

Forward Plan reference number: FP/277/01/22

Report title: Decision to extend domestic abuse grants	
Report to: Councillor Beverley Egan, Cabinet Member for Children’s Services and Early Years	
Report author: Chris Martin, Commissioning Director – Children and Families	
Date: 10 March 2022	For: Decision
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County Divisions affected: All Essex	

1. Everyone’s Essex

- 1.1. Everyone’s Essex, our organisation strategy sets out four strategic priorities that are underpinned by twenty key commitments that will make Essex a stronger County. Within the strategic priority of a ‘Good place for Children and Families to Grow’, includes a commitment to improve the safety of Essex residents, including addressing domestic abuse. The strategic priority of ‘Health, Wellbeing and Independence for All Ages’, includes a commitment to promote independence through assisting access to suitable accommodation.
- 1.2. Consistent with achieving these commitments, this paper sets out a recommendation to extend current domestic abuse arrangements with Colchester Borough Council, Chelmsford City Council and Basildon Borough Council by providing further grant funding for a 12 month period.
- 1.3. Providing further grant funding will ensure continuation of support to victims of domestic abuse, including children, minority groups and those with complex needs residing within safe accommodation in Essex.

2. Recommendations

- 2.1. Agree to provide domestic abuse grant funding to Colchester Borough Council, Chelmsford City Council and Basildon Borough Council at a cost of £807,533 for a 12-month period from the 1st April 2022 to 31st March 2023 with an option to extend for one year.

3. Background and Proposal

- 3.1. The Domestic Abuse Act 2021 (DA Act) received Royal Assent on 29 April 2021. The overarching aims of the Act are to:
 - Protect and support victims
 - Transform the justice process
 - Improve performance across agencies
 - Promote awareness

- 3.2. This Act placed a statutory duty on Tier 1 Local Authorities relating to the provision of support to victims of domestic abuse and their children residing within safe accommodation, which includes their home, where appropriate safety measures are in place.
- 3.3. In April 2021 Essex County Council (The Council) was awarded £2.763m grant funding from the Department for Levelling Up, Housing and Communities (DLUHC) under a Memorandum of Understanding (MOU) to support with fulfilling the functions of the new statutory duty. The settlement for financial year 2022/23 is £2.771m.
- 3.4. Within the MOU there was a requirement that where existing domestic abuse safe accommodation support services are already commissioned by Tier 2 Local Authorities, Tier 1 Local Authorities will commit to extending this support to maintain equivalent commissioned services whilst they complete their local needs assessment and their new domestic abuse strategy.
- 3.5. A mapping exercise identified 3 of the 12 Tier 2 Local Authorities in Essex were in receipt of domestic abuse grant funding from the DLUHC which ended on the 31st March 2021: Basildon Borough Council, Colchester Borough Council and Chelmsford City Council.
- 3.6. The Council agreed through a CMA to grant fund Colchester Borough Council Basildon Borough Council and Chelmsford City Council until 31st March 2022 to extend the existing support commissioned by these Tier 2 local authorities. This mitigated the risks to the safety of domestic abuse victims, which included children and those with additional vulnerabilities and complexities relating to homelessness, drug and alcohol, sexual violence and minoritized groups.
- 3.7. The 3 grants fund support which fall within the Council's domestic abuse duties. The provision within the new duty's guidance includes,
 - 3.7.1. Overall management of services within relevant safe accommodation
 - 3.7.2. Support with the day-to-day running of the service
 - 3.7.3. Advocacy support
 - 3.7.4. Domestic abuse prevention advice
 - 3.7.5. Specialist support for victims
 - 3.7.6. Children's support
 - 3.7.7. Housing-related support
 - 3.7.8. Legal and financial advice
 - 3.7.9. Counselling and therapy

3.8. The table below provides an overview of the grants and the support provided to victims of domestic abuse.

Tier 2 council funded	Brief description of support	Costs FY 2022/23
Colchester	Specialist domestic abuse support for recovering addicts/victims in recovery refuge and mirrored specialist support where victims are residing safely in their own home, which includes support for their child/ren.	£494,285
Chelmsford	Support for victims of domestic abuse who are at risk of homelessness, including transitional support in, during and out of safe accommodation.	£99,938
Basildon	Support to victims of domestic abuse in safe accommodation, including access to counselling for adult and child victims, specialist sexual assault counselling and a specialist BAME Independent Domestic Violence Advisor (IDVA).	£213,310
		£807,533

3.9. In April 2021 when the new domestic abuse statutory duties were introduced there was a requirement on the Council to complete a local needs assessment and publish a commissioning strategy. The strategy has been published and whilst the longer-term commissioning plans for post 2024 are developed the interim arrangements set out in this report provide continuity of care and deliver our duties.

3.10. The provision of support to victims through the proposed extension to the grants will contribute to delivering the following outcomes in the Council's Domestic Abuse strategy.

