

## Report to the Cabinet

Meeting to be held on 20 January 2022

### Report of the Head of Service Health Equity, Welfare & Partnerships

#### Part I

Electoral Divisions affected:  
(All Divisions)

**Corporate Priorities:**  
Delivering better services;  
Caring for the vulnerable

### Domestic Abuse – Proposed Approach to Address Statutory Responsibilities and Protection / Prevention

(Appendix 'A' Refers)

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#### Brief Summary

This report seeks to advise Cabinet of the statutory responsibilities for Lancashire County Council under the Domestic Abuse Act 2021, and in particular the requirement to provide safe accommodation support services. It also proposes a wider public health approach to domestic abuse in terms of protection and prevention.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

#### Recommendation

Cabinet is asked to:

- (i) Note the statutory responsibilities of Lancashire County Council under the Domestic Abuse Act 2021, and in particular the requirement to provide safe accommodation support services;
- (ii) Agree the ongoing revenue budget as detailed in the report, so that both the statutory requirements and the wider prevention approach are funded to provide a holistic approach to domestic abuse; and
- (iii) Agree the general approach to the type of services being commissioned to address domestic abuse and support to victim-survivors, as detailed at Appendix A.

## Detail

Domestic abuse causes significant harm to individuals, children, families, and communities. It affects people of all races, ages, sexual orientations, religions, genders, socioeconomic backgrounds, and education levels. The scale and prevalence of domestic abuse is significant. It has a lasting impact on physical and mental health, as well as resulting in financial and housing insecurity.

Domestic abuse is often a hidden crime, not necessarily reported to the police. According to figures from [Women's Aid \(2018\)](#), only 28% of victim-survivors using community-based services formally report domestic abuse. Therefore, data held by the police can only provide a partial picture of the actual level of domestic abuse experienced.

## The Cost of Domestic Abuse

The cost of reported domestic abuse in Lancashire is estimated at circa £190m over the last twelve months (recorded domestic abuse crimes December 2020 to December 2021, recorded by Lancashire Violence Reduction Network). However, given it is estimated that only 28% of domestic abuse is reported, the true costs to Lancashire are significantly higher.

Notwithstanding the impact on individuals and families, the impact of domestic abuse on Lancashire County Council services is significant, given the implications for children's services, vulnerable adults services, substance misuse support and recovery, and through wider support required within schools (attendance / behavioural issues).

Historically, funding for domestic abuse has been risk-driven, and the resource implications for urgent and collective response is high. For example, police callouts and custody costs; court costs; accident and emergency admissions; refuge provision for families; child and adult safeguarding; and unfortunately, in some cases, children placed in care due to homicides. Hence the importance of a preventive approach to address domestic abuse.

## Statutory Responsibilities

The Domestic Abuse Act, which came into force in April 2021, aims to make changes to better protect and strengthen the provision of support for survivors of domestic abuse, by transforming the collective response.

The Act promotes four key objectives:

- **promote awareness** – to put domestic abuse at the top of everyone's agenda, and raise public and professional awareness
- **protect and support** – to enhance the safety of victim-survivors and the support that they receive
- **transform the justice process** – to prioritise victim-survivor safety in the criminal and family courts, and review the perpetrator journey from identification to rehabilitation

- **improve performance** – to drive consistency and better performance in the response to domestic abuse across all local areas, agencies and sectors

The Act creates a legal definition of domestic abuse to provide clarity that domestic abuse can be financial, verbal and emotional as well as physical and sexual and that it is about patterns of abuse and control that occur over time. Furthermore, children are explicitly recognised as victim-survivors if they witness abuse.

It sets out the responsibilities of individual agencies in responding to domestic abuse along with the requirement for a multi-agency approach based on information sharing and best practice principles. It discusses standards for agencies commissioning approaches, including the public sector equality duty and the national statement of expectations. It also references standards and expectations in relation to perpetrator programmes and behaviour change interventions.

The statutory responsibilities of upper tier local authorities include provision of support to victim-survivors of domestic abuse and their children within refuge and other forms of safe accommodation.

As a consequence, we have established a multi-agency Domestic Abuse Partnership Board of officers to:

- Provide an assessment of need for safe accommodation;
- Develop a safe accommodation strategy;
- Oversee the commissioning / decommissioning of services to ensure that services reflect the need in the area and the right support for victim-survivors and children; and
- Provide annual reports to the Department of Levelling Up, Housing and Communities and Domestic Abuse Commissioner's Office

The Board is currently developing a safe accommodation strategy which describes how safe accommodation and support for domestic abuse victim-survivors will be provided over the next three years, outlining four objectives:

- 1) **Early intervention and prevention:** victim-survivors (adults and children) are supported at an early stage and provided with options to remain safe at home to prevent homelessness.
- 2) **Accessible services:** victim-survivors and professionals know how to access safe accommodation and are aware of the options open to them both inside and outside of Lancashire.
- 3) **Appropriate safe accommodation:** accommodation options and appropriate support is in place for all victim-survivors who need it.
- 4) **Multi-agency delivery:** victim-survivors needs will be met by effective, collaborative multi-agency support.

