



REPORT OF: CHIEF EXECUTIVE

TO: POLICY AND RESOURCES COMMITTEE

DATES: 28th OCTOBER 2020

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**DOMESTIC ABUSE BILL CONSULTATION
AND PENDLE DOMESTIC ABUSE ACTION PLAN 2020-2023**

PURPOSE OF REPORT

To advise Policy and Resources Committee of the recently launched consultation by Government.
To also note the development of a new 3 year Pendle Domestic Abuse Action Plan 2020 - 2023.

RECOMMENDATIONS

- (1) To agree to the proposed responses to consultation questions et by the Government.
- (2) To note the new 3-year Pendle Domestic Abuse Action plan2020-2023.

REASONS FOR RECOMMENDATIONS

- (1) To ensure the Council is able to submit its views regarding the Government's proposals for allocation of new burden funding associated with the duty to Tier 1 and Tier 2 local authorities.
- (2) The Council works closely with a number of agencies in tackling the scourge of domestic abuse within our Borough. This Action Plan builds on work undertaken within the 2016-19 Action Plan and sets out a program of actions for the period 2020-2023.

ISSUE

As part of the Domestic Abuse Bill, the Ministry of Housing, Communities and Local Government (MHCLG), is introducing a new duty on local authorities in England to provide support for victims and their children in domestic abuse safe accommodation. Subject to the successful passage of the Bill, the new duty will commence in April 2021.

Under the duty, local authorities will be required to assess the need for and commission support to victims of domestic abuse and their children in safe accommodation services in their areas, and report back to central government that they have met these obligations.

The consultation (Appendix 1) seeks views on the government's proposals for allocation of new burden funding associated with the duty to Tier 1 and Tier 2 local authorities. As per the consultation document (page 7/8) the Domestic Abuse Bill places a duty on each Tier One Local Authority in England to:-

I. Appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specific functions: These are to:

- a) Assess, or make arrangements for the assessment of, the need for domestic abuse support for all victims (and their children) who reside in relevant safe accommodation in their area, including those who require cross-border support.
- b) Prepare and publish a strategy for the provision of such support to cover their area having regard to the need's assessment.
- c) Give effect to the strategy (for example through commissioning / decommissioning decisions).
- d) Monitor and evaluate the effectiveness of the strategy.
- e) Report back annually to central government.
- f) Require the Secretary of State to issue statutory guidance, having consulted the Domestic Abuse Commissioner, local authorities and such other persons as considered appropriate.
- g) Requires all local authorities in England to have regard to the statutory guidance in exercising their functions under Part 4.

II. A duty on Tier 2 district, borough and city councils and London Boroughs to co-operate with their Tier 1 lead authorities, so far as is reasonably practicable.

Potential impact on Pendle

The Council, as a Tier 2 authority, will be given a duty to co-operate with Lancashire County Council (LCC), as far as is reasonably practical. However, it is difficult to ascertain what this will mean in practice until meetings have been held with LCC regarding their plans and how Pendle and other Tier 2 authorities might be able to assist.

Proposed consultation response

The Government has asked for consultation responses to be received no later than 13th November 2020, thus a proposed response has been provided at Appendix 2.

In terms of the funding model (p9/12, Appendix 1), government is proposing that funding for Tier 1 authorities to commission support in safe accommodation will be based on

- ***the percentage of population aged 16+ within each area***. The rationale cited being that a population-based approach has been widely agreed upon in the domain of domestic abuse, and the sector often relies on data which uses a population-based approach to estimate the required level of refuge beds in the UK.
- ***A labour cost adjustment factor for that authority*** – which is believed to be appropriate because this makes up most of the support costs under the duty

Alternative factors such as '*prevalence of domestic abuse*' and '*deprivation / income level*' have been discounted, with government concluding that having consulted with analysts and leading

academics in the field, they believe a population-based approach which includes adjustment of variation in labour costs, would ensure the most reliable approach.

