

Cabinet – 21 July 2021

The Provision of Domestic Abuse Emergency Accommodation Support Service

Portfolio: Councillor Andrew – Deputy Leader, Regeneration
Councillor Wilson – Cabinet member for Children's Services

Related portfolios: Councillor Martin – Adult Social Care
Councillor Perry – Deputy Leader, Resilient Communities

Service: Money Home Job (MHJ) and Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

To ensure we deliver effectively our new duties outlined in the Domestic Abuse Act 2021 ("the Act"), which requires the commissioning of:

- Effective support to victims of domestic abuse and their children
- Sufficient and effective safe accommodation to victims of Domestic Abuse (DA)

2. Summary

- 2.1 The Act became law on 29 April 2021 and places clear duties on the Local Authority to strengthen the support for victims of abuse. The Act places a statutory duty on tier one local authorities relating to the provision of support to victims of domestic abuse and their children residing within refuges and other safe accommodation. New Burdens funding to the total value of £690K has been allocated to Walsall to cover the costs of the new duty including the provision of support in safe accommodation for 2021-22.
- 2.2 Safer Walsall Partnership Board are developing a Domestic Abuse Strategy based on a needs assessment and consultation with key stakeholders. This strategy will provide evidence to inform our commissioning decisions for the support of victims with children and the provision of accommodation-based domestic abuse support in Walsall.
- 2.3 Money Home Job currently contracts with Accord Housing Association for the

Provision of Domestic Abuse Emergency Accommodation Support Service. The annual value of the contract is £188,870. On the 10th February Cabinet approved an extension of this contract to 30th September 2021, along with delegated authority to the Executive Director Children's Services in consultation with the Portfolio Holder for Regeneration to approve any further contractual variations. It is intended to extend this contract for a further six months to 31 March 2022 whilst further service user and stakeholder consultation on options for safe accommodation provision takes place, followed by and future commissioning takes place.

- 2.4 Children's Services currently contracts Black Country Woman's Aid (BCWA) to support children and families impacted by Domestic Abuse. The annual value of the contract is £220,000. This contract is due to end on the 30th September 2021, and it is intended to extend the contract, within existing delegations, for a further three months to 31 December 2021 whilst commissioning of a new service model takes place. Children's Services completed a review of the provision with a view to form future commissioning intentions in light of demand, transformation plans and other related strategic developments internally to the council.
- 2.5 It is proposed to make changes to these service delivery models when recommissioning these services to meet the requirements of the Act.

3. Recommendations

- 3.1 That Cabinet approve the new Domestic Abuse service delivery model, and undertaking of a competitive procurement process, to determine the most suitable provider(s) for the delivery of support to all victims with children who need Children's Services interventions
- 3.2 That Cabinet delegate authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder for Regeneration, to approve the new service delivery model for domestic abuse safe accommodation and support following a public consultation exercise, and note that Cabinet will receive a further report to approve contract award following the procurement exercise.

4. Report detail - know

Context

- 4.1 The Act places a new legal duty on local authorities to assess the need for and commission support for victims and their children within safe accommodation. The new duty covers the provision of support to victims and their children residing in some/all of the following:
 - refuge accommodation;
 - specialist safe accommodation;
 - dispersed accommodation;

- sanctuary schemes; and
- move-on or second stage accommodation.

Domestic abuse support element of the duty includes:

- Advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers);
- Domestic abuse-prevention advice – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation;
- Specialist support for victims with relevant protected characteristics and / or complex needs, for example, interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice;
- Children's support – including play therapy and child advocacy;
- Housing-related support – providing housing-related advice and support, for example, securing a permanent home and advice on how to live safely and independently; and
- Counselling and therapy for both victims and children.

- 4.2 Walsall Safer Partnership Domestic Abuse Strategic Needs assessment and the related draft Strategy identified a rise in Domestic Abuse across Walsall and the need for better coordinated support to victims of Domestic Abuse including children and young people. The draft Strategy also proposes that there is a need for a dispersed accommodation and support service for DA victims. The Strategy sets out 6 aims, these include protecting children and young people through integrating this with protection and support of the non-abusing parent. Where possible this should be part of a coordinated approach using sanctions or other action involving the perpetrator and where this is not possible, protection of the non-abusing parent must be maintained in parallel with protection of the children. The Family Safeguarding Model is identified as a best practice model in the National DA guidance framework. Walsall is in its second year of implementing this model and this provides a key opportunity to achieve this aim.
- 4.3 Whilst some consultation, listed below, has been carried out to identify the most appropriate future DA safe accommodation and support service delivery model, this was predominantly in 2019, which was prior to the requirements provided within the Act in 2021. It is therefore proposed that a consultation exercise with current and former service users, and other stakeholders, is carried out, which will then provide up to date and relevant views and information on the preferred service delivery model which will then be commissioned. The consultation options are as described in 4.1.
- 4.4 An in house review into the current refuge accommodation provision of 24 bed block with 3 dispersed units in the borough from 2019/20 demonstrated:
- 84 service users access the refuge in 2019/20 and 62 service users in 2020/21. One of the key reasons in the reduction in usage is attributed to Covid and service users not willing to utilise shared facilities

