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# **Leicester Domestic Abuse Safe Accommodation Strategy 2022-2025**

Decision to be taken by: Deputy City Mayor Social Care  
and Anti-Poverty

Decision to be taken on: 22 December 2021

Lead Director: John Leach

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## Useful Information:

- Ward(s) affected: All
- Report authors: Daxa Pancholi, Stephanie McBurney
- Author contact details: (37) 0203, (37) 0255

## 1. Summary

### Purpose

- 1.1 The purpose of this report is to summarise the new duties on the local authority emerging from the Domestic Abuse Act 2021 and seek approval of the domestic abuse safe accommodation strategy 2022-25 prior to its publication on 5<sup>th</sup> January 2022 as part of those new obligations.
- 1.2 The report outlines the current position of the local authority against the new regulations including:
- New needs assessment
  - Establishment of the Leicester Domestic Abuse Locality Partnership Board
  - New domestic abuse safe accommodation strategy.

### New legislation

- 1.3 The Domestic Abuse Act 2021<sup>1</sup> received Royal Assent on 29<sup>th</sup> April 2021. A draft statutory guidance framework document<sup>2</sup> was published in January 2021 and revised in July 2021 following a period of consultation. The new regulations came were published on 1<sup>st</sup> October 2021.<sup>3</sup>
- 1.4 The Domestic Abuse Act aims to:
- Raise awareness and understanding about domestic abuse
  - Provide protection for victims
  - Bring perpetrators to justice
  - Strengthen support by statutory agencies
- 1.5 Measures introduced under the Act include:
- A statutory definition of domestic abuse:

*“Behaviour of a person (‘A’) towards another person (‘B’) is domestic abuse if A and B are each aged 16 years or over, are ‘personally connected’ to each other, and the behaviour is abusive.”*

<sup>1</sup> [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

<sup>2</sup> [\[Title\] \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>3</sup> [Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- Recognition of children who have been exposed to domestic abuse as victims.
- Creation of the office of Domestic Abuse Commissioner.
- New offences, including controlling or coercive behaviour, threats to disclose private sexual photographs/films, and non-fatal strangulation/suffocation.
- New powers: Domestic Abuse Protection Notices and Orders (DAPN/DAPO).
- Protection for victims and witnesses in legal proceedings, including use of special measures and prohibition of cross-examination in person.
- Management of offenders, including polygraph testing for offenders released on licence.
- Additional local authority support.

#### **Requirements under Part 4 – local authority support**

- 1.6 Under Part 4 of the Act<sup>4</sup>, local authorities are required to prepare and publish a strategy for the provision of accommodation-based support for victims of domestic abuse in their area by 5<sup>th</sup> January 2022. The effectiveness of the strategy must then be monitored and evaluated.
- 1.7 A further requirement under Part 4 of the Act is for local authorities to establish a domestic abuse local partnership board. The purpose of the board is to provide advice to the local authority regarding the exercise of its functions relating to accommodation-based support and the provision of other local authority support in the area.
- 1.8 Membership of each domestic abuse local partnership board must include:
- Representative(s) of the relevant local authority
  - At least one person representing the interests of victims of domestic abuse
  - At least one person representing the interests of children of domestic abuse victims
  - At least one person representing the interests of charities and other voluntary organisations that work with victims of domestic abuse in the area
  - At least one person representing the interests of health care services in the area
  - At least one person representing the interests of policing or criminal justice in the area.

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<sup>4</sup> [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

## **Current position**

- 1.9 Consideration has taken place regarding the options and connections required for the domestic abuse locality partnership board, to ensure it works for the city and the existing sub-regional partnership structure. Considerations regarding efficiency of representation and reporting governance have been a key part of preparations to respond regarding the new legislative changes reflected in this report. In September 2021 it was determined at City Mayor Briefing to convene a city-specific Domestic Abuse Locality Partnership Board.
- 1.10 Officers have undertaken a domestic abuse needs assessment, reflecting the required information from the Department for Levelling Up, Housing and Communities (DLUHC) template and bringing in data from the previous two needs assessments. The draft report has been shared with partners to add insight and check for accuracy and representation of the data. Public health colleagues within the authority have assisted with this task and many council services have contributed data.
- 1.11 The first meeting of the Leicester Domestic Abuse Locality Partnership Board took place on 25<sup>th</sup> October 2021. In December the Locality Partnership Board approved the draft strategy and needs assessment documents attached to this report. Quarterly meetings will be held hereafter. A delivery group has also been established.
- 1.12 Following the initial meeting of the new partnership board, consultation with partners regarding the draft domestic abuse safe accommodation strategy opened. Consultation closed on 30<sup>th</sup> November 2021.
- 1.13 The draft strategy was presented to a joint Housing and Neighbourhood and Environmental Services Scrutiny Commission on 16/12/21.
- 1.14 Work to adjust the strategy document in line with partner feedback has taken place. Feedback from this scrutiny meeting will also be incorporated by 17<sup>th</sup> December 2021.

