
New Domestic Abuse and Safe Accommodation Duty

Committee considering report:	Executive on 25 March 2021
Portfolio Member:	Councillor Howard Woollaston
Date Portfolio Member agreed report:	9 February 2021
Report Author:	Jade Wilder
Forward Plan Ref:	EX4022

1 Purpose of the Report

- 1.1 This report has been produced to inform the Executive of the new duty placed on local authorities as set out in the Domestic Abuse Bill, currently before Parliament, which includes a new duty for the Council to assess the need for support and prepare strategies to provide support for victims and their children [who need to reside] in relevant accommodation (also referred to as safe accommodation throughout this report).
- 1.2 Preparations have been undertaken in order to meet our new legal requirements and the Executive must agree how best the Council implements the new duty from April 2021 (if the Bill receives Royal Assent).

2 Recommendations

- 2.1 It is recommended that the role of our Domestic Abuse Strategy Group is revised to enable it to become the 'West Berkshire Domestic Abuse Board' in order to fulfil the new requirements as set out in the Domestic Abuse Bill and accompanying statutory guidance. *Please refer to Appendix B and C for the draft Terms of Reference and Procedure note.*
- 2.2 It is also being recommended that, once received, the additional burden funding is used for two purposes; firstly to recruit administrative support within the Building Communities Together Team with responsibility for providing support to the West Berkshire Domestic Abuse Board and secondly commissioning additional services where gaps in support and safe accommodation have been identified through the required needs assessment.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The Council will be receiving £250,101 from the 1st April 2021 in the form of a non-ringfenced grant for additional burdens associated with the functions of the new duty. This funding covers 2 combined aspects; support costs i.e. commissioning services and administrative burdens. It is yet to be determined how long this funding will be available for and if the amount is subject to change but it is expected that it will be paid on an annual basis. This duty is resource intensive but funding may also cease in the future which could lead to financial implications leading to decisions being required at a later date.</p> <p>Financial Manager: Lisa Potts</p> <p>Date agreed report: 08/02/2021</p>
Human Resource:	None.
Legal:	<p>Amongst other new responsibilities, the Council will be under a legal obligation based on the new duty to assess the need for support and prepare strategies to provide support for victims and their children [who need to reside] in safe accommodation. If we do not implement the new duty from 1st April 2021 then there will be legal implications as the Council would be in breach of its statutory obligations. All work to prepare for the new duty has been undertaken and legal advice was sought which highlighted the need to bring the duty to Executive.</p> <p>Legal officer: Holly Whitwham</p> <p>Date agreed report: 8 February 2021</p>
Risk Management:	<p>The only risk identified is victims of domestic abuse and children of domestic abuse are required to be a statutory member of the new Domestic Abuse Board.</p> <p>In order to meet the membership requirement it is recognised that it may not be appropriate for victims of DA and children of DA victims to sit on the Board.</p> <p>To manage this risk the Board will ensure the voice of victims/survivors and their children are provided by a specialist practitioner on their behalf where appropriate to do so.</p>

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	It is known that some practitioners are themselves survivors of domestic abuse and can therefore provide insight for the Board when required.			
Property:	No property related issues identified at this stage, however as the duty focusses on accommodation based support for domestic abuse victims we may be required to expand our accommodation support if gaps are identified e.g. dispersed accommodation and work jointly with housing and property services to address this if and when it arises.			
Policy:	The new Duty relates to the Domestic Abuse Bill 2020, currently going through parliament. The Bill is passing through the House of Lords and is expected to receive Royal Assent by April 2021.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Please refer to Appendix A, EqIA assessment.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x			The new duty will have a positive impact on those with protected characteristics and/or complex needs. A broad definition of 'accommodation-based services' has been proposed to meet the support needs of diverse groups of victims and children. For example; we will be required to provide "Specialist safe accommodation which provide dedicated specialist support to victims with protected characteristics and/or complex needs, such as specialist refuges for BAME, LGBT, and disabled victims and their children."

