
West Berkshire Domestic Abuse Board Terms of Reference

Report being considered by: Health and Wellbeing Board

On: 22 July 2021

Report Author: Jade Wilder

Item for: Decision

1. Purpose of the Report

This report has been produced for the Health and Wellbeing Board (“HWB”) to formally sign off the newly established West Berkshire Domestic Abuse Board (“DAB”) Terms of Reference (“ToR”) and accompanying appendices which have been developed to support the work of the new DAB as required within Part 4 (Delivery of Support to Victims of Domestic Abuse, including Children, in Domestic Abuse Safe Accommodation Services) of the Domestic Abuse Act 2021 (“the Act”).

2. Recommendation(s)

It is recommended that the HWB signs off the DAB ToR in its current format now that they have been finalised and signed off by the DAB and sighted by the Building Communities Together Partnership and Housing Board.

3. How the Health and Wellbeing Board can help

The HWB will be required to sign off the final draft of the DAB ToR and accompanying appendices now that DAB has been set up locally in line with Part 4 of the Act to ensure all statutory functions/responsibilities are being met.

Will the recommendation require the matter to be referred to the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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4. Introduction/Background

- 4.1 The Domestic Abuse Bill received Royal Assent on 29th April 2021 to become an Act of Law. Various duties have been included in the new Act but at Part 4 generally and s 58 specifically, it requires a “relevant local authority” (which term includes West Berkshire Council (“WBC”)) to appoint a domestic abuse local partnership board for the purposes of providing advice to the authority about certain functions and aspects of domestic abuse.
- 4.2 In light of this, the DAB shall be the WBC domestic abuse local partnership board constituted under the Act and has been formed by revising the Domestic Abuse Strategy Group.

- 4.3 The DAB must ensure that the functions under Part 4 of the Act which specifically looks at the delivery of support to victims of domestic abuse, including children, in domestic abuse safe accommodation services are being met.
- 4.4 To accompany Part 4 of the Act, the MHCLG recently published its updated draft statutory guidance and this has been used to create the DAB ToR.
- 4.5 The new DAB must fulfil certain specific functions in order to meet this new duty which have been reflected in the ToR. The functions include:
- a) Assessing the scale and nature of the needs;
 - b) Preparing and publishing a whole-area domestic abuse strategy;
 - c) Giving effect to the strategy by making commissioning and decommissioning decisions;
 - d) Monitoring and evaluating the effectiveness of the strategy;
 - e) Report on progress and how funding has been used to MHCLG.
- 4.6 The statutory membership requirements of the DAB, as per the draft statutory guidance, 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.
- 4.7 The MHCLG has allocated funding to support local authorities with implementing the requirement laid out in Part 4 of the Act. In light of this, West Berkshire Council was allocated and has received £250,101 in the form of a non-ringfenced grant which will support the work of the DAB under Part 4 of the Act. This covers two combined aspects; support costs i.e. commissioning services and administrative burdens.
- 4.8 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 and be non-ringfenced for the first three years.
- 4.9 The new DAB will support the WBC in meeting these functions. 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.

5. Supporting Information

- 5.1 The first DAB meeting took place on 17th June where the draft ToR and procedure note were reviewed which sets out the new functions and requirements to ensure all duties are met under the new Act. This was further amended outside of the meeting by members of the DAB.
- 5.2 In order to meet the membership requirement for domestic abuse victims and children of domestic abuse victims to be represented, the DAB approved the introduction of a sub group to capture these voices which will feed into the DAB. This is currently being referred to as a 'lived experience' sub group and this piece of work is underway. It is

hoped that this group shall be set up and have the appropriate confidentiality/safety measures in place by the next meeting scheduled for 23rd September 2021.

- 5.3 The DAB has been split into two parts to cover the operational and strategic duties. Not all members will be required to attend the full meeting, some will leave before the strategic part of the meeting begins in order to ensure the strategic part works effectively. This part will also have more seniority so that decisions can be made. It was agreed at the DAB meeting that an additional appendix would be added to the ToR which notes the representatives who are attending and where these changes take place.

6. Options for Consideration

None.

7. Proposal(s)

It is proposed that the HWB accepts the West Berkshire DAB ToR and accompanying appendices in order for them to be officially signed off.