## **2. Recommended action/decision**

It is recommended to adopt a new domestic abuse safe accommodation strategy, in line with the Domestic Abuse Act 2021.

## **3. Scrutiny/ stakeholder engagement**

### **Planning the strategy**

- 3.1 Planning and drafting the Leicester's domestic abuse safe accommodation strategy has involved:

- Completing a needs assessment of domestic abuse in Leicester, including a review of existing documentation and provision, which has drafted recommendations for the partnership board;
- Establishing the locality partnership board and responding to feedback from members, including their request for a delivery group;
- Contact with Leicester's 14 'most similar group' of Community Safety Partnerships, to share learning and peer review other local authorities' safe accommodation strategies.

3.2 The draft strategy was published for the purposes of seeking partner feedback on 26<sup>th</sup> October 2021.

### **Priorities**

3.3 The strategic objectives for 2022-25 identified in Leicester's domestic abuse safe accommodation strategy were formed by the Leicester Domestic Abuse Locality Partnership Board. They are:

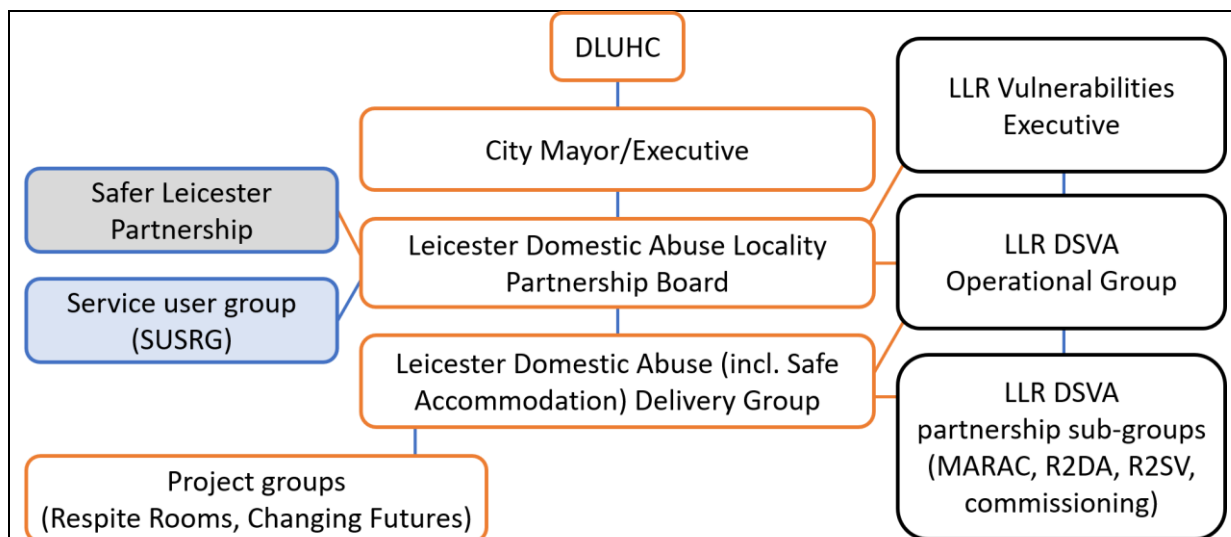
- To establish the locality partnership board;
- To commission the appropriate services;
- To establish and sustain an effective performance management structure for delivery of the domestic abuse safe accommodation strategy.

3.4 The draft recommendations suggest four themed priority areas for the next three years:

- To establish the Leicester Domestic Abuse Locality Partnership Board;
- To improve our understanding of need in the city, and barriers to meeting those needs;
- To develop and support the workforce in responding to accommodation related support for victim-survivors of domestic abuse;
- To expand the accessibility and suitability of the safe accommodation available in Leicester.