Environmental Impact:		x		
Health Impact:		x		
ICT Impact:		x		
Digital Services Impact:		x		
Council Strategy Priorities:		x		<p>Ensure our vulnerable children and adults achieve better outcomes.</p> <p>The proposal will support this priority because it will ensure all victims of domestic abuse have access to the right support within safe accommodation when they need it so they are not at further risk or harm</p>
Core Business:		x		
Data Impact:		x		
Consultation and Engagement:	<p>Internal: Howard Woollaston (Portfolio Holder, Public Health & Community Wellbeing, Leisure and Culture), Hilary Cole (Portfolio Holder, Planning and Housing), Gary Lugg (Head of Development and Planning), Matt Pearce (Service Director, Communities and Wellbeing), Janet Weekes (Housing Service Manager), Susan Powell (BCT Manager), Zoe Campbell (Public Health Category Manager), Lisa Potts (Finance Manager) Holly Whitwham (Solicitor - Corporate & Communities).</p> <p>External: all 19 housing register providers, members of BCT Partnership, members of DA Strategy Group, members of Housing Board, members of Homelessness Strategy Group, members of Health and Wellbeing Board, Standing Together Charity and Safe Lives Charity.</p>			

4 Executive Summary

- 4.1 The Domestic Abuse Bill currently making its way through parliament places a new statutory duty on the Council to assess the need for support and prepare strategies to provide support for victims and their children [who need to reside] in safe accommodation. The new duty must be implemented from 1st April 2021.

- 4.2 The Council is required to establish and appoint a Local Domestic Abuse Partnership Board which will be responsible for performing certain specified functions of the new duty.
- 4.3 To support local authorities with this new duty, the Council will be receiving £250,101 additional funding for any new burdens associated to implementing the duty from 1st April 2021. This will be paid in the form of a non-ringfenced grant and covers 2 combined aspects; support costs i.e. commissioning services and administrative burdens. It is yet to be determined how long this funding will be available for and if the amount is subject to change but it is expected that it will be paid on an annual basis. This duty is resource intensive but funding may also cease in the future and there may be a financial impact leading to decisions being required
- 4.4 The following proposals are being made for agreement by the Board:
- The role of the Domestic Abuse Strategy Group is revised to enable it fulfil the role of the 'West Berkshire Domestic Abuse Board' which will be responsible for performing the new requirements as set out in the Domestic Abuse Bill. It will also serve a function to provide strategic oversight for all domestic abuse related activity.
 - Once received, the additional burden funding is used for two purposes; firstly to recruit administrative support within the Building Communities Together Team with responsibility for providing support to the West Berkshire Domestic Abuse Board and secondly commissioning additional services where gaps in support and safe accommodation have been identified through the required needs assessment.
- 4.5 The recommendations detailed within this report are approved as they are based on extensive and detailed planning that has been undertaken to inform it. There have also been a number of conversations with internal stakeholders to consider the best approach the Council should take to implement the new Duty. It is felt that the recommendations meet all legal requirements whilst taking into consideration professional's time and capacity by making the slightest of changes to current processes which is needed to fulfil our Duty.

5 Supporting Information

Introduction

- 5.1 The report seeks to inform the Board of a new statutory duty which must be fulfilled from April 2021. It includes a new duty for the Council to assess the need for support and prepare strategies to provide support for victims and their children [who need to reside] in safe accommodation.
- 5.2 Certain functions of the new duty have to be considered as part of the preparation work leading up to the commencement from 1st April 2021. This is detailed within the report and requires Executive approval.

Background

- 5.3 The landmark Domestic Abuse Bill is currently making its way through parliament and if it receives Royal Assent, as expected, it places a new duty on all Tier 1 local

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authorities. The new duty will require the Council to make appropriate arrangements to fulfil its new functions.

- 5.4 The Council will be required to report on the progress of meeting this duty and submit an annual reports as soon as reasonably practicable after the end of each financial year. This should be within 3 months following the end of the financial year.
- 5.5 To assist the Council in preparing for the new Duty all Tier 1 local authorities received a £50k Capacity Building Fund from the Ministry of Housing, Communities & Local Government (MHCLG) to ensure that there were adequate resources to plan, prepare for implementation and properly engage with key agencies. The capacity building fund is not associated with the functions of the new duty. An earlier report was presented to the Health and Wellbeing Board where it was decided how the funding would be used.
- 5.6 A summary report will be shared with the MHCLG on how this funding has contributed to our preparation for the duty.

