



Report to Policy Committee

**Author/Lead Officer of Report: Alison Higgins,
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Domestic and Sexual Abuse**

Tel: 0114 2053671

Report of: Director of Public Health

Report to: Finance Sub Committee

Date of Decision: 22nd March 2023

Subject: **Local Authority Domestic Abuse Duty: 2023 to 2024 and 2024 to 2025. Acceptance of funding allocation for Sheffield**

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 1498 and 975				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>				

Purpose of Report:
Sheffield City Council has been awarded £1,356,134 for 2023/24 and £1,381,721 for 2024/25 by the Department of Levelling Up Housing and Communities in order to provide support for people living in safe accommodation because of domestic abuse. This is the third and fourth year of new burdens funding relating to Part 4 of the Domestic Abuse Act 2021.

The purpose of the report is to approve the commissioning of services and support and used to fund existing contracts and grants for the purposes of meeting our statutory duties under Part 4 of the Domestic Abuse Act – which requires local authorities to provide support to people living in safe accommodation due to domestic abuse (as laid out in the statutory guidance).

Recommendations:

1. Note the Council being awarded a grant of £1,356,134 for 2023/24 and £1,381,721 for 2024/25 by the Department of Levelling Up Housing and Communities £1,329,538 from the Department for Levelling Up, Housing and Communities to meet its new statutory duties under Domestic Abuse Act 2021 as outlined in this report.
2. Approve the commission strategy relating to this funding via the contracts and grant variations as outlined in this report, in respect of the grant funding being awarded to the Council.
3. To the extent not covered by existing delegations, delegates authority to the Director of Integrated Commissioning in consultation with the Director of Finance and Commercial Services and the Director of Health and Social Care to approve a commissioning strategy regarding any funds as yet unallocated in order to provide specialist support services to domestic abuse victims / survivors in safe accommodation, in line with this report.
4. Where no such authority exists, delegates authority to the Director of Integrated Commissioning in consultation with the Director of Finance and Commercial Services, the Director of Health and Social Care and the Director of Legal and Governance to take such other steps as may be necessary to meet the outcomes and objectives of this report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Sonya Oates
		Legal: Haroon Iqbal
		Equalities & Consultation: Ed Sexton
		Climate: <i>(Insert name of officer consulted)</i>
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	SLB member who approved submission:	Greg Fell

3	Committee Chair consulted:	<i>(Insert name of relevant Member)</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
Lead Officer Name: Alison Higgins		Job Title: <i>Strategic Commissioning Manager Domestic and Sexual Abuse</i>
Date: 07/03/2023		

1. PROPOSAL

- 1.1 This funding relates to the statutory duty which is included in the Domestic Abuse Act 2021 that had cross party support and received Royal Assent on the 29 April 2021. Part 4 of the Domestic Abuse Act 2021 introduced a statutory duty for Local Authorities to ensure all victims of domestic abuse have access to the right support within safe accommodation when they need it.
- 1.2 Tier one Local Authorities (such as Sheffield) have a duty to assess the need for support and prepare strategies to provide specialist support for victims who need to reside in the relevant safe accommodation.
- 1.3 The Council is required to meet the needs of all domestic abuse victims, including those who present from outside of the locality and to provide such support as therapy, advocacy and counselling in safe accommodation, including refuges, to victims of domestic abuse and their children.
- 1.4 The Government provided £125 million to cover the costs of the new duty in 2021/2022 and 2022/2023 to Councils across England to make sure safe accommodation spaces, such as refuges and dispersed accommodation, can provide victims with vital support services. Approvals were given by the Cooperative Executive on June 23rd 2021 and 16th March 2022 to accept the funding and commission relevant services.
- 1.5 This year the Department for Levelling Up, Housing and Communities (DLUHC) has allocated £1,356,134 for 2023/24 and £1,381,721 for 2024/25 by the Department of Levelling Up Housing and Communities to support the Council with regard to the additional costs to ensure sufficient provision of specialist support within domestic abuse safe accommodation (see Appendix for definitions) and support the Council to meet their statutory duty. These uplifts from the government are below inflation and therefore providers will have below inflation uplifts passed on.
- 1.6 It is proposed that this funding is drawn down into the Domestic Abuse budget in Strategy and Commissioning and that the spending plans for 2022-2023 (appendix 1) and as outlined in this report are approved.
- 1.7 As the funding is related to Domestic Abuse it is proposed that the funding is managed in the Domestic Abuse / Drug and Alcohol Coordination Team (under Head of Commissioning Sam Martin) who will work closely with Housing Independence Service and colleagues in Housing on implementing the proposals.
- 1.8 The proposed spending with the rest of the anticipated allocation breaks

down as follows – all including 2% uplift from 2022/23 awards in 2023/24 and 1.89% uplift in 2024/25:

- Contract for the city's women's refuges and dispersed safe accommodation scheme: 23/24 = £686,421 and 24/25 = £699,394, with IDAS and Sheffield Women's Aid
- contribution to contract for support for children affected by domestic abuse: 23/24 = £88,934 and for 24/25 = £90,614, with Haven
- Contribution to contract for support for young women in safe accommodation: 23/24 = £61,390 and for 24/25 = £62,550, with Young Women's Housing Project
- Contract variation with IDAS *in order to provide support to people in properties with Sanctuary Scheme measures* for 23/24 = £220,320 and contribution to recommissioned contract in 24/25 of £224,484
- Counselling for children and young people in safe accommodation: *Sheffield Futures – Door 43* for 23/24 = £71,400 and for 24/25 = £72,749)
- Therapeutic support for adults in safe accommodation: contract with Mind for 23/24 = £61,200 and 24/25 = £62,357. *Contract variation with Paradigm – counselling for women in refuges* £6134 in 23/24 and £6250 in 24/25
- Prevention, advice and casework £135,000: *grant contribution with CAB* 23/24 = £72,420 and for 24/25 = £73,789, *contract variation with Shelter* for 23/24 = £65,280 and for 24/25 = £66514
- Service user liaison and engagement: this was procured from South Yorkshire Housing Association in 2022/23 via a contract variation however an opportunity to work with national charity SafeLives has arisen who are bidding for external funding. If this is not successful a solution will be sought locally for a survivor liaison role with projected spending of £22600 in 2023/24 and £2302 in 24/25. If the external funding bid is successful then these remaining funds will be reallocated based on identified needs with the agreement of the Director of Integrated Commissioning in consultation with the Director of Adult Social Care.

2. HOW DOES THIS DECISION CONTRIBUTE ?

The funding is for specialist support to be provided to victims of domestic abuse residing in safe accommodation. This will contribute to reducing victimisation and keeping people safe in Sheffield and enable the Council to meet its statutory duties.

2.1 The Domestic Abuse Act funding acceptance and expenditure was previously approved by Cooperative Executive in 2021 and 2022.

3. HAS THERE BEEN ANY CONSULTATION?

There was extensive consultation in 2021 with providers, stakeholders and service users including a public citizenspace consultation. These informed the needs assessment and strategy required by the DLUHC (formerly the Ministry of Housing, Communities and Local Government) which was published at the end of 2021.¹ The proposals this year are continuations of the projects that were commissioned in 2021 and 2022 with some reductions due to the whole of the refuge / dispersed safe accommodation commission budget coming from the Domestic Abuse Act funding rather than a contribution as was the case when the new burdens fundings was first allocated in 2021.

3.1 Consultation with stakeholders continues via the Domestic and Sexual Abuse Strategic Board and the Domestic and Sexual Abuse Joint Commissioning Group and the Provider Consultation Group which all meet quarterly.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Domestic Abuse is a gendered issue: some of the funding will be used to enhance support offered in our young women's provision, and the majority of the recipients of the other adult provision are anticipated to be female. However the funding will enable increased support to male victims, including GBT+ victims being supported in dispersed accommodation and via our Sanctuary Scheme provision (target hardening for domestic abuse victims to enable them to stay safe in their own homes). The needs assessment and strategy produced in 2021 and currently being refreshed, considers all people with protected characteristics in relation to domestic abuse and is designed to help us ensure that services are accessible to all sections of local communities.

4.1.2 The proposal supports the Council's general duties to promote equality as set out in the Equality Act 2010 (Sections 149 and 158). Specifically the proposal contributes to obligations under the Public Sector Equality Duty, which in summary, requires having due regard to the need to:

- eliminate discrimination, harassment, victimisation;
- advance equality of opportunity; and
- foster good relations.

4.1.3 The funding is an enabling proposal to support the substantive aim of providing accommodation and support. EIA 975, *Domestic Abuse safe*

¹ <https://sheffielddact.org.uk/domestic-abuse/wp-content/uploads/sites/3/2022/02/Sheffield-Domestic-Abuse-and-Safe-Accommodation-Strategy-2021-2024.pdf>

accommodation and support services re-commissioning, provides a full assessment and context.