- In 2020/21 just over 39% of victims stated they were from an ethnic minority group with Pakistani households being the largest group. Feedback in 2019/20 from those who were from an ethnic minority group and currently in the refuge suggested a large amount of stigma associated with accessing DA related accommodation and suggested dispersed accommodation within a community setting is preferred by service users.
- Service user feedback in 2019/20 also suggested concerns from service users stating large numbers of service users in a block setting can lead to housing management issues, issues for those leaving tenancies not suited to refuge accommodation and concerns from those with older male children. One area which service users stated in particular was concerning was when the location of the accommodation was disclosed and the impact this had on their mental health and well-being.
- In 2019/20 an average of 8 children a week were present in Walsall's refuge provision aged between 0-14 years, this proved a challenge for staff providing support and ensuring the setting is safely managed. In response to this a shorter term MHCLG funded Children and Young Persons Worker who commenced work in May 2020 has provided up to 6 sessions daily for children and young people. Feedback from service users and staff suggested this was positive, however service users stated a need for a therapeutic style service was also needed as the impact of DA was not fully recognised and wanted their families to be better integrated within communities.

4.5 In 2019/20 the council contracted Accord HA to pilot a dispersed domestic abuse emergency accommodation and support service, for up to 10 units. Feedback from service users suggested:

- a general support for dispersed accommodation and people feeling they generally were happier with the option to remain in a property and receive support as required.
- Feedback from those taking part in the pilot stated a potential need for a small level of refuge accommodation (for those with safety issues) but in the main the opportunity to rebuild their lives, realise their potential and receive support in a community based setting was an advantage.

The pilot concluded the majority of the clients have sustained and remain within their properties 6 months post pilot. The dispersed pilot achieved a number of outcomes;

- Provided a safe and supported environment for domestic abuse victims;
- helped prevent re-victimisation;
- increase levels of tenancy maintenance in this group;
- enabled households to have their none secure tenancy converted to a secure tenancy;
- helped individuals achieve and maintain independent living skills;
- helped individuals access education and training and employment opportunities.

- 4.6 The dispersed accommodation with floating support pilot, and in house review, suggested that this option would require:
- Securing a provider who had the relevant flexibility in their stock offer to meet these requirements. This may include the ability to access some refuge places, where a dispersed unit isn't suitable for any reason, or the ability to be part of a reciprocal arrangement with out of borough provision.
 - The dispersed units will all be furnished and required to meet a minimum quality standard as determined within the future service specification.
 - The provider will also need to have sufficient stock to enable units to be 'rotated', to ensure that specific homes can't be identified as housing victims of DA. As such, when properties have been used for this purpose for a certain period of time, and they next become void, the Provider will take that unit back and provide an alternative home in a different location. This should negate one of the issues that occurs with block refuges, where the location of the refuge tends to become well known in the local area.
 - This offer should also include the potential to 'flip' tenancies into a permanent home where a household has been placed in a dispersed unit. This would enable the victim and family to remain in the property on a secure tenancy (where they have previously left a secure tenancy) if this was the most appropriate housing option for them, and provided safe, settled and sustainable outcomes, without a need to move again to avoid further disruption, enabling them to keep connected to their new community resource. Where a flip takes place, then the provider will provide a replacement property.
 - A dispersed or refuge safe accommodation service will include a housing IDVA and/or link to any council housing Independent Domestic Violence Adviser (IDVA) services to assess housing options and facilitate move on where not suitable to remain in existing property.
- 4.7 Certain principles will need to be in place for the new commissioned safe accommodation and support service, whichever option emerges as the preference through the consultation exercise. It will need to be affordable, flexible, and ensure it delivers the appropriate outcomes for victims and their children. The new service will need to be flexible to cater for those individuals who require low level support, and also those individuals with more complex needs. The new commission would seek an accommodation provider who is able to provide a range of accommodation options to meet the varying need and risk levels of all DA victims and their families. It is anticipated that around 27 units will be commissioned, matching the current level of provision, and that this will be monitored and adjusted in line with demand, within contractual budget constraints. In line with the Strategy requirements to work in partnership and develop a coordinated response to DA, Money Home Job and Childrens services will jointly commission services, within the same timeframe, to ensure that a single pathway is put in place for all victims of domestic abuse including single adults, and those households with children. The new services will be co designed with service users, and will involve a streamlined pathway for those with greater complexities, which can involve joint interventions through the locality hubs, including early help and safeguarding.