Safe Accommodation

- 5.7 The Council must adhere to all aspects listed below defined as safe accommodation when fulfilling this duty. All support must be provided to victims of domestic abuse, or their children, who reside in safe accommodation and should meet the MHCLG Quality Standards.
 - Refuge accommodation;
 - Specialist safe accommodation (i.e. dedicated specialist support to victims with relevant protected characteristics and/or complex needs);
 - Dispersed accommodation (i.e. safe self-contained accommodation and self-contained 'semi-independent' accommodation);
 - Sanctuary Schemes;
 - Move-on and / or second stage accommodation;
 - Other forms of domestic abuse emergency accommodation.

Support

- 5.8 Domestic abuse support includes the expert help provided to victims and their children by the specialist staff in domestic abuse support services. The Council must ensure support is provided within safe accommodation which includes the following:
 - Overall management of services within relevant accommodation;
 - Support with the day-to-day running of the service;
 - Advocacy support;
 - Domestic abuse prevention advice;
 - Specialist support for victims (i.e. designed specifically for victims with relevant protected as well as unique and / or complex needs);
 - Children's support;
 - Housing-related support;
 - Advice service (i.e. financial and legal support);
 - Counselling and therapy.

Local Domestic Abuse Partnership Boards

- 5.9 The Act will place a duty on the Council to appoint a multi-agency Domestic Abuse Local Partnership Board which it must consult as it performs certain specified functions. This duty is separate to local authority housing duties under the Housing Act 1996 and the Homelessness Reduction Act 2017.
- 5.10 The new Board must fulfil certain specific functions in order to meet this new duty, which fall outside the remit of both the Domestic Abuse Strategy Group and Homelessness Strategy Group in their current format. The functions include:
- a) Assess, or make arrangements for the assessment of, the need for domestic abuse support in their area for all victims (and their children) who reside in relevant safe accommodation, including those who come from outside of their area;
 - b) Prepare and publish a strategy for the provision of such support to cover their area having regard to the needs assessment;
 - c) Give effect to the strategy (through commissioning / de-commissioning decisions).
 - d) Monitor and evaluate the effectiveness of the strategy;
 - e) Monitor any impact of the new duty on the provision of community based support (through effect of the strategy);
 - f) Report back annually to central government.
- 5.11 The statutory membership requirements of this Board will need to consist of representatives of West Berkshire Council, Victims of domestic abuse (DA), Children of DA victims, DA Charities and other Voluntary and Community Sector (VCS) organisations, Health Care services, Policing or criminal justice.
- 5.12 In order to meet the membership requirement it is recognised that it may not be appropriate for victims of DA and children of DA victims to sit on the Board. The Board will need to decide how it enables the voices of victims to be heard. A senior practitioner can represent the interest of victims of DA and children of DA victim on their behalf.
- 5.13 The Council are also expected to work collaboratively with, at a minimum, neighbouring local authorities by for example, sharing local data and service information.
- 5.14 The new Board will support the Council in meeting this duty. This will be through providing expert advice, data and information for the needs assessment, feeding into the development of domestic abuse strategies and reporting requirements, as well as supporting a joined-up approach amongst wider domestic abuse areas.

Needs Assessment

- 5.15 The needs assessment required to be conducted is designed to support the Council in identifying the needs of victims within the area, which will allow the Board to then develop robust strategies which addresses these needs.
- 5.16 The MHCLG will provide a recommended standardised needs assessment form to create consistency across the country. This will set out in detail what data and information should be collected. The needs assessment form will be available ahead of the duty coming into force in April 2021.

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- 5.17 A needs assessments will need to be conducted prior to developing any strategies in order to meet the requirements set out in the duty. The needs assessment itself will not have to be published but the resulting strategy will be.
- 5.18 A full local needs assessments should be conducted at a minimum every 3 years, with a refresh being undertaken on an annual basis to ensure any change in demand or support requirements are adequately captured.
- 5.19 To ensure the Council is adequately prepared to begin conducting a local needs assessment from April 2021 it is proposed that there a commissioning process is instigated. External charities have been contacted to explore if they may be able to assist us in this piece of work to ascertain the potential success of any commissioning process. This will be a short term contract but specialists in both the domestic abuse and safe accommodation sector will be invited to submit quotes to conduct our needs assessment.

