



## **RECORD OF CABINET PORTFOLIO HOLDER DECISION**

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision Ref. No.</b>	PH073
<b>Decision made by</b>	Portfolio Holder for People and Communities (Deputy Leader)
<b>Decision Title</b>	Domestic Abuse – Updates and Changes
<b>Key decision?</b>	Yes
<b>Date of decision (same as date form signed)</b>	3 October 2022
<b>Name and job title of Officer requesting the decision</b>	Michelle Howard, Director for Housing and Communities (Deputy Chief Executive)
<b>Officer contact details</b>	<a href="mailto:mhoward@melton.gov.uk">mhoward@melton.gov.uk</a>
<b>Decision</b>	<ol style="list-style-type: none"><li>1. To approve the updated domestic abuse policy.</li><li>2. To delegate authority to the Director for Housing and Communities, in consultation with the Portfolio Holder for People and Communities, to make any further amendments as required to reflect legislative changes.</li><li>3. Confirm commitment to work towards achieving accreditation with the Domestic Abuse Housing Alliance (DAHA) and associated implementation plan.</li><li>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.</li></ol>
<b>Background</b>	<ol style="list-style-type: none"><li>1. The Domestic Abuse Act 2021 placed extra duties on local authorities to protect and support people at risk of and experiencing domestic abuse.<ol style="list-style-type: none"><li>1.1 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.</li></ol></li><li>2. Responsibilities for Melton Borough Council include:</li></ol>

	<ul style="list-style-type: none"> <li>• Automatic priority need status to be given to anyone approaching as homeless and fleeing domestic abuse</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>3. 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.</p> <p>4. 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.</p> <p>5. 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.</p>
<b>Reason for Decision/Main Considerations</b>	<p>1. To ensure compliance with legal duties and safeguarding responsibilities.</p> <p>2. To work towards best practice in embedding domestic abuse awareness and response across services through accreditation with the Domestic Abuse Housing Alliance (DAHA).</p>
<b>Alternative options rejected</b>	<p>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.</p> <p>2. The Council must fulfil legal duties in relation to</p>

	domestic abuse.
<p><b>Legal implications</b></p> <p>Officer/Date provided:  <b>Kieran Stockley, Monitoring Officer</b></p> <p><b>September 2022</b></p>	<ol style="list-style-type: none"> <li>1. The report sets out the new legislative requirements placed upon authorities through the DA Act.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>
<p><b>Financial implications</b></p> <p>Officer/Date provided:  <b>David Scott, Corporate Services Manager</b></p>	<ol style="list-style-type: none"> <li>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.</li> <li>2. The grant will be managed within the homelessness service budget and will need to be spent in accordance with the grant conditions.</li> </ol>
<p><b>Other implications</b></p>	<p><b>Equality and Safeguarding Implications</b>  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.</p> <p><b>Community Safety Implications</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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,</li> </ol>

	<p>identification and reduction in harm for Domestic Abuse cases.</p> <p>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.</p>
<b>Appendices &amp; Background papers</b>	<p>Appendix 1 – Domestic Abuse Housing Alliance Implementation Plan</p> <p>Appendix 2 – Domestic Abuse Policy and associated changes</p>
<b>Confidential Decision?</b>	N/A
<b>Call In Waived by Scrutiny Committee Chair?</b>	N/A
<b>Has this been discussed by Cabinet Members?</b>	Yes at Cabinet Briefing and with Portfolio Holder.
<b>Cabinet Portfolio Holder Signature</b>	<p>Email approval received  Councillor Malise Graham  Portfolio Holder for People and Communities</p>
<b>Declarations/conflict of interest?</b>	-

**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

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Form Received	3 October 2022	
Date published to all Councillors	4 October 2022	
Call In Deadline	7 October 2022	