8. Conclusion(s)

- 8.1 The DAB has been established as required within Part 4 generally and specifically s 58 of the Act. The first DAB meeting was very successful and engaging from partner agencies. It is likely that the DAB will develop over time as it is further implemented but the ToR are an accurate reflection of its responsibilities at present.
- 8.2 As part of constitutional work underway, it is acknowledged that a standardised ToR template will be developed and therefore the DAB ToR may be subject to change in the future to adopt this format.

9. Consultation and Engagement

- 9.1 Andy Sharp – Executive Director, People
- 9.2 Janet Weeks – Housing Service Manager
- 9.3 Councillor Graham Bridgman - Deputy Leader and Executive Member for Health and Wellbeing

10. Appendices

Appendix A – Draft Terms of Reference for West Berkshire Domestic Abuse Board

Appendix B – Draft Procedure Note for West Berkshire Domestic Abuse Board

Appendix C – Domestic Abuse Board Representatives

Background Papers:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/993825/Domestic_Abuse_Act_-_draft_statutory_guidance.pdf

Health and Wellbeing Priorities 2018/19 Supported:

- ☒ Support mental health and wellbeing for adults
- ☐ Improve access to employment for vulnerable people

Health and Wellbeing Strategic Aims Supported:

The proposals will help achieve the following Health and Wellbeing Strategy aim(s):

- ☒ Give every child the best start in life
- ☒ Support mental health and wellbeing throughout life
- ☐ Reduce premature mortality by helping people lead healthier lives
- ☐ Build a thriving and sustainable environment in which communities can flourish
- ☐ Help older people maintain a healthy, independent life for as long as possible

The proposals contained in this report will help to achieve the above Health and Wellbeing Strategy aim by ensuring the new Domestic Abuse Board performs correctly in line with the appropriate legislations to support victims of domestic abuse and children of domestic abuse victims.

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Appendix A

West Berkshire Domestic Abuse Board Terms of Reference

1 Introduction

The Domestic Abuse Act 2021 (“the Act”), at Part 4 generally and s 58 specifically, requires a “relevant local authority” (which term includes West Berkshire Council (“WBC”)) to appoint a *domestic abuse local partnership board* for the purposes of providing advice to the authority about certain functions and aspects of domestic abuse.

2 The Board

The West Berkshire Domestic Abuse Board (“the Board”) shall be the WBC domestic abuse local partnership board constituted under the Act and shall be responsible for the following:

- compliance with the requirements of the Act so far as they pertain to WBC as set out in the Scheme of Delegation within the WBC Constitution, including:
 - the provision of support to victims of domestic abuse and their children within accommodation based domestic abuse services;
 - issuing an annual report to the Secretary of State;
- 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*’;
- any other matter relating to domestic abuse as the Board shall decide.

The Board, through the Chairman, shall be accountable to WBC via (in turn) the West Berkshire Building Communities Together Partnership (“BCTP”), the West Berkshire Health and Wellbeing Board Steering Group, and the West Berkshire Health and Wellbeing Board (“HWB”).

3 Membership

Membership of the Board shall include the following or their representatives:

- West Berkshire Council
- Housing Registered Providers
- Thames Valley Police
- Criminal Justice and Probation Services
- Domestic Abuse Services
- Healthcare Providers
- The Voluntary Sector
- Substance Misuse Providers
- Victims of Domestic Abuse and Children of Domestic Abuse victims (or specialist practitioners on their behalf).

The WBC Executive Director, People shall be Chairman of the Board and the senior representative of Thames Valley Police on the Board shall be Vice-Chairman.

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

4 Approval and Review

These Terms of Reference were agreed by the Board, and confirmed by the HWB on XXX.

These Terms of Reference will be reviewed on a regular basis.

Appendix B

West Berkshire Domestic Abuse Board ToR Appendix A - Procedure Note

1 Introduction

This procedural note accompanies the Terms of Reference for the West Berkshire Domestic Abuse Board ("the Board") and sets out the Board's functions in line with Part 4 of the Domestic Abuse Act 2021 ("the Act").