Strategies

- 5.20 The Council must prepare and publish a local strategy informed by our robust needs assessment by August 2021. Strategies must be reviewed every three years.
- 5.21 Strategies will clearly set out our overall and holistic approach to deliver a rounded offer of support to victims in safe accommodation. It will also set our needs identified and how this will be addressed.
- 5.22 In order to give effect to our strategy, the Council should ensure support is commissioned (directly and / or through de-commissioning) in safe accommodation to meet the needs of victims and their children in line with our local strategy as soon as reasonably practicable. No commissioned services under the duty include locality restrictions; this ensures victims are not turned away from accessing support on this basis due to where they originally resided
- 5.23 Unless there is good reason not to, commissioning should at a minimum reflect the period covered under the local strategy (3 years).

Additional Burden Funding

- 5.24 Funding for new burdens associated with the duty will be allocated separately upon commencement from 1st April 2021. An allocations consultation was undertaken and closed on 13 November 2020, which sought views on the proposed methodology for allocation under the new duty; the MHCLG consultation response was published on 12 February 2021.
- 5.25 The government announced £125 million of funding in 2021-22 to enable local authorities to meet these new duties. To ensure consistency of local government funding, MHCLG have applied a Relative Needs Formula to determine local allocations. The relative needs formula takes in to account the size of the local population, relative deprivation and area cost adjustment.
- 5.26 West Berkshire has been allocated £250,101 in the form of a non-ringfenced grant, this will be made available from 1st April 2021. The funding covers 2 combined aspects, this includes; support costs i.e. commissioning services and administrative burdens.

Local domestic abuse and safe accommodation support

- 5.27 In West Berkshire the current accommodation based support for Domestic Abuse victims is provided by A2dominion, the commissioned domestic abuse service.
- 5.28 Refuge is predominately provided to clients who are out of area (non-West Berkshire residents). A reciprocal arrangement occurs with areas outside of our local authority for West Berkshire residents. Our domestic abuse service does turn away clients from out of area for Refuge if they cannot meet their needs or if they pose a risk. If a West Berkshire resident isn't accepted into a chosen Refuge then A2Dominion will support them to find another, or support them to stay in their own home safely if that's what they wanted. Background checks are undertaken on all clients referred into our West Berkshire Refuge.
- 5.29 In respect of the numbers of clients A2dominion have supported who have successfully secured a place into Refuge annual figures are as follows: 12 (2015/16), 12 (2016/17), 8 (2017/18), 6 (2018/19) and 6 (2019/20).
- 5.30 In West Berkshire, there are 4 units (6 bedrooms) available for Refuge which includes a combination of family rooms and rooms for single women.
- 5.31 Refuge is only temporary accommodation and usually clients have to be moved out within 6 months. A common struggle A2dominion face is securing accommodation for clients when their time in Refuge is up.
- 5.32 Move-on and second stage accommodation will be offered for clients leaving Refuge and the Domestic Abuse Service will work with the Council's Housing team should they need to secure accommodation if difficulties arise.
- 5.33 The Council's Housing department provide accommodation to West Berkshire residents. Data shows that the numbers of those at risk of homelessness as a result of domestic abuse were 33 out of 616 clients in 2018/19, 30 out of 454 clients in 2019/20 and 18 out of 209 clients up to Q2 2020/21. This is a total of 81 clients over 3 years.
- 5.34 There is also the Sanctuary Scheme through which the Council's Housing Options Team give advice and assistance on making homes safer environments for victims. If a tenant is living in a housing association property then this is supported by their allocated housing officer who will be able to make the relevant referral. A home visit will then usually be made by the Housing Officer and with any necessary works undertaken by the maintenance teams. If someone does not live in a housing association property then the Council's Housing Team can assist with making a referral for any works to be completed.
- 5.35 Gaps initially identified are specialist safe accommodation for those with protected characteristics and/or complex needs and dispersed accommodation.

Proposals

- 5.36 It is proposed that the most appropriate option for the Council in establishing a local Partnership Board would be to revise the purpose of the West Berkshire Domestic Abuse Strategy Group to enable it to become the 'West Berkshire Domestic Abuse Board'.

