



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Executive 17 November 2021

Wards affected: All Wards

Domestic Abuse Act 2021

Report of Director of Community Services

1. Purpose of report

- 1.1 To inform Executive of work being progressed with funding received from the Ministry of Housing, Communities and Local Government (MHCLG) to support work around the new statutory safe accommodation duty within the new Domestic Abuse Act.
- 1.2 To provide a short brief on the key areas within the new Domestic Abuse Act.
- 1.3 To provide a short brief on other key areas of work undertaken by the council in regards to domestic abuse.

2. Recommendation

- 2.1 That Executive notes the contents of this report.
- 2.2 That Executive endorses the work contained within this report.
- 2.3 Executive is requested to approve a supplementary expenditure budget of £32,730, which will be 100% funded by a supplementary grant income budget.

3. Background to the report

- 3.1 The Domestic Abuse Act received Royal Assent in April 2021. A summary of the key points of the Act are below, with the key areas of note for HBBC, as a housing provider, highlighted in bold:
 - **Creation of a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, coercive or controlling, and economic abuse. As part of**

this definition, children will be explicitly recognised as victims if they see, hear or otherwise experience the effects of abuse;

- Creation of a new offence of non-fatal strangulation;
- Extension of the controlling or coercive behaviour offence to cover post-separation abuse;
- Extension of the ‘revenge porn’ offence to cover the threat to disclose intimate images with the intention to cause distress;
- Clarification of the law to further deter claims of “rough sex gone wrong” in cases involving death or serious injury;
- Creation of a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts (for example, to enable them to give evidence via a video link);
- Establish in law the Domestic Abuse Commissioner, to stand up for victims and survivors, raise public awareness, monitor the response of local authorities, the justice system and other statutory agencies and hold them to account in tackling domestic abuse;
- **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;**
- **Provision that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance;**
- Placing the guidance supporting the Domestic Violence Disclosure Scheme (“Clare’s law”) on a statutory footing;
- **Ensuring that when local authorities rehouse victims of domestic abuse, they do not lose a secure lifetime or assured tenancy;**
- **Provision that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance;**
- Stopping vexatious family proceedings that can further traumatise victims by clarifying the circumstances in which a court may make a barring order under section 91(14) of the Children Act 1989;
- Prohibiting GPs and other health professionals from charging a victim of domestic abuse for a letter to support an application for legal aid.

3.2 The Act places a new statutory duty on Tier 1 Local Authorities (County Council) relating to the provision of support to victims of domestic abuse and their children residing within safe accommodation and Tier 2 authorities (districts and boroughs) are required to cooperate with the Tier 1 authority, so far as is reasonably practicable.

3.3 The majority of funding sits with the Tier 1 authority but Tier 2 authorities have been given small pots of funding to enable them to support the work of the Tier 1 authorities and to fulfil the requirements of the Act.

3.4 Hinckley and Bosworth Borough Council has received funding of £32,730 for this financial year (Year 1). It is envisaged, but not confirmed, that Year 2 and 3 funding may be available but the amount is likely to be reduced.

3.5 Hinckley and Bosworth Borough Council and other districts across Leicester, Leicestershire and Rutland are working towards DAHA accreditation. The Domestic Abuse Housing Alliance’s (DAHA) mission is to improve the housing sector’s response to domestic abuse through the introduction and adoption of

an established set of standards and an accreditation process. Although we are in a strong position with our current practice, there are a number of actions we need to progress to successfully gain this accreditation.

4.0 Use of Funding

- 4.1 In order to maximise our resources we are working in partnership with Blaby District Council.
- 4.2 The intention is to use the funds to have two short term full-time shared posts with Blaby District Council.
- 4.3 One post will provide direct support to victims within the housing department and support victims of domestic abuse into secure accommodation and work with partners to ensure a joined up holistic approach to each case.
- 4.4 The other post will look to drive service improvement in relation to domestic abuse and to help fulfil any work needed to support the Tier 1 authority. This post will also help to ensure we are in a position to gain DAHA accreditation. Some of the proposed work streams are housing related but many of the work streams are ones that need to be supported across the organisation. Below is an indication of the types of work streams that will be progressed:
 - Refresh of the Domestic Abuse Workplace Policy and Procedure for staff experiencing domestic abuse.
 - Development and delivery of a training package for all staff to enable them to recognise the signs of domestic abuse and refer concerns appropriately.
 - Creation of a housing specific policy and procedure for tenants, residents and service users who are experiencing domestic abuse or whom are affected by it.
 - Work to ensure organisational compliance with the DAHA framework and collate information and evidence for DAHA accreditation submission.
 - Work to ensure that legislative reform contained within the Domestic Abuse Act is reflected in relevant housing policies and processes.
 - Implementation of a domestic abuse champion scheme within relevant departments.
 - Assisting in projects that may arise which improve our response to victims of domestic abuse, such as housing reciprocal projects.
 - Assisting in data collection and intelligence collection at a local level where required to inform tier 1 needs assessments.
 - Development/enhancement of existing responses to emergency repairs and sanctuary schemes to ensure that victims of domestic abuse are safe at home.