4.2 Financial and Commercial Implications

- 4.2.1 The Department for Levelling Up, Housing and Communities has allocated £1,356,134 for 2023/24 and £1,381,721 for 2024/25. This is as a result of 'new burdens' for local authorities under Part 4 of the Domestic Abuse Act. New burdens 'will arise where new powers/duties/expectations could lead to authorities having to increase spending.'²

It is proposed that decision making is delegated to the Director of Integrated Commissioning in case of any amendments to this spend plan being required so that they can be agreed by the Director in line with the overall direction outlined in the Safe Accommodation and Domestic Abuse Strategy.

4.2.2 External Funding review:

The grant offer letter and terms and conditions for grant funding in 2023-25 has not yet been issued and so cannot be reviewed. Previous years' grant funding was subject to the conditions as highlighted below and it is expected that 2023-25's funding offer will be similar. The new offer will be subject to review by External Funding, and if the terms and conditions differ significantly from prior years then further approvals may be required.

MoU Financial implications:

The MoU has been issued by the Department for Levelling Up, Housing and Communities and is determined by Section 31 of the Local Government Act 2003. The MoU is not a legally binding document; however, there is an expectation that the obligations within it will be honoured. Key points and obligations to note are highlighted below.

The grant is to enable the provision of support to victims of domestic abuse and their children who are residing in safe accommodation as per the statutory duty within the Domestic Abuse Bill.

Grant funding only covers revenue expenditure related to the functions of the statutory duty.

The grant funding period is 01/04/2023-31/03/2025.

All public sector procurement is governed by and must be compliant with the Grant Agreement and UK National Law. In addition, all procurement in SCC must comply with its own Procurement Policy, and internal regulations known as 'Contracts Standing Orders' (CSOs).

² <https://www.gov.uk/government/publications/new-burdens-doctrine-guidance-for-government-departments>

Contracts Standing Orders requirements will apply in full to the procurement of services, goods or works utilising grants. All grant monies must be treated in the same way as any other Council monies and any requirement to purchase/acquire services, goods or works must go via a competitive process. ***The Portfolio / Service Grant Manager will need to contact the Commercial Services Team for detailed guidance on adherence to these rules when spending grant monies.***

The Project Manager will need to read, understand and comply with all of the grant terms and conditions, guidance and the [Code of Conduct for Grant Recipients](#).

4.3 Legal Implications

- 4.3.1 As set out in the main body of the report the Domestic Abuse Act 2021 created a new statutory duty on local authorities to ensure the needs of victims of domestic abuse in safe accommodation are met in a consistent way. A local authority is required to meet the needs of all domestic abuse victims including those who present from outside of the locality and to provide such support as therapy, advocacy and counselling in safe accommodation, including refuges, to victims of domestic abuse and their children; local authorities are also required to report back to central government.

The Council is receiving this grant from the Department for Levelling Up, Housing and Communities ('DLUHC') under s.31 of the Local Government Act 2003. The offer of Section 31 Grant carries with it certain terms and conditions which the Council has to accept before any grant will be paid. The MOU has not yet been issued by DLUHC in respect of this grant and so cannot be reviewed. Legal will review the MoU once it has been issued.

This report seeks to secure authority to utilise that grant funding to best meet the new statutory obligation. Acceptance of the grant funding will help facilitate compliance with the duties imposed by Domestic Abuse Act 2021. It will not have any direct legal implications beyond that, but the implementation of any of the actions set out in the report will be subject to further decision making in accordance with the constitution, and the legal implications will be considered fully at that time.

4.4 Climate Implications

- 4.4.1 Providers are all encouraged to be energy efficient in their service provision through the tender processes and through contract management processes.

4.4 Other Implications

- 4.4.1 Domestic abuse is considered one of the wider determinants of health.

This proposal is to ensure appropriate support for the recovery from the impacts of domestic abuse (including in relation to mental and physical health) for both victims and their children.

5. ALTERNATIVE OPTIONS CONSIDERED

The Council could decide to not accept the funding however this would mean that it would be unlikely to be able to meet the statutory duties in the Domestic Abuse Act 2021.

- 5.1 The contracts, grants and variations are all working well and alleviating hardship, promoting recovery and supporting children and young people impacted by domestic abuse.

6. REASONS FOR RECOMMENDATIONS

Sheffield has been allocated £1,356,134 for 2023/24 and £1,381,721 for 2024/25 to enable the Council to meet the statutory duties introduced by the Domestic Abuse Act 2021 and outlined within this report.

Commissioning the services and support as outlined within this report will support the Council to meet those statutory duties.

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