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- 5.37 The new West Berkshire Domestic Abuse Board could meet quarterly with representation similar to the current Domestic Abuse Strategy Group but with membership revised to include officers with seniority to ensure that the Board can adequately fulfil all functions including for example commission/de-commissioning decisions of new and/or existing Domestic Abuse Services.
- 5.38 The West Berkshire Domestic Abuse Board could meet for 2 ½ hours and with an agenda in two parts to ensure the duties of the current Domestic Abuse Strategy Group continue to be fulfilled whilst in addition delivering the functions set out in the new Duty.
- 5.39 In order to meet the membership requirements of having victims of domestic abuse and children of DA victims sit on the Board whilst considering the risk implication, the voice of victims/survivors and their children could be provided by a specialist practitioner on their behalf where appropriate to do so. This could also be managed by directly having a survivor on the Board where appropriate (for example some service provider staff are also survivors of Domestic Abuse).
- 5.40 *Please refer to Appendix B and C for the draft Terms of Reference and Procedure Note for the West Berkshire Board.*
- 5.41 It is also proposed that once received, the additional burden funding is used for two purposes; firstly to recruit administrative support within the Building Communities Together Team who will be responsible for providing support to the West Berkshire Domestic Abuse Board. Secondly the Council will commission additional services where gaps in safe accommodation have been identified to ensure what is defined as 'safe accommodation' within the new duty is being met.
- 5.42 The financial implication has been considered and it has been noted that the £250,101 non-ringfenced grant (to support fulfilling new burdens associated with the duty) is likely to cease at some point in the future. Therefore, there could be a financial implication for the Council and this should be considered when commissioning any services.

6 Other options considered

- 6.1 Another option for consideration to enable the Council to meet the new Board requirement would be for the Homelessness Strategy Group to be revised (as suggested for the DA Strategy Group) to fulfil the role of the Domestic Abuse Board by continuing to meet quarterly but splitting into a two part meeting to take on the additional responsibilities and functions of the new Board.
- 6.2 This has not been recommended because although the group already has a focus on accommodation and homelessness, this new duty is passing through the Domestic Abuse Bill and the responsibility for domestic abuse currently sits with the Building Communities Together (BCT) Partnership. Therefore, it was felt that whilst this would be a viable option, the focus of domestic abuse should remain under the BCT Partnership.
- 6.3 There are no further options for consideration in regards to the additional burdens funding. Administration support was identified as a possible way to spend the money by the MHCLG due to how resource intensive the Board will be. We will also be required to

commission services where appropriate to do so if our Needs Assessment identifies any gaps.

7 Conclusion

- 7.1 All preparation work has almost concluded to ensure the Council is ready to begin implementing the new Duty from 1st April 2021. It is felt that the all other possible options have been considered and enough conversations have been held with various professionals to ensure the most appropriate option has been recommended that will meet all legal requirements whilst considering colleagues capacity, time and resources

8 Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Draft Terms of Reference for West Berkshire Domestic Abuse Board
- 8.3 Appendix C – Draft Procedure Note for West Berkshire Domestic Abuse Board

Background Papers:

[Future delivery of support to victims and their children in accommodation-based domestic abuse services: consultation response](#)

[Draft guidance on the delivery of support to victims of domestic abuse, including children, in domestic abuse safe accommodation services](#)

[Domestic abuse safe accommodation funding allocation: consultation response](#)

Subject to Call-In:

Yes: ☐ No: ☒

- | | |
|--|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input checked="" type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months | <input type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Wards affected: None.

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Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

Appendix A

Equality Impact Assessment (EqIA) - Stage One

What is the proposed decision that you are asking the Executive to make:	To decide how we fulfil the new requirements as set out in the Domestic Abuse Bill through establishing and implementing a local partnership Board and considering how we use the additional burden funding.
Summary of relevant legislation:	Legislation is currently making its way through parliament – Domestic Abuse Bill 2020
Does the proposed decision conflict with any of the Council's priorities for improvement? <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please indicate which priority and provide an explanation
Name of Budget Holder:	Susan Powell
Name of Service/Directorate:	Communities and Wellbeing
Name of assessor:	Jade Wilder
Date of assessment:	25/01/2021
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	New or proposed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Function	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Service	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To meet the support needs of diverse groups of victims and their children in different accommodation settings.
Objectives:	Meet the needs of all victims including those with protected characteristics and/or complex needs by providing appropriate accommodation based support.
Outcomes:	All victims of domestic abuse and their children are offered accommodation-based support based on their needs.
Benefits:	All victims are given a fair and equal opportunity to find somewhere safe to live be it temporarily or permanently allowing them to live free from domestic abuse.

