

## **Title of report: Update to Domestic Abuse Strategy**

**Decision maker: Leader of the Council**

**Decision date: Friday, 22 October 2021**

**Report by: Senior Commissioning Manager**

### **Classification**

Open

### **Decision type**

Non-key

### **Wards affected**

(All Wards);

### **Purpose**

To approve a draft multi-agency Domestic Abuse Strategy for Herefordshire 2021-2024 for consultation and wider engagement with stakeholders, in accordance with the Domestic Abuse Act 2021. Also to approve the Domestic Abuse Needs Assessment 2021.

### **Recommendation(s)**

**That:**

- a) The draft Domestic Abuse Strategy for Herefordshire 2021-24 (Appendix 1) is approved for the purposes of consultation**
- b) The Domestic Abuse Needs assessment (Appendix 2) is approved**
- c) The formation of the Local Partnership Board, as required to comply with the Domestic Abuse Act 2021, is approved and the Director of Adults and Communities is delegated authority to take all operational decisions to establish the board.**

### **Alternative options**

1. Not to publish a draft Domestic Abuse Strategy, complete the needs assessment, or form a Local Partnership Board. This option is not recommended. There is a statutory requirement for the council to undertake all three elements of the proposals before the end of October, therefore there are no other alternative options which can in practice be considered.

## Key considerations

2. Domestic abuse is a complex and pervasive issue which cannot be addressed fully by any single organisation. The overall purpose of the strategy is to provide direction to partner organisations on how they can work collaboratively to prevent, identify and respond to domestic abuse. It will also enable compliance with the new legislation.
3. The strategy priorities remain the same as the current strategy, with additions to reflect new statutory duties under the Domestic Abuse Act.
4. It includes a shared vision, priorities and outcomes developed collaboratively with partner organisations and service users for the existing strategy, updated national and local context and clarified governance arrangements to ensure delivery of the strategy
5. The cost of domestic abuse is devastating to those affected and their children, with significant impact upon their safety and mental and physical wellbeing. Domestic abuse often remains undisclosed for many reasons, including fear or repercussions from the perpetrator, concerns about rejection by family and friends, reliance upon the perpetrator for financial stability or concerns over custody or access to the children.
6. Domestic violence and abuse can occur within any familial, partner or ex-partner relationship, from any culture or walk of life. The government defines domestic abuse as occurring between individuals aged 16 years or over, while the adverse impact upon children who have witnessed domestic abuse is becoming increasingly understood.
7. There is a current Domestic Abuse Strategy in place for Herefordshire, adopted in 2019. Following the royal ascent of the Domestic Abuse Act in April 2021, the council has a statutory duty to respond to the new requirements placed on local authorities. These duties include, but are not limited to the following;
  - a. Appoint a multi-agency Domestic Abuse Local Partnership Board, which will be consulted in the implementation of the new Act.
  - b. Assess the need for accommodation-based domestic abuse support in their area for all victims or their children, including those who come from outside the area.
  - c. Develop and publish a strategy for the provision of such support to cover the local authority locality, having regard to the needs assessment.
  - d. Give effect to the strategy (through commissioning or de-commissioning decisions) including the provision of safe accommodation.
  - e. Monitor and evaluate the effectiveness of the strategy, reviewing it every three years.
8. Funding from the then Ministry of Housing, Communities and Local Government (MHCLG) enabled the council to create dedicated resource to co-ordinate the implementation of the new Act and undertake the needs assessment during 2021.
9. Additional funding was also granted in 2021 to develop services to support the new Act requirements. The commissioning approach and details were considered and approved as a [non key decision](#) in June 2021. This one year investment significantly

increases the capacity to support victims and their children in an enhanced safe accommodation offer, with specialist support for those with multiple complex needs including those with certain protected characteristics identified in the Equality Act 2010 These are listed in the draft statutory guidance as;

Black and minority ethnic (including Gypsy Roma and Traveller)	Victims with children, including large families with older adolescence boys
Lesbian, Gay, Bisexual and / or transgender	Victims with no choice but to move away from their local area
Disabled	Pregnant victims
Male	Children of victims
Young (16-18 year olds)	Insecure immigration status
People with an offending history	Religious and/or spiritual
Those presenting with complex needs such as mental health or substance misuse	From isolated or marginalised communities, including where there is limited English proficiency
Those facing multiple forms of abuse such as honour based violence and forced marriage	

10. Work is at an advanced stage in relation to establishing the Local Partnership Board, building on the existing domestic abuse strategic group, which will remain in place to continue its important role. The board will provide an overarching executive group to give the strategic leadership and will include representatives from:
- a. Herefordshire Council
  - b. Victims of domestic abuse
  - c. The perspective of Children affected by domestic abuse
  - d. Voluntary and community sector support
  - e. Local NHS, including through the Integrated Care System (ICS)
  - f. West Mercia Police
  - g. The Housing sector
  - h. The perspective of people with “protected characteristics”, who are often under represented among people seeking support.
11. The domestic abuse needs assessment identifies that in Herefordshire during the period April 2020 to March 2021;
- 1,354 domestic abuse incidents were recorded by police, or four each day

2,168 domestic abuse offences took place, or six per day

It is widely understood that domestic abuse is under reported, locally and nationally. Data from the Crime Survey of England and Wales (CSEW) indicates that there is an estimated 4,900 women and 2,400 men in Herefordshire who were victims of domestic abuse in 2019/20.