3.10.1 For children and young people

- Better able to maintain positive relationships and safe exit from unhealthy relationships
- Have an improved ability to develop healthy coping strategies to prevent reliance on unhealthy strategies (risky behaviours, substance etc)
- Have increased access and engagement with education services to help them achieve their potential
- Feel safer and better equipped to remain safe
- Have improved mental and physical health, including improved emotional wellbeing

3.10.2 For adults

- Feel safer and better equipped to remain safe

- Where appropriate, and if they want to, supported to stay in their own home safely
- Have improved mental and physical health, including improved emotional wellbeing
- Able to manage financial difficulties; and become financially stable and independent
- Access to opportunities to develop their education, skills and employment opportunities
- Be able to recognise and maintain positive relationships and safe exit from unhealthy relationships

3.10.3 For Families:

- Feel better connected to and safe in their communities
- Have improved relationships and communication with each other
- Have the tools to be better able to manage conflict
- Parents/carers are better able to repair bonds with children and support them in their recovery moving forward
- Will build the resilience needed to recover from the trauma of domestic abuse and start to rebuild their lives

4. Links to our Strategic Ambitions

4.1. This report links to the following aims in the Essex Vision

- Enjoy life into old age
- Provide an equal foundation for every child
- Strengthen communities through participation

4.2. Approving the recommendations in this report will have the following impact on the Council's ambition to be net carbon neutral by 2030:

- There are no direct environmental or climate change implications on this decision.

4.3. This report links to the following strategic priorities in the emerging Organisational Strategy 'Everyone's Essex':

- Health wellbeing and independence for all ages
- A good place for children and families to grow

5. Options

5.1 For the financial year 2021/22 the Council received £2.763m grant funding from the DLUHC to support implementation of the new duties. A spending plan outlined in the decision from May 2021 ref: FP/069/05/21 authorised grant funding up to £700,000 for Chelmsford City Council, Colchester Borough Council and Basildon Borough Council. The grant funding ensured continuation of support to victims of domestic abuse and was allocated in line with the agreed spending plan.

5.2 Domestic abuse funding for financial year 2022/23 has been confirmed by the DLUHC as £2.771m.

5.3 Option 1. Provide further grant funding for 1 year with an option to extend for a further year - recommended

5.3.1 This option will ensure continuity of service provision to victims of domestic abuse who are vulnerable whilst The Council continues to develop its longer-term commissioning arrangements.

Benefits, risks and mitigations

5.3.2 The provision of the grant will ensure victims with additional vulnerabilities including homelessness, addiction, and those with protected characteristics continue to receive support.

5.3.3 The Council has a duty to ensure support is provided to victims of domestic abuse who are residing in safe accommodation. The risk to not extending the grants is that The Council will fail in its duties.

5.4 Option 2 – Do nothing

5.4.1. This option would impact support for victims of domestic abuse who have additional vulnerabilities.

Benefits, risks and mitigations

5.4.2 Without this support there will be safeguarding implications to victims of domestic abuse with additional vulnerabilities, placing them at greater risk, including their children.

5.4.3 Reputational risk to The Council and failing to deliver our statutory duties.

6. Issues for Consideration

6.1 Financial implications

6.1.1 Aligned to the Domestic Abuse Act 2021 the Department for Levelling Up, Housing and Communities (DLUHC) allocated the Council funding of £2.763m for 2021/22 and a further £2.771m for 2022/23. The funding for 2023/24 has yet to be confirmed but is expected during 2022/23.

6.1.2 The funding received by the Council for 2022/23 is a one-year funding settlement to the 31st March 2023 and commissioning intentions only commit funding up to this date pending the receipt of future funding announcements. Funding for 2023/24 has yet to be confirmed but is expected to be announced during 2022/23.

- 6.1.3 The proposed funding allocations to the district authorities for 2022/23 is set out below along with the 2021/22 comparators.

Tier 2 council funded	Costs FY 2021/22	Costs FY 2022/23
Colchester	£376,829 <i>(delay to 2 project streams)</i>	£494,285
Chelmsford	£75,000 <i>(9 months: 1st July – 31st March 2022)</i>	£99,938
Basildon	£160,000 <i>(9 months: 1st July – 31st March 2022)</i>	£213,310
Total	£611,829	£807,533

- 6.1.4 The interim funding arrangements for 2021/22 only required 9 months of the cost of services provided by both Chelmsford and Basildon council's to be funded through the grant. Colchester Borough Council required a lesser amount in 2021/22 due to delays in fully implementing two project streams. For 2022/23 the cost of domestic abuse provision as per para 3.8 will be funded for a full 12 months to 31st March 2023.

6.2. Legal implications

- 6.2.1 The Domestic Abuse Act 2021 places a statutory duty on Essex County Council in respect of support for victims of domestic abuse, including children. Governance guidance sets out that Tier 2 authorities are required to be funded by Tier 1 authorities.
- 6.2.2 A grant agreement between ECC and each Tier 2 authority will need to be set out in writing and executed by each party to give effect to this decision.

7. Equality and Diversity implications

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.

- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

7.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

8 List of appendices

Appendix 1 - EQIA

9 List of Background papers

None

I approve the above recommendations set out above for the reasons set out in the report.	Date 09/06/2022
Councillor Beverly Egan, Cabinet Member for Children and Families	

In consultation with:

Role	Date
Executive Director, Children and Families Helen Lincoln	18/03/2022
Executive Director, Finance and Technology (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	17/03/2022
Director, Legal and Assurance (Monitoring Officer) Susan Moussa on behalf of Paul Turner	10/03/2022