2 Process

The Board will meet quarterly and be split into a two-part meeting to cover the operational and strategic functions. An interval will take place part way through the meeting to allow sufficient time to transition into the next part and allow representation to change over where appropriate to do so.

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.

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

3 Functions

Part 1

The first part of the meeting will 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:

- 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);
- 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;
- Actively seek to include the voice of victims/survivors and their children (or specialist practitioner on their behalf) in understanding the range and complexity of needs through sufficient time being allocated at the end of part 1 of the meeting.

Part 2

The second part of the meeting will 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:

- Develop and publish strategies for the provision of support to cover the locality and diverse groups of victims;
- Make any appropriate commissioning / de-commissioning decisions of new and/or existing Domestic Abuse Services;
- Meet the support needs of all victims including those with protected characteristics and/or complex needs;
- Monitor and evaluate the effectiveness of the strategy;
- Manage and decide how any funding to support the work of the Board is allocated in our area;
- Report back annually to central government (MHCLG) on delivering Part 4 of the Act, including how funding has been spent, in line with statutory guidance and the standardised reporting form.

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 Chairman.

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

If any issues arise then the Chairman should escalate this to the West Berkshire BCTP.

To be quorate, attendance must include at a minimum: the Chairman, West Berkshire Council, victims and children of domestic abuse victims (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 shall include representatives from the following services:

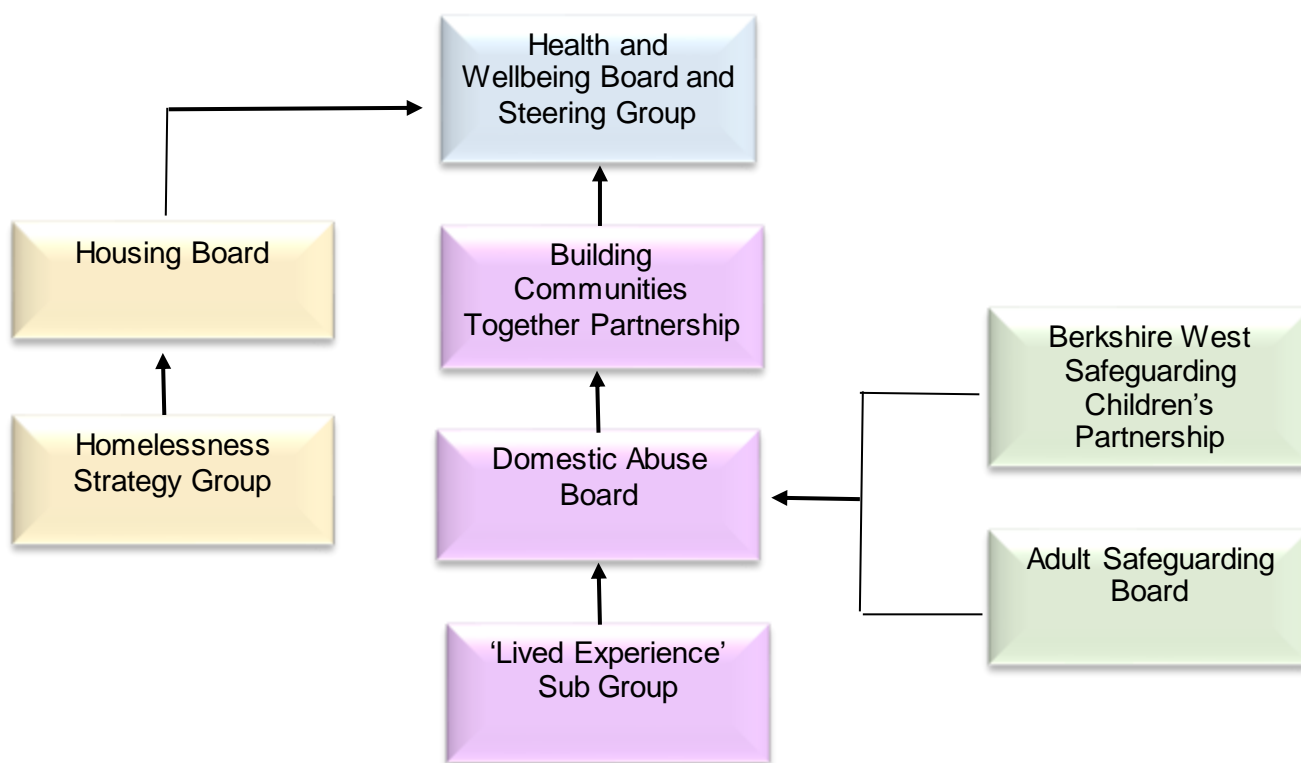
- Targeted Intervention Service, West Berkshire Council
- Housing, West Berkshire Council
- Public Health and Wellbeing Service, West Berkshire Council
- Building Communities Together Partnership, West Berkshire Council
- Elected Members, West Berkshire Council
- Sovereign Housing Association
- Thames Valley Police
- Probation Services
- West Berkshire Domestic Abuse Service, A2Dominion
- Youth Offending Team, West Berkshire Council
- Berkshire West CCG
- Royal Berkshire Foundation Trust
- Berkshire Healthcare Foundation Trust