4.8 Children's Services has an annual budget of £220K (consisting of Public Health grant funding and Children's Services core budget) to commission the provision of support to victims with children who are impacted by Domestic Abuse and who as a result meet the threshold for a multi-agency Early Help plan or a Social Care Plan. The review of the current provision identified that

- DA is a key need driving the demand in Children's Services both in terms of Targeted Early Help and Social Care. The anticipated suppressed demand during the COVID pandemic, and the implications of requirements within the Act, are likely to increase the demand in the immediate future.
- Some community groups are under represented in terms of DA demand and therefore we need to consider the benefits of aligning a support service to a locality approach to identify and address this.
- There is considerable failure demand in the advice and guidance function provided by BCWA due to inappropriate referrals or insufficient and incorrect information.
- The Specialist DA advice and support provided by BCWA as part of the DA triage in The Multi Agency Screen Hub (MASH) is having a positive impact on oversight, consistent decision making and timely support across police recorded DA incidents and referrals.
- BCWA is providing effective and impactful case working interventions when victims engage. However the uptake is lower with some ethnic minority community groups. This could be addressed by bringing resources closer to the community by aligning the casework support to our integrated locality model.
- The support direct to children as victims is currently a small, but effective part of the commissioning contract. This support should focus on the emotional wellbeing and mental health support as a result of the trauma children have experienced and therefore Health Partners as identified in the Act will need to play a role in growing this support.

In light of demand, transformation and guidance as set out by the Act identified the need to:

- Increase the DA specialist support in MASH to ensure effective identification of need and decision making
- The integration of DA specialist victim support (parent and child) as part of Walsall Right for children locality model to effectively engage and meet the need of the diverse communities

Council Corporate Plan priorities

4.9 The emergency DA accommodation support service will contribute to the Council's priorities as follows:

- Economic growth for all people, communities and businesses – homelessness and lack of access to settled and supported housing remains a key barrier to accessing employment, and so the proposed Service can help increase employment prospects.

- People have increased independence, improved health and can positively contribute to their communities – preventing homelessness, and advice and support in maintaining a tenancy and address trauma experienced through DA can promote independence and can improve mental and physical health and wellbeing.
- Communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion – ensuring that victims of DA have the right housing to meet their needs, and that they are able to remain in these homes or be suitably rehoused, sustain tenancies and be part of their community.
- DA is an Adverse Childhood Experience – Children who have experienced domestic abuse are significantly more likely to experience abuse in their own adult relationships, to misuse drugs or alcohol, and to have lower levels of wellbeing. The impact on children and young people's mental health can also be profound. [Research](#) shows that receiving the right help at the right time from specialist children's services reduces the impact of domestic abuse on these children and improves children's safety and health outcomes

Risk management

- 4.10 As the Council moves to new service delivery models for domestic abuse services, there is a risk that the market won't be sufficiently developed to respond to this requirement. This is being mitigated by ensuring the offer of flexible lots during the procurement process. For example, different providers will be able to bid for, and be awarded, separate service delivery elements, rather than having to provide services for the whole contract.

Financial implications

- 4.11 Government has allocated New Burdens funding to local authorities for 21/22, of which £690,000 has been allocated to Walsall, to cover the costs of this new duty. Government departments have also confirmed that there will be further allocations of New Burdens funding, but are unable to quantify the award levels until the conclusion of the next comprehensive spending review. There is no guarantee that local authorities will receive the same level of funding that was allocated for 21/22.
- 4.12 Following consultation responses on the new safe accommodation and support service delivery model, a number of options will be reviewed and costed out to ensure they are within the budget envelope of the New Burdens funding available and meet the aims and objectives of the Act. The Commissioning Group of the Safer Walsall Partnership Board will then be consulted on the final service delivery model. Following procurement of the new service, a report will be submitted to Cabinet to seek approval for contract

awards for both the victims and children support, and safe accommodation with support contracts.

- 4.13 The existing Refuge contract with Accord will be extended by six months, through to 31 March 2022, to enable a continuous service provision whilst consultation and the new procurement exercise is underway, and to allow time for an appropriate move on strategy for existing refuge service users. The cost of the 6 month extension to the Accord refuge contract is £94,435. The Commissioning Group of the Safer Walsall Partnership Board will be consulted on the request to allocate this cost from the £690K New burdens allocation for 2021/22.
- 4.14 The extension of the existing BCWA contract, and cost of the new Children's service delivery, will continue to be met from existing Council resources. However, the New Burdens funding may provide greater flexibility to fund future plans subject to final approval.

Legal implications

- 4.15 The Council has a legal duty to assess the need for and commission support for victims and their children within safe accommodation. This proposal is ensuring effective and efficient compliance with this duty set out under the Act.

