jealous that your attention may shift from your partner to your new baby, or to a new relationship.
	Abuse can be inflicted on a pregnant female by a family member, i.e. an intimate male partner, marital/cohabiting partner, parents, siblings, or a person very well known to the

family, or a significant other, (i.e. former partner). When such abuse takes place it is often in the home.

Depending on cultural norms disclosures or discussion of domestic abuse would not be raised with anyone outside of the family unit. However, the likelihood is that females will disclose this with their health care professional. The risks of domestic not only affects the mother to be, but also the unborn child/ren.

#### Risks to the mother to be:

- Likely to have anaemia, hypertension, and to need hospitalisation because of excessive vomiting and dehydration, blood pressure difficulties, urinary tract infections, and bleeding.
- Greater risk of early labour, being underweight when they deliver, and requiring intervention during labour
- Abuse and controlling behaviour affect the mother's mental health and wellbeing
  e.g. anxiety, depression, post-traumatic responses, high levels of stress, and
  substance use are all common effects.

#### Risks to the child/ren can include:

- The increased the risk of miscarriage, infection, premature birth, low birth weight, emotional harm, foetal injury or death
- Emotional and developmental harm

Control over pregnancy itself can also be used as a tool of abuse to increase the female's dependency – this form of coercive control is called reproductive control e.g. removing or tampering with contraceptives or deny access to family planning or emergency contraception.

By recommissioning and expanding commissioned contracts and community grants, we will have a positive impact on those victims who are pregnant or on maternity, as all citizens of Birmingham will be able to access support services in safe accommodation irrespective of whether they are pregnant or not.

Working with our commissioned domestic abuse providers, our proposal will put in place support provision for women in safe accommodation, that provides support through independent domestic abuse advocates, (IDVAS) and dedicated family support workers that will work both the victim and their children in a trauma informed way.

Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for victims who are pregnant or on maternity, as it is widely recognised that this is a high-risk time for such victims. This is will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.

#### 15. Race details:

People of different ethnicities can face challenges when it comes to reporting domestic violence. Some of the reasons why predominately women may not seek help when experiencing domestic abuse are:

- Have cultural or religious views that keep them in the relationship
- Possess strong ties and loyalty to their race, culture, and family
- Distrust law enforcement, the justice system, and social services
- Want service providers who look like them, can speak their language, and share their experiences, yet there are very few available
- Receive pressure from their communities to keep family matters private
- Worry about their legal status or being deported if they seek help5

Our existing domestic abuse services were commissioned on a diversity competence basis, embedding, and mainstreaming an equality and inclusive approach throughout there service provision. Thus, enabling them to meet the needs of the super diverse population that exists in Birmingham. With 42% of the population coming from ethnic minority communities, our commissioned providers employ staff who reflect the communities they support, have multi language skills and have an in-depth understanding of the intersectional needs of these victims.

By recommissioning and expanding commissioned contracts and community grants, we will have a positive impact on race equality, whereby all citizens of Birmingham will be able to access support services in safe accommodation irrespective of their race.

Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for those from different races in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.

## 16. Religion or beliefs details:

Domestic violence can affect people who practice any religion, no religion, multiple religions, or who engage in other spiritual practices. Abusers may employ religious texts and values to harm the survivor:

- Using beliefs to manipulate someone
- Preventing someone from practicing their religious or spiritual beliefs
- Forcing someone to violate their religious beliefs or practices
- Ridiculing, denying or minimizing someone's beliefs
- Forcing children to be reared in a faith that has not been agreed to
- Misusing scripture to justify abusive, dominating, or oppressive behaviour
- Using religious guilt to manipulate someone into doing what they want
- Questioning someone's sense of reality
- Discounting someone's sense of right and wrong
- Denying a person's value
- Using marital entitlement to justify sexual demands, including marital rape
- Forcing someone to witness or participate in ritual abuse, such as animal sacrifice
- Manipulating others in the religious community to control and ostracize someone

Recommissioning and expanding commissioned contracts and community grants will have a positive impact on religion or beliefs equality, whereby all citizens of Birmingham will be able to access services irrespective of their religion or beliefs.

Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for those with religious beliefs, in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.

## 17. Sexual orientation details:

People of different sexual orientation can face challenges when it comes to reporting domestic violence. Some of the reasons why:

- Verbal harassment
- Threats and intimidation
- Sexual or physical violence
- Outing" or threatening to reveal one partner's sexual orientation/gender identity may be used as a tool of abuse in violent relationships and may also be a barrier which reduces the likelihood of help-seeking for the abuse

Recommissioning and expanding commissioned contracts and community grants will have a positive impact for individuals, whereby all citizens of Birmingham will be able to access services irrespective of their sex Our needs assessment, which is currently underway will also identify any further gaps relating to support provision for those with different sexual orientation in safe accommodation and wider and this will inform our future commissioning/decommissioning decisions.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6. Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in the plan.