- Adult Social Care, West Berkshire Council
- Children and Families Services, West Berkshire Council
- Healthwatch West Berkshire
- Voluntary Sector
- Domestic Abuse Charities
- Swanswell (Cranstoun), Drug and Alcohol Misuse Service
- Two Saints
- Other local housing register providers
- Victims and children of Domestic Abuse victims (or specialist practitioner on their behalf)

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. A detailed account can be found in Appendix B.

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.

5 Structure



Appendix C

West Berkshire Domestic Abuse Board

Appendix B - Representation

Chair: Executive Director – People, West Berkshire Council

Deputy Chair: West Berkshire Deputy Commander, Thames Valley Police

 Statutory members as per duty and be quorate

 Not attending Part 2

 New members for more seniority

Member	Representative – Part 1	Representative – Part 2
Adult Safeguarding Board	TBC	N/A
Adult Social Care, West Berkshire Council	Lisa Cleveland/ Sue Brain	Paul Coe
Berkshire Healthcare Foundation Trust	Sue Carrington	Sue Carrington
Berkshire West CCG	Kathy Kelly	Kathy Kelly
Berkshire West Safeguarding Children Partnership	Esther Blake	N/A
Berkshire Women's Aid	Rachel Murray	Andrea West
Building Communities Together Partnership, West Berkshire Council	Susan Powell	Susan Powell
Children and Families Services, West Berkshire Council	Steph Coomber	Pete Campbell
Domestic Abuse Charities	Amanda Phelan/Kathryn Warner (PACT) Grace Ryder (Home Start) Laura Hunter (Flag DV) Sharon Briggs (Safe)	N/A
Elected Members	Rick Jones, Dominic Boeck, Claire Rowles	N/A
Healthwatch	Alice Clifton	N/A
Housing, West Berkshire Council	Kenna Young	Janet Weekes
My Family First, West Berkshire Council	Ema Holgate	N/A
Other local housing providers	Amanda Lowder (Stone Water)	N/A
Portfolio Holder	Graham Bridgman	Graham Bridgman

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Probation Services	Jacqueline Markie	Jacqueline Markie
Public Health and Wellbeing Service, West Berkshire Council	Denise Sayles and Nikki Davis	Matt Pearce
Royal Berkshire Foundation Trust	Elizabeth Porter	Elizabeth Porter
Sovereign Housing Association	Ali Pearce	Sarah Andrews
Swanswell Substance Misuse	Sian Orton	N/A
Thames Valley Police - Neighbourhood, Problem solving and Safeguarding Team and DAIU	Mark Tucker and Richard Johnson	Lindsey Finch
Two Saints	Matthew Cobbet	N/A
Victims and children of DA victims (or specialist practitioner on their behalf)	TBC – service providers	TBC – service providers
Voluntary sector	Colline Watts and Clare Middleton (DEC advocacy service) Luke Pepperell (VCS CYP forum)	Colline Watts and Clare Middleton (DEC advocacy service) Luke Pepperell (VCS CYP forum)
West Berkshire Domestic Abuse Service, A2Dominion	Luke Pepperell/ Lilly Key	Luke Pepperell/ Lilly Key
Youth Offending Team, West Berkshire Council	Stacey Clay	N/A