

Subject:	Award of Ministry of Housing Communities and Local Government Funds for Domestic Abuse Services		
Date of Meeting:	17th June 2021		
Report of:	Executive Director of Housing Neighbourhoods and Communities		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 In 2020 Parliament started to debate the new Domestic Abuse bill. On the back of this, Brighton & Hove City Council (BHCC) were awarded just over £600,000 from the Ministry of Housing Communities and Local Government (MHCLG) to start to deliver against the new duties placed by the bill on Local Authorities. The bill has now been enacted as the Domestic Abuse Act.
- 1.2 The Act places certain new duties on the local authority to prepare a needs assessment and publish a local strategy on the support needs of all people experiencing domestic abuse in safe accommodation by Aug 21st 2021 based on that needs assessment. It also places a duty on local authorities in England to provide support to victims of domestic abuse and their children in refuges and other safe accommodation. On 18th March 2021 BHCC signed a Memorandum of Understanding with MHCLG to undertake this work.
- 1.3 This report updates the committee on the work of the Pan Sussex Framework and seeks authority to spend a small proportion of the funding on additional officer resources for BHCC in order to effectively spend the money allocated.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes that the Pan Sussex Partnership is undertaking a needs assessment, as required by the MHCLG funding, which will gather data and identify gaps in service provision. There will be a future report to this committee as to how the funding will be spent in Brighton & Hove.
- 2.2 That the Committee agrees to spend a portion of the MHCLG funding to develop an extra resource in Brighton & Hove City Council to support the development of policy, and the commissioning and oversight of services in relation to domestic violence and domestic abuse. This resource would amount to approximately

£25,000 until the end of March 22.

- 2.3 That the Committee notes the carry forward of separate MHCLG funding from the 2020/21 financial year to Rise, to cover the continued MHCLG project funding for first two quarters of 2021/22. A further report with options on continuation of this funding, will come to committee, following the required MHCLG needs assessment exercise.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2020/21 £6 million Domestic Abuse Capacity Building Fund enabled preparation so that local authorities are ready for the introduction of the new duties outlined above. Additional funding has been made available in 2021/22 and has been allocated to local authorities on the basis that local authorities are able to continue funding support to victims/survivors and their children. The grant funding for 2021/22 was paid on 1 April based on the understanding that:

- a) The grant only covers revenue expenditure relating to the functions set out in the new statutory duty (within the Domestic Abuse Bill) on Tier 1 Local Authorities relating to the provision of support to victims/survivors of domestic abuse and their children residing within safe accommodation;
- b) The grant is distributed to Local Authorities for the period from 01 April 2021 to 31 March 2022 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.
- c) The Bill will put in place a statutory framework for the delivery of support to victims/survivors of domestic abuse and their children residing within safe accommodation. Tier 1 Local Authorities will be required to appoint a multi-agency Local Partnership Board (LPB) to support them in performing certain specified functions. These will be:
 - **Assess the need** for accommodation-based support for all victims/survivors and their children, including those who require cross border support.
 - **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.**
 - **Monitor and evaluate local delivery of the strategy.**
 - **Report back to Central Government; expected to include:**
 - Reporting on local delivery – setting out how the functions have been executed under the new duty (including reporting on strategy, as well as how partnership working has been approached working across key agencies and across neighbouring areas;
 - Evidence that adequate needs assessments have been undertaken;
 - Evidence that local strategies are in place and working effectively;
 - Evidence that local commissioning decisions have been informed by needs assessments and that there is adequate suitable provision;

- An evaluation of the impact of decisions locally including service delivery outcomes;
 - Evidence on spend and feedback on delivery, including challenges faced and best practice.
- (d) To ensure continuity in provision, where existing domestic abuse safe accommodation support services (which are meeting a need in that area) are already commissioned by Tier 2 Local Authorities, Tier 1 Local Authorities commit to either contract services directly or pass the appropriate funding to Tier 2 Local Authorities to maintain equivalent commissioned services until the needs assessments have been completed and the new strategies are in place on which future commissioning decisions can be based.
- (e) Subject to Royal Assent of the Domestic Abuse Bill, and consultation, MHCLG expects to set out in regulations that Tier 1 authorities should finalise and publish their first strategy, based on a robust needs assessment, by August 21.

Pan Sussex framework

- 3.2 BHCC decided to some years ago commission domestic violence services as part of a larger partnership comprising other local authorities and partners in Sussex and the Office of the Police & Crime Commissioner. This process enables a wider geographical and partnership approach to be taken to commissioning and delivering services to ensure they are joined up. This approach reflects that people will often be based out of area and it is key that there is a consistent delivery of services. This is supported by an officer team based at East Sussex CC including those working for BHCC.
- 3.3 As previously reported to Committee, the partnership produced the Pan-Sussex Framework in early 2020 – the strategy for re-commissioning DV and DA services following the end of 5 year service contracts. The Neighbourhoods, Inclusion Communities and Equalities Committee agreed to the Pan Sussex Framework in March 2019.

Following a delay in the commissioning process because of the pandemic, new contracts were awarded earlier this year.

Capacity building funding (£50,000)

- 3.4 £50,000 was allocated to BHCC by the MHCLG in November 2020 for capacity building to help the local authority get ready to implement the new Duties in the Domestic Abuse Act, such as the required needs assessment. The Pan Sussex Partnership agreed to allocate this resource to develop a project team sitting in the Office of the Sussex Police and Crime Commissioner (OSPCC) to lead on the needs assessment and development of a Strategy on the support needs of victim/survivors experiencing domestic violence and abuse and in need of safe accommodation. The PCC's office covers the whole of Sussex. The OSPCC also had capacity to undertake and manage this work.
- 3.5 Whilst the project team will be working across Sussex and developing a Pan Sussex needs assessment and strategy, there will be specific localised sub

sections that reflect the local needs and demographics of each local authority area as required by the MHCLG. The information required is set out in the guidance appended [in Appendix 1]. It includes wide-ranging demographic data on the local community and information from services such as police, health care, housing and social care as well as third sector organisations and providers about DA and DV prevalence including relevant equalities data as well as services in place, gaps in service and case studies. The officers have started in post to progress the needs assessment including compiling specific information for Brighton and Hove.