# 18. Socio-economic impacts

Economic abuse involves behaviours that interfere with an individual's ability to acquire, use and maintain economic resources such as money, transportation and utilities. It can be controlling or coercive. It can make the individual economically dependent on the abuser, thereby limiting their ability to escape and access safety. Examples of economic abuse include:

- having sole control of the family income
- preventing a victim from claiming welfare benefits
- interfering with a victim's education, training, or employment
- not allowing or controlling a victim's access to mobile phone/transport/utilities/food
- damage to a victim's property

Recommissioning and expanding commissioned contracts and community grants will have a positive impact as all, victims of domestic abuse will be supported regardless of their socio-economic background. Economic abuse itself will be addressed by dedicated support workers highlighting the effects of economic abuse, recognising it as abuse and supporting victims to overcome this through debt and legal advice.

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022 as detailed under number 6.

Failure to do so will mean that citizens will not be able to live their expected outcomes outlined in plan.

# 19. Please indicate any actions arising from completing this screening exercise.

This assessment will be presented as an Appendix to the Cabinet Report, scheduled currently to go to the October Cabinet meeting.

Any potential adverse impact identified during the need's assessment will be considered in developing the community grants prospectus.

20. Socio-economic impacts	Domestic abuse affects all people regardless of socio-economic status and the proposals outlined provide support provision to all victims of domestic abuse in commissioned safe accommodation.
21. What data has been collected to facilitate the assessment of this policy/proposal?	Demographic Adult social care commissioned services contractual data Consultation responses  The needs assessment which is currently underway will consider data from across the partnership in relation to those with protected characteristics and intersectional needs.
	This will inform the refresh of the Domestic Abuse Prevention Strategy and our future commissioning intentions.
22.	The findings of the full need's assessment will be produced at the end of September 2021.
23.	Who was consulted, what are the results of the consultation exercise?
	Initial consultation has taken place as outlined above with internal and external partners. Full consultation with partners across Birmingham is underway as part of the need's assessment.
24. Consultation analysis	This will form part of the need's assessment.
25.	Based on the analysis of the data, does the proposal/policy have any adverse impact?
	No- the proposal builds on the existing commissioned domestic abuse services which provide support to all victims of domestic abuse in safe accommodation. The proposal enhances this support provision and bridges the gaps of support that currently exist.
	The needs assessment will identify and further gaps in provision for those with protected characteristics and these will be addressed through a community grants prospectus. This will give opportunities to smaller specialised organisations to bid for monies, which address gaps and considers equality and diversity.
26. Adverse impact on any people with protected characteristics.	The proposals will not have an adverse impact on those with protected characteristics and their families as outlined above.
27. Could the policy/ proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?	N/A
28. How will the effect(s) of this policy/ proposal on equality be monitored?	The effects of this proposal will be monitored through the contract arrangements that will be put in place for the commissioned services through a contract variation. The reporting on the performance of commissioned services already takes places on a quarterly basis.
	The project management, governance and oversight of this re commissioning will be through the Social Justice Commissioning Board chaired by the Assistant Director Commissioning (Adult Social Care) and will report through to the Adults Social Care Management Team chaired by the Director for Adults Social Care.
29.	Numbers of victims anguaged (supported with this provision
	Numbers of victims engaged/supported with this provision
	Profile of those supported- Ethnicity, age, gender, religious beliefs, sexual orientation etc
	Anonymised Case studies on the impact of the support given.

	Please describe the data needed to ensure effective monitoring of this policy/proposal?
30. What data is required in the future to ensure effective monitoring of this policy/proposal?	As above
31.	
32. Are there any adverse impacts on any particular group(s)?	No
If yes, please explain your reasons for going ahead	
33. Initial equality impact assessment of your proposal	
34. Consulted People or Groups – consultation process	
35. Informed People or Groups	
36. Summary and evidence of findings from your EINA	Our existing domestic abuse services were commissioned on a diversity competence basis, embedding, and mainstreaming an equality and inclusive approach for all victims of domestic abuse.  This proposal builds on the support provision provided by our existing commissioned services, setting out enhanced support provision that will be put in place for all victims of domestic abuse in safe accommodation. This includes dedicated support workers, IDVAS, children's workers, a male support worker and therapeutic support. These proposals will help to support all victims, to rebuild and recover from the trauma they have faced through domestic abuse.  This is in line with our statutory duty as set out in Part 4 Domestic Abuse Act 2021.  The needs assessment will also help to further identify any gaps and equality and diversity issues in support provision for victims in safe accommodation, which will be addressed through the community grants prospectus.