

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	7 OCTOBER 2021	7

FULLY FUNDED REVENUE BUDGET INCREASE - DOMESTIC ABUSE ACT 2021

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report provides an update on the Domestic Abuse Act 2021 and new statutory duties placed on Local Authorities. Fylde Council have been awarded funding for 2021/2022 totalling £33,196, to undertake new Part 4 duties and provide support within their local authority area. Funding will be paid on an annual basis in the form of un-ringfenced grants under Section 31 of the Local Government Act 2003 by MHCLG for a period of 3 years. Fylde Council intend to work in partnership with Wyre Council and Fylde Coast Women's Aid (FCWA) to support victims and their children and commission a Housing Outreach Worker to engage and support female and male victims and their children, employed by FCWA.

The role will provide advocacy services for victims with agencies who can help to address the support needs of victims of domestic abuse and initiate measures to support clients in their existing and new homes. The cost of the Housing Outreach Worker is £18,500 for 12 months leaving £14,696 available to enhance other support services in place, for example assistance with legal costs above that budgeted in the project and financial support for victims to move into new accommodation.

RECOMMENDATIONS

- Note the contents of the report and the proposed project work in partnership with Wyre Council and Fylde Coast Women's Aid to commission a Housing Outreach Worker to engage and support female and male victims and their children under the Domestic Abuse Act 2021.
- Approval of a fully funded revenue budget increase for the total of £33,196 to be met by MHCLG New Duties funding (£16,500 21/22 and £16,696 22/23) to undertake new Part IV duties under the Domestic Abuse Act 2021.

SUMMARY OF PREVIOUS DECISIONS

[Environment, Health and Housing 15th June 2021 – Fylde Council Handy Person and Sanctuary Pilot Scheme](#)

It was RESOLVED to;

- Note the contents of the report and approve the Handy Person and Sanctuary Scheme pilot scheme proposed, in partnership with Preston Care and Repair, using existing revenue resources;
- Committee are requested to disapply the rules to comply with the contract procedure on the basis that:
 - The pilot is required to gauge demand for both the Handyperson and Sanctuary service;
 - Preston Care and Repair are already running the minor aids and adaptations programme in Fylde;
 - The purpose of the pilot is to inform a competitive procurement of the Handyperson and Sanctuary Scheme in 2022 on completion of the 12 month pilot; and
- Note that an evaluation of the Pilot will be presented to this Committee after 12 months.

[Environment, Health and Housing - 2nd September 2021](#)

CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

DOMESTIC ABUSE ACT 2021

1. The Domestic Abuse Bill received Royal Assent on the 29th April 2021.
2. **Four main objectives of the Domestic Abuse Act 2021:**
 1. **Promote awareness** – to put domestic abuse at the top of everyone’s agenda, and raise public and professional awareness
 2. **Protect and support** - to enhance the safety of victims and the support that they receive
 3. **Transform the justice process** - to priorities victim safety in the criminal and family courts, and review the perpetrator journey from identification to rehabilitation
 4. **Improve performance** - to drive consistency and better performance in the response to domestic abuse across all local areas, agencies and sectors
3. The Domestic Abuse Act is split into seven parts:
 - 1) Definition of “domestic abuse”
 - 2) The Domestic Abuse Commissioner
 - 3) Powers for dealing with domestic abuse
 - 4) Local Authority Support - Safe Accommodation and Local Domestic Abuse Partnership Boards (Part 4 Duties)
 - 5) Protection for victims and witnesses in court
 - 6) Offences involving violent or abusive behaviour
 - 7) Miscellaneous & General
4. The act places a statutory framework for the delivery of support to victims of domestic abuse and their children in safe accommodation and provides clarity over governance and accountability.
 - Places a duty on each Tier 1 local authority in England to appoint a multi-agency Domestic Abuse Local Partnership Board which will consult as it preforms certain functions.
 - Assesses the need for accommodation-based domestic abuse support in their area for all victims or children, including those who come from outside the area.
 - Develop a Domestic Abuse Strategy that details such support to cover the locality and monitor and evaluate the effectiveness of the strategy.

Funding linked to Part IV Duties – Tier 1 and Tier 2 local authorities

5. Fylde Council have been awarded funding for 21/22 totalling £33,196, linked to the New Duties under Part 4. Funding will be paid on an annual basis in the form of un-ringfenced grants under Section 31 of the Local Government Act 2003 by MHCLG for a period of three years. The new Duty Fund value is now confirmed by MHCLG for one year only. The funding will be available for 3 years, but the amount in years 2 & 3 depends on the spending review. After 3 years funding will be rolled in with the Local Government allocation.
6. Tier 1 and Tier 2 Local Authorities will need to develop a Domestic Violence Strategy that identifies their needs and how they will address those needs. LCC are the lead authority reporting to a wider Lancashire Domestic Abuse Partnership Board.
7. Tier 2 councils are to co-operate with the lead Tier 1 local authority to deliver this support under the Part 4 duties (see paragraph 3). Funding has been received direct from central government to tackle identified needs with support and accommodation-based services, in each local authority area in 2021/22.

