



# Cabinet

14<sup>th</sup> September 2022

**Report of:** Councillor Malise Graham MBE -  
Portfolio Holder for People and  
Communities (and Deputy Leader)

## Domestic Abuse – Updates and Changes

<b>Corporate Priority:</b>	Excellent services positively impacting our communities
<b>Relevant Ward Member(s):</b>	All
<b>Date of consultation with Ward Member(s):</b>	N/A
<b>Exempt Information:</b>	No
<b>Key Decision:</b>	Yes
<b>Subject to call-in</b>	Yes

### 1 Summary

This report provides an update on recent legislative changes introduced by the Domestic Abuse Act 2021 and sets out how the Council is responding, to ensure duties on the Council are fulfilled; with a focus on safeguarding and protecting people who experience domestic abuse.

### 2 Recommendation(s)

**Cabinet are asked to:**

- 2.1 Note the duties and responsibilities on the Council as a result of the Domestic Abuse Act 2021
- 2.2 Approve the updated domestic abuse policy and delegate to the Director for Housing and Communities, in consultation with the Portfolio Holder for People and Communities, authority to make any further amendments as required to reflect legislative changes
- 2.3 Confirm commitment to work towards achieving accreditation with the Domestic Abuse Housing Alliance (DAHA) and associated implementation plan (Appendix A)

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| 2.4 | To delegate authority to the Director for Housing and Communities in consultation with the Portfolio Holder for People and Communities, to oversee implementation and delivery of the DAHA implementation plan |
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### 3 Reason for Recommendations

- 3.1 To ensure compliance with legal duties and safeguarding responsibilities.
- 3.2 To work towards best practice in embedding domestic abuse awareness and response across services through accreditation with the Domestic Abuse Housing Alliance (DAHA).

### Background

- 3.3 The Domestic Abuse Act 2021 placed extra duties on local authorities to protect and support people at risk of and experiencing domestic abuse.
- 3.3.1 Whilst many of the new responsibilities fall within the remit of Leicestershire County Council (LCC) as a Tier 1 Local Authority, all Councils across the county are required to work in partnership to enact the support functions related to domestic abuse. New burdens funding has been allocated to county and district councils to support this.
- 3.4 Responsibilities for Melton Borough Council include:
- Automatic priority need status to be given to anyone approaching as homeless and fleeing domestic abuse
  - Where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy
  - The Council will be required to assist LCC through collaboration and local leadership to ensure the [Domestic Abuse Reduction strategy 2022-2025](#) is implemented across our area of Leicestershire.
- 3.5 The Council has received new burdens funding of £32,364 in 2021/22 and again in 2022/23 to enact the new responsibilities owed by a local district / housing authority. This will support staffing costs in the housing options service, ensuring we fulfil our legal obligations in relation to the new commitments. During this time, the council will ensure a focus and commitment to increasing awareness and response to domestic abuse across the teams and a focus on treating domestic abuse as a priority.
- 3.6 All district and borough councils across Leicestershire are asked to work towards achieving accreditation with the '[Domestic Abuse Housing Alliance](#)' (DAHA) which will ensure a set of rigorous policies, procedures and practices are in place and embedded by April 2023. This accreditation is being funded by LCC subject to completion of the required elements by the deadline. An implementation plan has been developed and is included at Appendix 1.
- 3.7 The thematic lead for the response to Domestic Abuse will be the strategic lead for housing options and homelessness. The lead officer will ensure the work is monitored and consistently applied across the council.

## 4 Main Considerations

The 5 priorities of the Leicestershire Domestic Abuse Reduction Strategy 2022-2025<sup>1</sup> are:

1. Early Intervention and Prevention
2. Targeted Support
3. Reachable Services
4. DA Act (Part 4) - Safe Accommodation
5. Strong Partnership

The Council has updated its domestic abuse policy to reflect the new requirements.

The policy is currently being reviewed by the Council's Legal team to ensure all elements of the legislation have been included. Delegated Authority to the Director for Housing and Communities, in consultation with the Portfolio Holder for People and Communities is requested to make any further amendments as required to reflect legislative changes, ensuring effective policy version control and implementation at all times.

The summary below is how Melton BC will be involved with each of the 5 priorities:

### 5.1 Early Intervention and Prevention

- 5.1.1** Upskilling of front-line officers/staff. This involves Housing Options officers all being trained to a high level to create resilience within the team. (Levels to be determined in a training plan like safeguarding)
- 5.1.2** Increased awareness and confidence to report may lead to increase in staff disclosure for victims and perpetrators. The Council will need to ensure a safe and appropriate response to support staff
- 5.1.3** Promotion of the DA Toolkit and identification of Domestic Abuse Champions across the different teams within the council
- 5.1.4** Automatic priority need status to anyone approaching as homeless because of domestic abuse. This is already in place; staff are aware of the legal requirements but are not confident at completing risk assessments. As a result, the initial contact is not as strong as it could be.
- 5.1.5** Working with our contracting partners such as Axis to assist with early identification of domestic abuse.
- 5.1.6** An officer group to work towards accreditation for DAHA has been put together including officers from tenancy services, case management, HR and Community Safety

### 5.2 Targeted Support

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<sup>1</sup> [Leicestershire Domestic Abuse Reduction Strategy 2022-2025](#)

- 5.2.1 To ensure that support is delivered to the groups where it is needed by feeding into county-wide consultations regarding demand and access.