5.0 Hinckley and Bosworth Domestic Abuse Services

- 5.1 Domestic Abuse Outreach Service
Hinckley and Bosworth Borough Council provides a dedicated domestic abuse outreach service for victims of domestic abuse. This service provides emotional and practical support for female victims aged 16 plus and works closely with partners to ensure male victims access the support they need via

the countywide outreach services. The services provides one to one support and also provides a number of group work programmes that help victims to understand abuse, move on from their experiences and help manage their health and wellbeing. The service works with around 120 women each year from the borough. The team do a significant amount of work to highlight domestic abuse and ensure residents know how to access support.

5.2 Children's Support Service

Via use of external funding from Community Safety Partnership funds the council currently provides a part time service that works therapeutically with children and young people who have been affected by domestic abuse. This service works effectively to improve the safety and health and wellbeing outcomes for young people who have been affected / witnessed domestic abuse. The service advocates for the young person where appropriate and helps to ensure that the voice of the young person is taken into account. Work is done on a one to one basis and in group work settings. The service works with approximately 60 children and young people per year.

5.3 Housing

Housing Options work proactively to support victims of domestic abuse to access safe accommodation. The service works with approximately 100 victims each year to advise on options for housing and, where appropriate, place in safe accommodation. Processes are in place to ensure the right questions are asked when someone approaches the team so that victims are identified early and appropriate action taken. The wider housing team support tenants appropriately who are suffering from domestic abuse and work closely with the domestic abuse outreach team and external agencies to ensure a wraparound support for the victims and their families.

5.4 There is a Domestic Abuse Workplace Policy in place to support staff and to help managers and peers support staff who may be experiencing domestic abuse. This policy is due for review this year.

5.5 Perpetrator Work

There is currently an active domestic abuse perpetrator project running in the borough which has been funded by the Community Safety Partnership and Home Office Funds. This year is the first time a perpetrator programme has been available to residents of Hinckley and Bosworth. This project is in place until September 2022 and is delivered by Freeva, a domestic abuse charity based in Leicester. The project works with abusive adults and their non-abusive partners. It provides interventions that are designed to help people stop using abusive behaviour towards an intimate partner and alongside this works on developing better relationships with loved ones and increasing self-respect.

6. Exemptions in accordance with the Access to Information procedure rules

6.1 Open Session

7. Financial implications [CS]

- 7.1 Hinckley and Bosworth Borough Council has received funding of £32,730 for the 2021-22 financial year (Year 1). Funding for future years is not yet confirmed.
- 7.2 The continuation of the temporary posts will be subject to the confirmation of further grant funding.
- 7.3 Supplementary estimates will need to be agreed for the £32,730 staff costs and £32,730 grant income. Due to the level of the budget, Executive approval will be required.

8. Legal implications [MR]

- 8.1 Set out in the report

9. Corporate Plan implications

- 9.1 The work detailed within this report supports victims of domestic abuse and contributes to the corporate aim – Helping people to stay healthy, active and protected from harm.

10. Consultation

- 10.1 In respect of the Domestic Abuse Act a county strategic needs assessment is currently being prepared which incorporates the voices of victims, survivors and experts in domestic abuse. This needs assessment will be used to drive forward services where needs are identified.

11. Risk implications

- 11.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 11.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 11.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) risks		
Risk description	Mitigating actions	Owner
Effective recruitment to the posts due to short term nature of posts	Clarity is being sought to determine what future funding in Year 2/3 will be available from MHCLG	RB
Funding may be reduced in Year 2 and 3	In order to make continuation of at least one post more financially viable for the 3 year period the posts are joint with Blaby	RB
Lack of safe accommodation	County are looking at how to increase this via their funding County and districts are looking at a reciprocal model that may assist	MS

12. Knowing your community – equality and rural implications

- 12.1 All services discussed in this report are available and accessible to all residents. There are particular remits of certain services where appropriate.

13. Climate implications

- 13.1 Work will be delivered to limit carbon impact where possible, for example virtual methods of engagement and paperless systems.

14. Corporate implications

- 14.1 By submitting this report, the report author has taken the following into account:

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: None

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