- 3.6 The needs assessment will be undertaken by the project team to ensure that the views of all providers (including those in the third sector) in the City are sought and that relevant data that they hold will be included in the assessment. There is also an expectation in the guidance that views are also sought from those people with lived experience so this will be part of the local needs assessment. The project team consists of a project manager and two project officers.
- 3.7 Officers are starting to collate certain data such as crime data already and have provided contact details of those services that we need to engage with, including third sector providers, so that the work can be completed as quickly as possible. Officers plan to complete the needs assessment by the beginning of July 2021. There is an expectation that a full needs assessment is carried out every three years going forward and that there is an annual review.

MHCLG Funding (£606,000)

- 3.8 The MHCLG money for 2021/22 (approximately £606,000) for BHCC is to provide additional support to people experiencing domestic abuse in safe accommodation. MHCLG have stated that commissioning should be down to local decision making and that they expect continuation of services previously funded where they have performed well. It was agreed at a previous TECC committee that any spend would be subject to agreement at a future committee.
- 3.9 Once the needs assessment and the strategy have been completed by the Pan Sussex project team sitting in the OSPCC, there will be a further report to this Committee with recommendations as to how the funding is spent in the City. For example, BHCC may wish to undertake a joint procurement of services to be provided with the funding with other members of the Pan Sussex partnership, or act independently of the other members of the partnership and these options will be brought to committee for consideration in a future report.
- 3.10 MHCLG had also grant funded £99,962 for the financial year 2020/21 to BHCC for RISE linked to a bid submitted by them but managed through the local authority. This is not part of the £6m capacity building fund. Due to the pandemic the service did not start on time and it has been agreed that funding for the project for the final quarter of 2020/21 would be carried forward to ensure continuation of this RISE service at least for the first two quarters of 2021/22

Additional capacity for BHCC

- 3.11 This report recommends that BHCC starts to allocate some of the funding prior to the completion of the needs assessment as there is a lack of resource in the

Council currently to advise, commission and oversee the services. There may also be resource implications arising from the requirement to set up the local partnership board to oversee the implementation of the strategy as set out in Paragraph 3.1 above. Officers anticipate that recruitment would begin immediately and would cost approximately £25,000 until the end of March 2022

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Pan Sussex arrangements are already in place to deliver the joint unit and a range of services that are accessed by Brighton and Hove residents, such as the Multi Agency Risk Assessment Conference (MARAC). The project team who will undertake the needs assessment and start to develop the strategy has already been recruited to because of the need to start this work as quickly as possible and develop options for spend this year, rather than delay the award of funds.
- 4.2 The funding allocated must be spent by the end of March 2022. A needs assessment is required by the MHCLG and follows the template provided by the MHCLG. As this is a requirement of the funding it is not recommended that a needs assessment is not pursued.
- 4.3 In the longer term it may be possible to consider alternatives to the current Pan-Sussex arrangements. This will require investigation of the implications for service users, staff, partners and budgets. This will be explored at a future committee and included in the options for decision.
- 4.4 Members could decide not to allocate an additional resource to BHCC but this may limit the capacity of the council to both award the funding and to ensure that the new services are delivered well under the act, and linked appropriately to Brighton & Hove. It is considered important to have a specific resource based in Brighton & Hove.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This report is to provide information regarding the new duties placed on the local authority as a result of the Domestic Abuse Act. There has been no community engagement at this stage in the process.
- 5.2 The needs assessment will identify gaps in service provision and where the money should be spent to ensure that BHCC meets its duties under the new Act. As included in paragraph 3.6 above, providers and service users will be engaged in the needs assessment exercise required by the DA Act and this information will be used to shape decisions on the future award of the MHCLG funding.

6. CONCLUSION

- 6.1 This report is to provide information regarding the new duties that will be placed on the local authority as a result of the new DA Bill, and to explain the process in place to carry out the required needs assessment.
- 6.2 The use of some MHCLG funding to agree an extra resource for BHCC will also enable future development of local DA and DV policy, oversight of services and commissioning work, as this resource does not currently exist within the

organisation

- 6.3 The report also advises members of plans for a future options report on the award of the MHCLG funding.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The MHCLG grant funding of £606,288 was received by BHCC on 9th April 2021. In line with the government's general position, MHCLG has not ringfenced this funding. However, local authorities will be under a legal obligation to provide vital support within safe accommodation to meet the needs in their areas, and report back to central government that they have met these obligations.

Finance Officer Consulted: Michael Bentley

Date: 18/5/21

Legal Implications:

- 7.2 The Council will need to comply with its Contract Standing Orders and the rules for social and health contracts contained in the Public Contracts Regulations 2015. More detailed legal implications will be provided in the future committee report when recommendations for the procurement(s) are made.

Lawyer Consulted: Alice Rowland

Date: 09/6/21

Equalities Implications:

- 7.3 Whilst it is recognised that Domestic Abuse disproportionately affects women and women with children, the needs assessment will also provide a fuller picture of equalities implications, taking on board input from partners. There is no requirement for an equalities impact assessment to be undertaken for the needs assessment, but officers would expect one to be completed for any future procurement.

Sustainability Implications:

- 7.4 None.