Procurement Implications/Social Value

- 4.16 Procurement advice and support will be sought to ensure that the contract extensions referred to in 2.3 and 2.4 of this report, and the proposed procurement activity set out in recommendations 3.1 and 3.2is undertaken in compliance with Public Contract Regulations 2015 (the Regulations) and the Council's Contract Rules. Procurement and Legal Services will coordinate to ensure that there is a consistency of advice and approach and the drafting of the contracts will be approved by Legal Services in accordance with the Contract Rules.
- 4.17 During the scoping of any benefits, which can be realised through any future commissioning activity, there might be opportunities to implement initiatives that enable benefits to be realised prior to any recommissioning of these services. In these instances, procurement will provide specific advice in relation as to how any additional changes could be implemented in compliance with the Regulations.

Property implications

- 4.18 There are no property implications for the Council.

Health and wellbeing implications

- 4.19 The principles and actions contained within this report are in full accordance with the Marmot objectives. The prevention of homelessness and support to households helps to ensure that individuals have the best environment to

maximise their potential. The security of a roof over their head, and associated support, helps provide households with stability to engender a better environment for study, training or employment. Preventing and relieving homelessness contributes to the likelihood of a healthier environment for households to live in.

- 4.20 Providing children and adult victims with timely help and support with overcoming the trauma they have experienced as a result of Domestic Abuse provides them with the best start in life and maximises their capabilities and gain control over their lives.

Staffing implications

- 4.21 There are no direct staffing implications for the Council as all staff engaged in providing the relevant services currently are employed by Accord Housing Association and Black Country Woman's Aid.
- 4.22 The possible TUPE transfer of the staff employed by Accord and BCWA as part of the commissioning of the services will be considered as part of the procurement processes between any incoming and outgoing providers.

Reducing Inequalities

- 4.23 The implications for reducing inequalities have been taken into account and assessed as set out in a detailed Equality Impact Assessment (EQIA) at Appendix A.
- 4.24 The EQIA highlighted some gaps in uptake of the DA services by certain ethnic minority groups. The new commissioned service is seeking to address this through aligning with locality working to ensure closer relationship building with those key communities in these localities. The EQIA will also ensure further consultation captures key learning and will seek to develop procurement and service improvement through customer feedback across a range of protected characteristic groups.

Climate Change

- 4.25 There are no specific climate change implications contained within this report.

Consultation

- 4.26 The proposals are a direct response to the Safer Walsall Needs analysis and draft Strategy. Consultation has been carried out internally with Adult Social Care, Public Health and Communities Directorates on the proposals. A consultation exercise with current and former service users, and other stakeholders, will be carried out to inform the new service delivery model for DA safe accommodation and support.

5. Decide

- 5.1 A 'do nothing' option is not viable as the Council must fulfill the statutory obligations contained within the Act.
- 5.2 There is an option to recommission the existing refuge based service model, however there is evidence that this may not be the most effective way to meet the requirements of the Act to support victims of DA and their children, and offer safe and effective accommodation. This is on the basis that it is difficult to deliver sustainable outcomes in a block refuge environment for some service users, compared with individual homes and tailored support. Also, a refuge setting may not be the most suitable environment for certain groups such as ethnic minority, male victims, households with older male children, LGBTQ and those with learning disabilities. This will be tested through the proposed consultation exercise. In relation to the children's and families support new service delivery model, the review of the current service commissioned by children's services highlighted that this was not the most efficient and identified gaps around current demand and meeting the needs of certain groups such as ethnic minority and male victims. Tendering these services also gives the opportunity to align the commissioning provision with the locality model and our evidence based Family Safeguarding model.
- 5.3 The proposed option to support victims of domestic abuse and their children and commission safe accommodation with support is split into two separate but linked service proposals:

Commissioning of support to victims of domestic abuse and their children to the value of £220K that will provide:

- A full time DA specialist support in MASH to ensure effective identification of need, decision making and timely advice and guidance.
- The integration of DA specialist victim support (parent and child) as part of Walsall Right for Children Early Help and Social Care locality model to effectively engage and meet the need of the diverse communities. This will consist of four full time Domestic Abuse Specialist workers

An extension of the existing refuge service for 6 months to 31 March 2022. A subsequent new service delivery model for safe accommodation and support service will be commissioned, that has been designed following service user and stakeholder consultation, that will meet the requirements of the Act.

6. Respond

If approved, a competitive procurement process will be carried out to determine the most suitable provider(s) for the delivery of:

- Effective support to victims of domestic abuse and their children
- Sufficient and effective safe accommodation to victims of Domestic Abuse following consultation that will inform the design of the new service delivery model

7. Review

- The outcomes of the services will be regularly monitored through
- Walsall Right 4 Children Performance framework and
 - Money Home Job Performance frameworks

The outcomes will also be reported back to the Safer Walsall Domestic Abuse partnership board and on a national level to MHCLG.

Background papers

Domestic Abuse Act 2021

Safer Walsall Domestic Abuse Needs Assessment

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