

CABINET

24 MARCH 2022

THE DOMESTIC ABUSE ACT 2021 UPDATE

Relevant Cabinet Member
Councillor K May

Relevant Chief Officer
Director of Public Health

Local Member(s)
Not Applicable

Recommendation

- 1. The Cabinet Member with Responsibility for Health and Wellbeing recommends that Cabinet note the progress implementing the new Domestic Abuse Act 2021 duties placed upon Worcestershire County Council (WCC) and the publication of a new Worcestershire Domestic Abuse Strategy 2022-25 (the Strategy).**

Background

2. The Domestic Abuse Act 2021 introduces a number of changes as part of the Government's ambition to tackle the significant harms that are caused to people because of domestic abuse. These include introducing a broader definition of Domestic Abuse, improvements to the criminal justice processes and a range of new duties (Part iv), for Tier 1 Local Authorities (in this case WCC), requiring the Authority to provide safe accommodation and support services for victims of Domestic Abuse and their families.
3. Under Part iv of the Act, WCC also had to set up a multi-agency Domestic Abuse Partnership Board (DAPB) to oversee the responsibilities under the Act and which it has to consult in relation to various specified functions. These functions include assessment of need for safe accommodation and support, publishing an associated Strategy (see Appendix 1), and commissioning the accommodation and services.
4. Good progress has been made against challenging timescales and this has seen the production of an initial needs assessment, development of the new Strategy and establishment up of the DAPB, chaired by the Senior Public Health Officer with responsibility for Community Safety.

Worcestershire Domestic Abuse Strategy

5. The new Worcestershire Strategy, like those in other Local Authority areas, goes beyond just the Part iv statutory requirements and builds upon the existing countywide partnership approach to prevent and tackle domestic abuse in all of its forms. The four key principles in the Strategy are Prevention, Provision, Partnership

and Pursue. It has been developed with partners and places victims and their families at the centre of the approach. Whilst the intention is for them to remain in their own homes, there is provision for quality accommodation where it is not safe to do so.

6. The Department of Levelling Up, Housing and Communities, (DLUHC), required publication of a Strategy on the Part iv duties of accommodation and support by 5 January 2022 and this was achieved, as a key element of the wider more comprehensive Strategy.

7. The Strategy sets out a high-level approach under the four principles and from this, the DAPB is developing a more detailed Action Plan that will focus on the individual and collective response by agencies working with the wider Worcestershire community. This will address how the partnership best co-ordinates and co-operates. Although at an early stage, this will include Public Health analysts working with the Police and partners to improve the collection and analysis of data to assist with informing an evidence-based approach and an enhanced oversight by the Safer Communities Board.

8. There will be a strong focus on equalities legislation, listening to the “voice of victims” and survivors of domestic abuse. It is recognised from the Needs Assessment, that further accommodation and support service provision has to be made available for people with disabilities and those citizens from LGBTQ communities. We will be setting up new arrangements for partners to engage with and learn from representatives from the community who can influence the development of those services.

9. There will be future monitoring and reporting back to the DLUHC on progress, outcomes and implementation of the Act.

Commissioning arrangements

10. Implementation of commissioning arrangements for the new duties have been developed through a Joint Commissioning Group (JCG), led by WCC and including Worcestershire Children First, the District Councils, the Herefordshire and Worcestershire Clinical Commissioning Group, and the West Mercia Police and Crime Commissioner (PCC). The new contract, which will include the Part iv duties, has been awarded to West Mercia Women’s Aid from 1 April 2022, which will provide strong continuity from the current service they operate. The implementation will see a strengthening of the current safe accommodation and Refuge provision. It will also include 29 new additional safe accommodation units with associated support.

11. We are reviewing further options to strengthen support for victims of domestic abuse that avoids the trauma of having to leave the family home. This could include expanding the “Sanctuary” scheme which operates in some Districts and provides enhanced physical security measures to people’s homes who may be at risk.

12. We have taken the opportunity, though the JCG, with partnership commissioners, to broaden the approach by commissioning over and above the Part iv duties. This includes working with the PCC and partners to join up the co-ordination of some key services. For instance, expanding the number and scope of Independent Domestic Violence Advisors who provide support to victims and their families, extending the

'Drive' perpetrator programme, and setting up new services including psychotherapy support for adults and psychological support for children, within the new safe accommodation.

13. A newly commissioned domestic abuse training programme will provide free comprehensive training for Local Authority staff and all key statutory and voluntary sector organisations, on all aspects of domestic abuse. This training can be made available to Councillors, who as local community leaders, may find it necessary to support and signpost their constituents to relevant services.

Overview and Scrutiny

14. At the Overview and Scrutiny Performance Board on the 18 October 2021, the annual community safety report included a briefing on the Domestic Abuse Act, although there were no Actions arising from this.

Legal, Financial and HR Implications

15. WCC will be required to meet its new specified duties under the Domestic Abuse Act 2021.

16. The DLUHC has provided year one funding (2021/22) for the commissioning of new Part iv services and WCC has been allocated £1,092,703, with start-up funding of £50,000. An announcement by the DLUHC on 15/2/2022, has confirmed an allocation of £1,095,728 for the Part iv duties for financial year 2022/23.

Risk Implications

17. Domestic abuse has a significant and negative impact upon many citizens and their families in Worcestershire. WCC and its partners have a strong focus on domestic abuse through their own business plans and policies relating to safeguarding and wider operations. The Domestic Abuse Act 2021 also requires the commissioned safe housing and support arrangements to be reported back to the DLUHC. WCC has its own recently updated domestic abuse policies for its staff, carries out assessments of need on domestic abuse and commissions a range of services to support victims and families. These are all designed to try and prevent and mitigate the impact of domestic abuse.

Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments

18. A Joint Impact Assessment screening has been carried out in respect of these recommendations. It identified that further impact analysis was required in respect of Equality and Public Health, and Data Protection.

19. The subsequent assessments identified only positive impact for Equality and Public Health (as that is the focus of the DA activity).

20. In respect of the Data Protection impact assessment, it may be reasonably anticipated that there is a (low) risk of some breach of the requirements. The risks identified are not unique to the Domestic Abuse Act 2021 activity and are equivalent

to existing risks within day-to-day business across the various Worcestershire partnerships. All the parties to the activity have in place their own Data Protection policies and practices which will form part of the contractual arrangements. This is detailed in the attached Risk Assessment.

Supporting Information

Available electronically:

- Appendix 1: **Worcestershire Domestic Abuse Strategy 2022-25**
- Appendix 2: **Joint Impact Assessment**
- Appendix 3: **Equality and Public Health Impact Assessment**
- Appendix 4: **Data Protection Impact Assessment**

Contact Points

Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Public Health) there are no background papers relating to the subject matter of this report.