12. Overall, data for Herefordshire shows that victims who are using domestic abuse services are primarily aged 25-44 and predominately female. Where data is available, it suggests that victims are also largely straight/heterosexual and non-disabled. It is worth noting that data on sexuality and disability are not routinely recorded currently by most services, so knowledge on the issue is limited. In addition, recording of ethnicity is inconsistent, such as not differentiating between different white ethnic groups, which is especially important in Herefordshire, as the largest ethnic group in Herefordshire is "White: Other". Where there is data on ethnicity, it appears that more than 10% of victims are recorded as BAME, which is a rate higher than the BAME population in the county, which the 2011 census records as 6.4%.

Local data supports the understanding that some groups of people are under-represented in accessing services, including young people under 25. This is noteworthy as the Crime Survey of England and Wales suggests that domestic abuse is most prevalent in 16-19 year olds. Take up of services is also below prevalence rates for people over 45, despite Herefordshire having an older age profile compared to national averages; Other groups significantly under represented include;

- I. Men and people identifying with a gender other than women
- II. Disabled people
- III. People identifying as LGBTQ+.

The data from the needs assessment has informed the updating of the strategy for consultation and will be used to shape future commissioning intentions, in pursuit of statutory guidance and regulations. The council is required to produce a full domestic abuse needs assessment every three years, with a refreshment of the analysis annually.

13. The draft statutory guidance published by the government provides clear expectations and details for local councils to follow; including the needs assessment, Local Partnership Board and the requirements for the domestic abuse strategy document. It also outlines the areas of priority on which councils and their partners are expected to focus and take action, based on evidence available. These can be summarised as:
  - a. Supporting victims so that their voices are heard
  - b. Safe Accommodation provision and associated support including for those with multiple complex needs and their children
  - c. Ensuring those with protected characteristics have sufficient access to support
  - d. Embedding quality standards across a range of services.
14. The current strategy was developed primarily through engagement with stakeholders through workshops and other activity. The information gathered through that work has been carried forward into the new draft strategy which has also been informed by

research. That research has, included the law, local and national policy and guidance, data and research analysis, along with review of comparative strategies.

Within the updated strategy, the four key priorities remain

- Priority 1 – Prevention
- Priority 2 – Provision of service
- Priority 3 – Partnership working
- Priority 4 – Pursuing perpetrators

There are some minor changes to the aims and objectives of these priorities, in order to more clearly highlight how these will achieve progress toward new statutory requirements.

15. In order to give sufficient time to engage with stakeholders in relation to the new Act and the revised strategy, the document will be taken forward in draft form, as the focus of consultation, commencing in November 2021. This will enable the strategy to respond to any changes once the final statutory guidance is confirmed and encompass board feedback from wider stakeholder. The final version of the strategy will also be informed by future allocation of funding for implementation of the Act in Herefordshire, which is to be confirmed.

It is proposed that a period of consultation and engagement is undertaken from November to January 2022, with the final version of the strategy ready for approval and in March 2022 and publishing by April 2022.

## **Community impact**

16. By adopting and working in partnership to deliver the Domestic Abuse Strategy, the work is directly contributing to the County Plan community ambition of 'strengthening communities to ensure that everyone lives well and safely together.
17. More generally, this strategy has impact across the county plan, from the provision of affordable housing, to the use of technology, as well as supporting local children and young people, particularly those most vulnerable and disadvantaged. There will also be links to the Talk Community approach and network of hubs as part of the wider prevention work and awareness raising.
18. The council's Children's and Young People's Plan (2019-24) reported that professionals in Herefordshire who work with children and young people highlighted safety in the home environment as an area for attention. These professionals have consistently emphasised the need for a stronger approach to early identification and early help, including better intervention around domestic abuse.
19. The requirement to undertake and regularly update the needs assessment ensures that there will be ongoing monitoring of the data, with a more proactive approach to review. This will also help ensure commissioning activity, policies and action plans reflect both the data and the feedback from stakeholders.

20. The revised strategy is directly relevant to the council's corporate parenting responsibilities, as nationally, incidence of domestic abuse is reported to be highest amongst 16 to 25 year olds. Care experienced young people not infrequently experience domestic abuse and may also have witnessed it in their childhood.

## **Environmental Impact**

21. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
22. Whilst this is a decision on a strategy and will have minimal direct environmental impact, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy such as sustainable approach to the Local Partnership Board meetings etc.

