

From: Roger Gough, Leader of the Council
To: Policy and Resources Cabinet Committee – 4th May
Decision number: 22/00040
Subject: Key decision, the domestic abuse duty 2022/23
Classification: Unrestricted
Past pathway of paper: None
Future pathway of paper: Cabinet Member decision
Electoral Division: All

Summary:

The Government has provided £3.1m to implement the Domestic Abuse Act in 2022/23. The key decision is to accept these funds.

Recommendation(s):

The Cabinet Committee are asked to consider and endorse or make recommendations to the Leader on the proposed decision to:

- a) accept £3,112,501 domestic abuse funding (2022/23) for delivery of domestic abuse support in safe accommodation duties as defined by the Domestic Abuse Act,
- b) delegate authority to the Corporate Director of Strategic and Corporate Services, in consultation with the Leader, the Corporate Director of Adult Social Care & Health and the Corporate Director for Children, Young People and Education to accept future years' allocations of safe accommodation funding, provided funding is given on similar terms,
- c) continue to delegate authority to the Corporate Director of Strategic and Corporate Services to take other necessary actions, including but not limited to entering into contracts or other legal agreements, as required to implement this decision.

1. Background:

1.1 Domestic abuse impacts over 2.3 million people (aged between 16 and 74) a year in England and Wales¹ over a 12-month period. The Home Office estimates that between three to four million children are exposed to domestic abuse at

¹ ONS – Domestic abuse prevalence and trends, England and Wales year ending March 2021
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsenglandandwales/yearendingmarch2021>

some point in their lives², and in 2020 in Kent, 44% of domestic abuse incidents reported to the police were recorded as either having a child present, within hearing shot or involved a victim and/or suspect with children³.

1.2 The impact of abuse can result in a range of negative and harmful effects on health, wellbeing, and outcomes in life. Domestic abuse impacts future generations and their ability, capacity, and attitude towards relationships, parenting, self-esteem, and mental health.

2. The Domestic Abuse Act:

2.1 In April 2021 the Domestic Abuse Act was passed. Part 4 of the Act gives Tier 1 authorities statutory requirements linked to safe accommodation services, the definition includes refuge (communal and individual placements), sanctuary (security measures within existing homes), and move on accommodation (as people move out of refuge or other safe accommodation into longer-term homes).

2.2 The statutory guidance supporting the Act was published on the 1 October 2021.

3. 2021/22 Allocation

3.1 In 2021/22 a Key Decision was made to accept the first tranche of safe accommodation funding (£3,103,909).

3.2 In accordance with the Memorandum of Understanding (MoU), funding could only be spent on revenue projects to support those in safe accommodation services. This is replicated within the MoU for 22/23.

3.3 Funding from 2021/22 has allowed for the development of a range of support within safe accommodation services.

4. 2022/23 funding and key decision

4.1 The Leader is asked to make a second key decision to accept the 2022/23 financial allocation from the Department of Levelling Up, Housing and Communities to allow for the continuation of this work and to delegate authority to the Corporate Director of Strategic and Corporate Services, in consultation with the Leader and relevant Corporate Directors to accept future funding allocations provided this funding is on similar terms.

4.2 KCC has received an extension from DLUHC to return the MoU by 27 May 22.

4.3 The key decision is listed within the recommendations of this report.

5. Options considered but rejected

² Home Office, 2019a. The Economic and social costs of Domestic Abuse. Research Report 107.

³ Domestic Abuse Needs Assessment (2021) Kent Public Health Observatory
https://www.kpho.org.uk/__data/assets/pdf_file/0011/128468/Domestic-Abuse-Needs-Assessment-2021-Update.pdf

5.1 The option of turning down the grant was discarded as there are many people in Kent who would benefit from this resource.

6. Financial Implications

6.1 The decision is to accept the £3.1m in full, and there should be no direct impact on the council's budget.

7. Legal implications

7.1 Funding must be used in accordance with the statutory guidance set by the government, and the terms and conditions of the grant. KCC will apply appropriate legal mechanisms as part of issuing or deploying any grant monies to ensure any partners or third parties in receipt of grant funding remain compliant.

8. Equalities Implications

8.1 The funding supports the delivery of the council's key priorities within the Kent and Medway Domestic Abuse strategy.

8.2 An Equality and Impact Assessment (EqIA) has been completed which finds the impact of this work to be positive across all groups.

9. Data Protection implications

9.1 There are no direct Data Protection implications.

10. Conclusion:

10.1 KCC has made strong progress against the new duties under the Domestic Abuse Act 2021. The key decision requests that the Council accept the second-year allocation of safe accommodation funding to enable the authority to continue to develop and deliver support within safe accommodation services while recognising and maintaining crucial community-based support.

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decision.

11. Background documents

2020/21 Decision report, Domestic Abuse Act, New Burdens Funding

<https://democracy.kent.gov.uk/documents/s103116/21-00040%20-%20Decision%20Report.pdf>

Appendix A: Grant determination letter

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