In terms of Tier 2 funding (p13, appendix 1), it is proposed this will be based on:-

- Total administrative new burden pot for Tier 2 LAs divided by Total number of Tier 2 LAs = administrative new burden received by each Tier 2 LA
- Thus each Tier 2 local authority will receive the same amount of the administrative new burden funding x labour costs adjustment factor

Government propose that an equal allocation of funding for Tier 2 would ensure that all Tier 2 authorities, particularly smaller ones, have sufficient funding to put in place the necessary resource needed to meet the duty. As with allocation of funding for Tier 1, the required tasks will be the same regardless of the population size residing in the area.

In terms of responses, many questions relate to the proposed funding model. Whilst the Council could challenge why the Government is mainly using population as a factor rather than other measures, we would need robust evidence to support this, and as per Appendix1, there already appears to be considerable support for using population as the determining factor. Further, we could also challenge the proposal of equal allocation of funding for Tier 2 authorities, but again, there is rationale that the tasks Tier 2 authorities are required to undertake are the same for all. Therefore, the proposed responses broadly agree with the Government's proposals.

However, Question 6 is notable in that, the Council is being asked whether funding element of support costs should be allocated to Tier 1 authorities only. It is felt that whilst there is merit in the economy of scale that LCC would be in a position to benefit from, the Council, along with local support providers are in an ideal position to understand local needs and commission services to meet those needs.

PENDLE DOMESTIC ABUSE ACTION PLAN 2020 - 2023

The Pendle Domestic Abuse Action Plan 2016-19 has now become out of date.

Notable successes of the Action Plan include:-

- Successful transfer of Pendle Women's Refuge from the Council to Lancashire Refuge's, a county-wide domestic abuse support service managed by Safenet.
- Launch of a 'safehouses' scheme managed by Pendle Domestic Violence Initiative (PDVI) which increases the capacity of accommodation for victims of domestic abuse.
- A number of successful bids to MHCLG which have helped fund additional services for women at the refuge / safehouses and the wider community.
- Ongoing delivery of domestic abuse awareness raising events and activities in a number of formats
- Bespoke training on domestic abuse issues delivered
- Updating of web-based information and leaflets to promote services in place to tackle domestic abuse.

Almost all actions from the 2016 - 2019 Action Plan have been completed, with any actions uncompleted being taken forward in the new plan.

Following extensive consultation with agencies which are working in and around the borough in tackling domestic abuse, a new refreshed Pendle Domestic Abuse Action Plan 2020 - 2023 (Appendix 3) has been developed and agreed by Pendle Domestic Abuse Forum. The document will remain 'live' and will be added to through the lifespan of the Action Plan.

IMPLICATIONS

Policy

There are no policy implications arising directly from this report.

Financial

The commencement of the new Domestic Abuse Bill expected in April 2021 will result in 'new burdens' funding for the Council, although the level of this is unknown.

Legal

There are no known legal implications arising directly from this report.

Risk Management

There are no known risk management issues in relation to the proposed consultation response or Action Plan.

Health and Safety:

There are no health and safety implications arising from this report.

Sustainability:

It is hoped that by undertaking duties assigned under the new Domestic Abuse Bill and helping deliver on actions contained within the Action Plan that this work will contribute towards community safety within the Borough and thus sustainability.

Community Safety:

There are no known community safety issues arising from the proposed consultation response. It is hoped that by undertaking duties assigned under the new Domestic Abuse Bill and delivering actions contained within the Action Plan that this work will contribute towards community safety.

Equality and Diversity:

There are no known equalities issues arising from the proposed consultation response. In terms of the Action Plan, domestic abuse can potentially be suffered by anyone, regardless of whether the person has any specific protected characteristic or not. However, it is recognised that women are more likely to be at risk of domestic abuse than men and as such, delivery of this Action Plan is more likely to benefit women.

APPENDICES

Appendix 1 – Domestic Abuse Consultation Paper

Appendix 2 – Proposed responses to consultation

Appendix 3 – Pendle Domestic Action Plan 2020 - 2023