8. Funding is split into two parts:

1. Support in safe accommodation: cost of the commissioned services, based on an estimate of support unit costs and the level of unmet need for safe accommodation.
2. Administrative new burdens: cost of delivering the new functions under the duty.

Fylde Council, Wyre Council and Fylde Coast Women's Aid

9. Fylde and Wyre Council, in order to take forward the new Part 4 duties, are proposing to work across Wyre and Fylde local authorities in partnership with Fylde Coast Women's Aid to support victims and their children.
10. Fylde Coast Women's Aid (FCWA) offers free advice and support to individuals living in Blackpool, Fylde and Wyre who are experiencing or have experienced domestic abuse, stalking and child sexual exploitation.
11. The project will commission a Housing Outreach Worker to engage and support female and male victims and their children, employed by FCWA. This will enable smooth signposting to support services and work jointly with each local authority housing service for re-housing options. The post will be initially for 12 months, with possible extension for a further 2 year's once the value of New Duty Fund, for years 2 and 3 has been confirmed (paragraph 5).
12. The project will provide training for housing staff and other teams within the local authority who may come across domestic abuse situations and require an insight into the warning signs, support required and actions to take.
13. Each local authority will commission Sanctuary Schemes separately to support households experiencing domestic violence. Fylde Council currently have a pilot in operation with Preston Care and Repair to operate a Handyperson and Sanctuary Scheme.
14. A legal expenses budget will be held by FCWA to assist clients where applicable with non-molestation orders, occupation orders and prohibited steps. The £4000 for legal fees is a figure suggested by FCWA, however this can be increased based on demand as the project moves forward.
15. Clarification was requested at Environment Health and Housing Committee on the 2nd September on the level of the legal expenses budget and would this be sufficient. FCWA have advised the legal fund will be used for emergency injunctions and/or prohibited steps orders. It is free to issue an injunction, £205 for a Prohibited steps order plus £150 if either application need to be served personally. They feel the £4,000 legal expenses budget will be more than enough money to cover this cost.
16. Table 1 below details the project costings. Funding required for the Housing Outreach Worker £18,500 leaving £14,696 funding available for additional monies required under the sanctuary scheme, additional legal costs to the project if required, rent bond and rent in advance and financial support with essential items.
17. Clarification was requested at Environment Health and Housing Committee if the salary at £23,500 will attract the right person with the right skill set. FCWA have responded and advised this figure is the basic salary for the IDVA case workers (Independent Domestic Violence Advisor). They comment that the third sector is not very well paid, but they are confident they would be able to get the right person for the position and if the project goes on past 12 months, they would be looking at a 2% salary increase.
18. Project monitoring meetings will be held bi-monthly to discuss the project, workload and emerging barriers and lessons learnt, in order to inform the project in future years and assist in developing a DV Strategy for Fylde and Wyre Authorities.

HOUSING OUTREACH WORKER FYLDE AND WYRE	
Salary	£23,500.00
NI	£1,890.00
Pension	£1,175.00
Mobile Phone	£360.00
Travel	£600.00
Training	£500.00
IT System/HR/Insurance costs	£600.00

Management Uplift/ Overhead costs	£4,294.00
Legal cost support administered by FCWA – non molestation orders, occupation orders and prohibitive steps	£4,000
Total costs for 12 month post	£36,919
Contribution Fylde and Wyre	£18,500

19. The worker will support the empowerment of the client and assist them in recognising the features and dynamics of domestic abuse present in their situation and help them regain control of their lives. The role will provide advocacy services for victims with agencies who can help to address the domestic abuse by:

- I. Understanding the role of all relevant statutory and non-statutory services available to domestic abuse victims and how your role fits into them.
- II. Providing advocacy, emotional and practical support and information to victims including in relation to legal options, housing, health, and finance.
- III. Working directly with all key agency partners to address the safety of victims.
- IV. Provide up to 8 weeks tenancy support when clients are moving into independent tenancies.

IMPLICATIONS	
Finance	Fully funded revenue budget increase for the total of £33,196 to be met by MHCLG New Duties funding (£16,500 21/22 and £16,696 22/23) to undertake new Part IV duties under the Domestic Abuse Act 2021.
Legal	Part IV duties under the Domestic Abuse Act 2021 to secure safe accommodation.
Community Safety	Part IV duties under the Domestic Abuse Act 2021 to secure safe accommodation.
Human Rights and Equalities	Part IV duties under the Domestic Abuse Act 2021 to secure safe accommodation.
Sustainability and Environmental Impact	No implications.
Health & Safety and Risk Management	No implications.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Domestic Abuse Act	2021	Domestic Abuse Act statutory guidance - GOV.UK
Fylde Coast Women's Aid		Fylde Coast Women's Aid - Fylde Coast Women's Aid - FCWA
Fylde Council Handyperson and Sanctuary Scheme	2021	Fylde Council handy person and sanctuary scheme
Funding allocations new domestic abuse duty	2021	Funding allocation methods: new domestic abuse duty - GOV.UK