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
<i>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)</i>		
Group Affected	What might be the effect?	Information to support this
Age	Positively	Draft guidance on the delivery of support to victims of domestic abuse, including children, in domestic abuse safe accommodation services
Disability	Positively	
Gender Reassignment	Positively	
Marriage and Civil Partnership	Positively	
Pregnancy and Maternity	Positively	
Race	Positively	
Religion or Belief	Positively	
Sex	Positively	
Sexual Orientation	Positively	
Further Comments:		
As part of the new Duty within the Domestic Abuse Bill, it will have a positive impact on those with protected characteristics and/or complex needs. A broad definition of ‘accommodation-based services has been proposed to meet the support needs of diverse groups of victims and children. For example; we will be required to provide “Specialist safe accommodation which provide dedicated specialist support to victims		

with protected characteristics and/or complex needs, such as specialist refuges for BAME, LGBT, and disabled victims and their children.”

(3) Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?

Yes ☐ No ☒

The duty is focused on supporting all victims of domestic abuse and children of domestic abuse including those with protected characteristics and/or complex needs ensuring everyone's needs are met.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?

Yes ☐ No ☒

There will not be an adverse impact, only a positive one to ensure all domestic abuse victims are offered accommodation-based support fairly and equally by meeting their needs.

(4) Identify next steps as appropriate:

EqlA Stage 2 required

Yes ☐ No ☒

Owner of EqlA Stage Two:

Timescale for EqlA Stage Two:

Name: Jade Wilder

Date: 25/01/2021

Appendix B

Draft Terms of Reference for West Berkshire Domestic Abuse Board

1. Introduction

The West Berkshire Domestic Abuse Board will fulfil its responsibilities by holding quarterly meetings for 2 ½ hours and will manage both operational and strategic requirements that will inform the agenda for the meetings.

The members for this Board will be accountable to the West Berkshire Building Communities Together Partnership which is a statutory partnership reporting to the Health and Wellbeing Board and will consist of representatives from services and agencies across West Berkshire which provide support to victims/survivors of domestic abuse and their children.

2. Purpose

The Board will be responsible for delivering the following objectives:

- Operational and strategic functions under the shared vision within the West Berkshire Domestic Abuse Strategy, “For individuals, families and children in West Berkshire to live freely from Domestic Abuse”.
- Legal requirements within the Domestic Abuse Bill 2020 (subject to receiving Royal Assent) i.e. provision of support to victims of domestic abuse and their children within accommodation based domestic abuse services.

The Board will deem where appropriate to do so attendance from victims/survivors, however Domestic Abuse specialist practitioners can provide this voice on behalf of the victim/survivor where appropriate.

Strategies will be published on West Berkshire Council website.

3. Governance and Accountability

The Board shall be accountable to the West Berkshire Building Communities Together (BCT) Partnership which is a statutory partnership reporting to the Health and Wellbeing Board.

The Chair reports on behalf of the Board to the BCT Partnership.

The Board will support West Berkshire Council under their legal obligations as part of the Domestic Abuse Bill 2020 (subject to receiving Royal Assent) and report back to central Government that they have met these obligations when required in line with statutory guidance and the standardised reporting form.

4. Membership

The Board will be chaired by Executive Director - People. In the absence of the Chair, the nominated vice-chair will be *to be determined by Board*.

Membership of the Board will include the following services:

- West Berkshire Council
- Housing Registered Providers
- Thames Valley Police
- Criminal Justice and Probation Services
- Domestic Abuse Services
- Healthcare Providers
- Voluntary Sector
- Substance Misuse Providers
- Victims and/or children of Domestic Abuse (or specialist practitioner on their behalf)

A detailed account of Board membership can be found in Appendix A.

5. Administration

Administrative support will be provided by the Building Communities Together Team who will retain responsibility for organising the quarterly meetings, distributing agendas/papers, writing minutes and circulating any relevant information to the Board.

The Domestic Abuse Coordinator will retain responsibility for overseeing the administrative support to the Board. The Domestic Abuse Coordinator will also be responsible for writing any strategies in collaboration with the Board and in line with the duties of the Domestic Abuse Bill 2020.

6. Approval

The following Terms of reference has officially been signed off by members of the Board, Health and Wellbeing Board and Chair.