### **Reporting and governance**

3.5 Diagram of reporting structure, which shows how the Leicester Domestic Abuse Locality Partnership Board relates to existing groups:



## Timeline

- 3.6 Following consultation and feedback from scrutiny, the final strategy, at appendix A is due to be published on 5<sup>th</sup> January 2022.
- 3.7 Work to implement the strategy is ongoing. The terms of reference for the Board, and spending plans will be reviewed within the first four months.

## 4. Options with supporting evidence

- 4.1 Under the Domestic Abuse Act Part 4 Local Authority Support, the City Council is required to publish a domestic abuse strategy which addresses the requirements set out for the provision of safe accommodation.
- 4.2 Officers have considered options for the formation of the Domestic Abuse Locality Partnership Board, and shared this at City Mayor Briefing on 16/9/21, at which point the structure set out in section 3 above was agreed.

## 5. Financial, Legal and Other Implications

### 5.1 Financial implications

The City Council received £857k in grant funding to meet the additional burdens associated with the Domestic Abuse Act in 2021/22. This incorporates the cost of supporting partnership arrangements, some of which are covered in this report. Linked to the Safe Accommodation strategy, a grant of £335k will be received to pilot the Respite Rooms project.

*Stuart McAvoy, Principal Accountant, ext. 37 4004*

### 5.2 Legal implications

Part 4, section 60 of the Domestic Abuse Act (2021) states that Local Authorities must have regard to the Statutory guidance relating to the Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services (published 1<sup>st</sup> October 2021). Amongst other things the guidance requires Local

Authorities to prepare and publish a strategy for the provision of such support for their local area having regard to the needs assessment. The Strategy must be published by the 5<sup>th</sup> January 2022 following a period of consultation with key stakeholders, including the Domestic Abuse Locality Partnership Board.

In respect of incoming funding for the pilot project mentioned in this the Authority will need to ensure it complies with any specified conditions imposed together with an assessment against subsidy control of the incoming funds, though it is likely in the circumstances detailed in the body of the report that these funds will be used to fulfil a statutory duty/public task and therefore likely to fall outside of this regime. Legal advice and assistance should be sought.

*Mannah Begum, Principal Solicitor (Commercial), ext. 37 1423*

### 5.3 Climate Change implications

There are no climate emergency implications directly associated with this report. However, in wider terms the strategy looks at increasing availability of accommodation options. As housing is a significant source of carbon emissions locally, projects around provision of accommodation should consider opportunities to reduce emissions where possible. This could include ensuring that properties are energy efficient and well insulated, as relevant and appropriate to individual projects. This may also deliver co-benefits in terms of reduced bills and increased comfort levels for occupants.

*Aidan Davis, Sustainability Officer, ext. 37 2284*

### 5.4 Equality Impact Assessment

Under the Equality Act 2010, public authorities have a continuing Public Sector Equality Duty (PSED) which means that, in making decisions and carrying out their activities they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The draft domestic abuse safe accommodation strategy for Leicester should benefit people from across a range of protected characteristics by providing them with accommodation that fits their needs. It will help to ensure a vulnerable cohort of people are provided with suitable services and support, as well as having a clear statutory definition of domestic abuse.

Whilst the strategy is a strategic overarching document, key priorities for Leicester have been identified based around the gaps identified in the 2021 needs assessment, which will be further reviewed and developed during the early months of the strategy. Summary of unmet needs/gaps have been identified and these should be used to monitor delivery and track progress. Equality considerations should be

embedded throughout these and it is recommended that Equality Impact Assessments (EIAs) are carried out as appropriate on identified key priorities/unmet needs/gaps, to ensure any impacts are identified and addressed, and mitigating actions put in place.

The equality impact assessment is an iterative process that should be revisited throughout the decision-making process and updated to reflect any feedback/changes due to consultation/engagement as appropriate

*Sukhi Biring and Surinder Singh, Equalities Officers, ext. 37 4175/4148*

### 5.5 Other implications

N/A.

### **6. Background Information and Other Papers:**

None.

### **7. Summary of Appendices:**

Appendix 1: Leicester Domestic Abuse Safe Accommodation Strategy 2022-25

Appendix 2: Scrutiny Presentation 16<sup>th</sup> December 2021



Neighbourhood  
Scrutiny v1 with not

### **8. Is this a private report?**

No.

### **9. Is this a Key Decision? If so, why?**

No