The strategy aims to complement existing work that is taking place across the county to address the health and wellbeing, community safety and housing needs of those who experience domestic abuse.

Safe accommodation is broader than just refuge accommodation and includes victim-survivors who live in their own homes and access to sanctuary schemes; the range of support is also broader, from immediate crisis intervention (i.e., refuges and complex needs support) through to recovery and advocacy support; and safe accommodation must be accessible by all.

### **Wider Early Intervention / Prevention Approach**

Lancashire County Council has historically funded domestic abuse support services from Public Health grant i.e.:

- Support services into Lancashire refuges;
- The voluntary perpetrator programme; and
- A contribution to the Office of the Police and Crime Commissioner Victim Service for support in relation to domestic abuse

Given the statutory duty to provide support for all domestic abuse victim-survivors and their children in safe accommodation, it is proposed that the public health funding is utilised going forward to support the wider prevention approach.

This approach would help survivors increase their choices and enable them and their children / families to be as safe as possible, reducing the need for statutory interventions. This will not only reduce the cost to the public purse, but more importantly means better outcomes for victim-survivors of domestic abuse and reduction in harm for children. Specialist domestic abuse prevention and early intervention also includes working with perpetrators to address their behaviours and stop the cycle of abuse repeating through the generations.

In addition, evidence and learning from domestic homicide reviews across Lancashire identify the need for accessible services earlier in the cycle of abuse, to enable victim-survivors the right interventions and support before they meet a threshold for statutory interventions, given that statutory agency involvement can often trigger increased levels of violence.

The general approach to the type of services currently being commissioned to address domestic abuse and support to victim-survivors, is detailed at Appendix A.

### **Budget**

It is proposed that Cabinet agree the annual revenue budget to address domestic abuse as follows:

<b>Source</b>	<b>Utilisation</b>	<b>Budget</b>
Department for Levelling up, Housing and Communities Grant	Statutory responsibilities for safe accommodation-based support	£2,493,526
Public Health Grant	Wider early intervention / prevention	£1,355,398
<b>Total</b>		<b>£3,848,924</b>

This budget will stabilise and expand the existing provision of accommodation-based support across Lancashire in accordance with requirements, whilst underpinning that work with a wider preventive approach to domestic abuse.

It is anticipated that the Department for Levelling Up, Housing and Communities Grant will be incorporated into the council's Revenue Support Grant from 2024/25.

## **Conclusion**

This report recognises and captures the benefits of widening the remit of commissioned services, ensuring statutory responsibilities under the Domestic Abuse Act 2021 are met, whilst also investing in wider preventative and early intervention approaches.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

### **Financial**

The delay in award notification of grant funding for 2021/22 and the statutory guidance framework published in September 2021, has resulted in a delay in commissioning additional safe accommodation provision and support during the current financial year. This funding has been committed on the basis it can be rolled forward; and although it is understood that committed funding can be rolled forward, the Department for Levelling Up, Housing and Communities has yet to formally confirm that this is permitted. If it is not permissible, there may be an estimated overspend of £227,411 in financial years 2022/23 and 2023/24.

### **Legal**

The Domestic Abuse Act 2021 places a statutory duty on upper tier local authorities to assess the need for accommodation-based support to individuals, families and their children within its area, to publish a strategy on the provision of local authority support and to give effect to the strategy by providing the support to victims of domestic abuse and their children.

Lower tier local authorities have a duty to co-operate with the relevant (upper tier) local authority in any way that the upper tier authority considers necessary for the purpose of discharging its functions under Section 57 of the Act, so far as is reasonably practicable, for example, through the provision of information.

### **Equality and Cohesion**

In commissioning services, the impact on groups with protected characteristics, as defined by the Equality Act 2010 duty, are considered. Accessibility to safe accommodation for all is a key component of the Part 4 duty on local authorities.

## **Crime and Disorder**

Domestic Abuse has been identified as a key issue for Lancashire in the Community Safety Strategic Assessment and will be a key issue within the Community Safety Agreement.

Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to work together with other responsible authorities to prevent crime and disorder. Section 17 of the Act places a duty on responsible authorities to consider the impact of all their functions and decisions on crime and disorder.

### **List of Background Papers**

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		