### **5.3 Reachable services**

- 5.3.1 Training of front-line staff using the principles of Making Every Contact Count (MECC)
- 5.3.2 Building and developing partnerships to deliver services across our borough and to the right sectors of our communities.

### **5.4 DA Act (Part 4) – Safe Accommodation**

- 5.4.1 Working with our district and county colleagues to become accredited through the Domestic Abuse Housing Alliance (DAHA) and working towards a housing reciprocal agreement. This would ensure clear policies and procedures are set across the councils that are fair and transparent and addresses the right support for people affected by domestic abuse.
- 5.4.2 A commitment to further training on legal policies regarding security of tenure, right to a permanent home and advice on how to live safely and independently.
- 5.4.3 This will need support from senior leadership and members to reiterate this is a priority and ensure training and awareness is completed.

### **5.5 Strong Partnerships**

- 5.5.1 Representation at the DA local Partnership Board. This is already in place.
- 5.5.2 To ensure data collection is consistent with our district colleagues and IT systems can capture this.
- 5.5.3 Demonstration of strong internal partnerships. This involves close working with Human Resources, Housing Options, Legal, Communications, Case Management, Tenancy Services, Community Safety and Customer Services to ensure a consistent, systematic approach is embedded across the council as everyone's responsibility in line with the wider principles of safeguarding.

## **5 Options Considered**

- 5.1 The Council could choose not to work towards DAHA accreditation. This is not recommended as it would not demonstrate commitment to best practice in protecting and supporting victims of domestic abuse.
- 5.2 The Council must fulfil legal duties in relation to domestic abuse.

## **6 Consultation**

- 6.1 This is a national policy which has been created with extensive national consultation. The role of Melton Borough Council is to ensure this is enacted at a local level. Regular

consultation is undertaken with DAHA and district colleagues to ensure it is always relevant and meets the needs of residents.

- 6.2 An operational group is in action to ensure any local issues are picked up and addressed

## **7 Next Steps – Implementation and Communication**

- 7.1 A DAHA implementation Plan is included at Appendix 1.
- 7.2 A communications plan is part of the accreditation and will be refreshed every 12 months. Communications are part of the operational group enacting the implementation plan
- 8.3 Updates to be communicated to SLT and portfolio holder on a quarterly basis.

## **8 Financial Implications**

- 8.1 The Council received £32,364 in 2021/22 and again in 2022/23 to enact the new responsibilities owed by a local district / housing authority. This will support staffing costs in the housing options service, ensuring our legal obligations in relation to the new commitments are fulfilled alongside supporting the delivery of the implementation plan as outlined in Appendix 1.
- 8.2 The grant will be managed within the homelessness service budget and will need to be spent in accordance with the grant conditions.

**Financial Implications reviewed by: Corporate Services Manager**

## **9 Legal and Governance Implications**

- 9.1 The report sets out the new legislative requirements placed upon authorities through the DA Act.
- 9.2 The statutory guidance is issued under section 84 of the [Domestic Abuse Act 2021](#) ('the 2021 Act'). It is intended to increase awareness and inform the response to domestic abuse. It also conveys standards and promotes best practice.
- 9.3 Section 84(4) of the 2021 Act requires persons exercising public functions, to whom the guidance relates, to have regard to the guidance in the exercise of those functions. The statutory guidance should therefore be read in conjunction with other relevant guidance and codes of practice.
- 9.4 The updated policy is currently being reviewed by the Council's Legal team to ensure that all elements of the revised legislation are incorporated. Delegated authority to make any further amendments in line with the legislation is requested as part of this report.

**Legal Implications reviewed by: Monitoring Officer**

## **10 Equality and Safeguarding Implications**

- 10.1 A full EIA is not required as the national policy would have undergone an equality impact consideration. A equality impact assessment was also carried out when the Domestic Abuse Policy was created in 2020. The changes made ensure the policy remains up to

date and in line with legislative changes. It ensures a greater focus on domestic abuse and support for people experiencing domestic abuse.

## 11 Community Safety Implications

- 11.1 Domestic Abuse will be high on the agenda of the Community Safety Partnership and ensure that any potential victims are not treated as perpetrators and complaints dealt with accordingly.
- 11.2 Victims/survivors will feel listened to and that the council is assisting with their situation. This would mean that Melton Borough Council is assisting with the prevention, identification and reduction in harm for Domestic Abuse cases.
- 11.3 As outlined in the report, the work undertaken by Melton Borough Council will support the work for the county's Domestic Abuse Reduction Strategy.

## 12 Environmental and Climate Change Implications

12.1 n/a

## 13 Other Implications (where significant)

## 14 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	MBC unable to meet DAHA accreditation	Low	Marginal	Low Risk
2	Low levels of awareness and ineffective response to domestic abuse leading to victims being at risk	Low	Critical	Medium Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low		1	2	

2 Very Low				
1 Almost impossible				

Risk No	Mitigation
1	Infrastructure in place in terms of operational groups within MBC. Constant communication with district colleagues across the colleagues to look at progress across colleagues
2	Policy, training, and communication focus. Oversight from lead officers and taken seriously as a safeguarding matter.

## 15 Background Papers

15.1 None

## 16 Appendices

16.1 Appendix 1: Domestic Abuse Housing Alliance Implementation Plan

16.2 Appendix 2: Domestic Abuse Policy and associated changes

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