Name:

Signed:

Dated:

7. Review

The Board Terms of Reference will be reviewed annually. Next review should take place in March 2022.

Appendix C

Draft Procedure Note for West Berkshire Domestic Abuse Board

1. Introduction

This procedural note accompanies the Terms of Reference for the West Berkshire Domestic Abuse Board. The Board will be split into two-parts to cover the operational and strategic requirements.

2. Process

The first part of the Board meeting will focus on operational duties and issues which in turn will inform the agenda of the second part of the meeting that will focus on strategic duties and issues.

The Board will meet quarterly for a 2 ½ hours, with an interval part way through to allow sufficient time to transition into the second part of the meeting and representation to change over where appropriate to do so.

Quarterly reports will be provided to the governing body, the West Berkshire Building Communities Together Partnership.

3. Functions

Part 1

The first part of the meeting will be to focus on operational delivery locally ensuring all aspects of the West Berkshire Domestic Abuse Strategy and its corresponding action plan is being delivered effectively.

The following functions are required to be carried out:

- a) Conduct local Needs Assessments to assess the need and demand for accommodation-based support for all victims, including those who require cross-border support (in full every 3 years with an annual review);
- b) Regularly review performance data to monitor any trends or anomalies locally to help identify and delegate areas for improvement, opportunities to increase service provision, develop training and further protect victims;
- c) Actively seek to include the voice of victims/survivors and their children (or specialist practitioner on their behalf) in ongoing work through sufficient time being allocated at the end of part 1 of the meeting.

Part 2

The second part of the meeting will be to focus on strategic delivery locally by owning and making decisions and addressing any issues identified through part 1 of the meeting and in response to any national requirements.

The following functions are required to be carried out:

- a) Develop and publish strategies for the provision of support to cover the locality and diverse groups of victims;
- b) Make any appropriate commissioning / de-commissioning decisions of new and/or existing Domestic Abuse Services;
- c) Meet the support needs of all victims;
- d) Monitor and evaluate the effectiveness of the strategy;
- e) Monitor any impact of the new duty on the provision of community based support (through effect of the strategy);
- f) Report back to central government (MHCLG).

4. Decision Making, Escalation and Quorum

The Board will be responsible for making decisions in relation to all operational and strategic duties. All views should be considered during this process but ultimately any final decisions which have to be taken will be made by the Chair.

Members of the Board can raise a concern regarding a final decision made by the Chair if it is firmly believed the decision is wrong, this will be recorded in the meeting minutes.

If any issues arise then the Chair should escalate this to the West Berkshire Building Communities Together Partnership.

To be quorate, attendance must include at a minimum: the Chair, West Berkshire Council, victims and their children (or specialist practitioner on their behalf), domestic abuse charities or voluntary organisations, health care providers and the police or other criminal justice agencies.

Where commissioning/de-commissioning decisions are to be made during part 2 of the meeting, any representatives from Domestic Abuse charities and services will be asked to leave the meeting to avoid any conflict of interest.

5. Membership

Full membership of the Board will include the following services:

- Targeted Intervention Service, West Berkshire Council
- Housing, West Berkshire Council
- Public Health and Wellbeing Service, West Berkshire Council
- Building Communities Together Partnership, West Berkshire Council
- Sovereign Housing Association
- Thames Valley Police
- National Probation Service
- Community Rehabilitation Company
- West Berkshire Domestic Abuse Service, A2Dominion
- Youth Offending Team, West Berkshire Council
- Berkshire West CCG
- Royal Berkshire Healthcare Foundation Trust
- Berkshire Healthcare Foundation Trust
- Adult Social Care, West Berkshire Council

New Domestic Abuse and Safe Accommodation Duty

- Children and Families Services, West Berkshire Council
- Voluntary Sector
- Swanswell (Cranstoun), Drug and Alcohol Misuse Service
- Two Saints
- Other local housing register providers
- Victims (and/or children) of Domestic Abuse

Not all members of the Board will be invited to attend both parts of the meeting and representation is subject to change where appropriate.

New members will also be invited as and when appropriate by agreement of the Board.

Where members are unable to attend a meeting, they are responsible for informing the Board ahead of the meeting and, as far as possible, should ensure a representative is present on behalf of the organisation / body.

6. Structure