## **Equality duty**

23. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to-

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
24. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. domestic abuse is experienced by people across all parts of the population including those with protected characteristics, and they are a particular focus of the new domestic Abuse Act and included in the strategy.
25. The draft statutory guidance for the new act requires local authorities to ensure the following:
- I. Dedicated support to victims with relevant protected characteristics
  - II. Views are represented at the Local Partnership Board

- III. Local needs assessment should take into account support and services for all victims regardless of protected characteristics
- IV. The partnership board must take steps to understand the barriers that prevent victims from certain relevant protected characteristics or multiple complex needs from accessing and using support
- V. Commissioned support must reflect the support needs of victims with particular protected characteristics
- VI. Provide relevant safe accommodation for victims and their children with relevant protected characteristics

The defined list of relevant protected characteristics and multiple complex needs is highlighted above in point 9.

- 26. Research for the strategy, reflected in the domestic abuse needs assessment undertaken in 2021, included specific demographic data around those affected by domestic abuse and perpetrators of abuse, including those with protected characteristics. This is required through the draft statutory guidance. Services have been commissioned to increase investment in those groups that are under-represented.
- 27. The strategy considers how partner organisations can respond to the needs of those affected by domestic abuse with protected characteristics based upon the specific demography of Herefordshire.
- 28. An Equality Impact Assessment has been completed and will be updated once the consultation has been undertaken and final strategy developed.

## **Resource implications**

- 29. The revised strategy requires the council to take action in collaboration with partner organisations including those actions which are mandatory under the Domestic Abuse Act 2021. The resources deployed to fulfil those requirements will be found in the established service commissioned by the council and the additional grant resources being provided by the Government. Those resources currently identified are;
  - £259k being the annual contract value of the domestic abuse service currently provided by West Mercia Women's Aid
  - £40k for funding initially for one year in 2021/2022 of the perpetrator programme, Male and Masculinity, provided by Craunston and jointly funded by the Police and Crime Commissioner.
  - £50k in grant for 2021/2022 only from Ministry of Housing, Communities and Local Government (MHCLG) to support preparation for the new Act and its implementation
  - £361k in grant for 2021/2022 only for commissioning of new services to assist implementation of the new Act
- 30. The £50k grant in preparing for the Act has been directed to a full time fixed term Co-ordinator post for one year in 2021/2022 and costs of publishing and promoting the strategy and wider awareness of the new Act. The £361k commissioning fund has

been directed to a separate contract for one year to develop additional domestic abuse services in pursuit of the Act.

31. It is expected that further funding will be provided to the council from government for continued investment in domestic abuse services from 2022 onwards. The potential level of that funding for future years is not yet known. Overall, it is expected that the costs for the council of implementing the draft strategy and compliance with the Domestic Abuse Act 2021 will be met by government grant funding, along with council funds already committed to the contract for core domestic abuse services.
32. Domestic abuse provision in Herefordshire is supported by funding from other public bodies, notably the office of the Police and Crime Commissioner (PCC). That funding supports Independent Domestic Violence Advisers and the perpetrator intervention programmes, Drive and Male and Masculinity. PCC funds are directed through its own contracts with providers and not via the council.
33. The consultation on the draft strategy, subsequent updates and delivery will require officer time and partnership working. This will be led through the newly formed Local Partnership Board and the Domestic Abuse Strategic Group.

## Legal implications

34. The Domestic Abuse Act 2021 introduces a number of legal duties which must be complied with. Tier one local authorities (which Herefordshire as a Unitary Authority is) are required to convene a Domestic Abuse Local Partnership Board, assess the need for, prepare and publish strategies and commission support to victims of domestic abuse and their children within safe accommodation services in their areas, and report back to central government that they have met these obligations.

## Risk management

35. There are few risks associated with decision, they main considerations are highlighted below;

Risk / opportunity	Mitigation
The strategy is not representative of the views of stakeholders	A period of consultation has been proposed to give sufficient time for engagement, reflection and updating as required.
The strategy is not in place to meet government requirements in line with the new act responsibilities	The draft strategy will be published before the deadline and therefore meeting the government requirements.
There are no representatives to form a Local Partnership Board	These discussions have already taken place via the Domestic Abuse Strategic Group and representative organisations agreed their involvement in early September 2021.



## **Consultees**

36. Consultation on the new Act progress has been through the domestic abuse strategic Group and has been through the council's governance procedure for previous decisions to undertake a direct award for new service delivery for one year to meet the statutory requirements.
37. The approval of this report will signal the start of a more comprehensive engagement exercise with the stakeholders and residents of Herefordshire.

## **Appendices**

Appendix 1 – Domestic Abuse Draft Strategy 2021 - 2024

Appendix 2 – Domestic Abuse Needs Assessment for Herefordshire June 2021

Appendix 3 – Equality Impact Assessment

## **Background papers**

None