



# Cabinet report

Date	<b>16 DECEMBER 2021</b>
Title	<b>PROVISION OF SUPPORT WITHIN SAFE ACCOMMODATION 2022 – 2025 SAFE ACCOMMODATION STRATEGY</b>
Report of	<b>CABINET MEMBER FOR ADULT SOCIAL CARE AND PUBLIC HEALTH</b>

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## EXECUTIVE SUMMARY

1. The Domestic Abuse Act 2021 places a statutory duty on Isle of Wight Council (IWC) as a Tier One local authority to develop and publish a Safe Accommodation Strategy.
2. There is a further requirement to reflect the safe accommodation and support needs of the local area within the Strategy. These must be identified via a mandatory Safe Accommodation Needs Assessment, which must be conducted and refreshed on an annual basis.
3. The Isle of Wight Provision of Support within Safe Accommodation Strategy 2022 – 2025 has been informed by an independent needs' analysis conducted by Arora New Dawn
4. The Strategy outlines the following six objectives:
  - Preventing violence and abuse through early intervention and education
  - Survivors have access to a range of appropriate housing options and support services, which increase safety and prevent homelessness / loss of tenure. (Whole Housing Approach)
  - Lived experience shapes service design and delivery
  - Develop and embed Coordinated Community Response to Domestic Abuse
  - Improve our data and intelligence.
  - Hold perpetrators to account whilst providing opportunity for change and support
5. The implementation of the Strategy will be led by the Domestic Abuse Partnership Board. An Action Plan will drive forward the recommendations of the needs assessment as set out in Appendix 1 of the strategy and will be monitored on a quarterly basis. The Strategy will be reviewed annually within the context of the refreshed Safe Accommodation Needs Assessment.

## RECOMMENDATION

6. To approve the Isle of Wight Safe Accommodation Strategy 2022- 2025.

## BACKGROUND

7. The Domestic Abuse Act 2021 ('The Act')<sup>1</sup> introduces a broad range of new measures designed to strengthen the UK response to domestic abuse, including a new statutory definition of domestic abuse incorporating a range of behaviours not limited to physical violence.
8. Part 4 of Act places a duty on each tier one local authority in England to:
  - Assess the need for accommodation-based support for victims of domestic abuse (and their children) in their area.
  - Prepare and publish a strategy for the provision of such support in their area, with regard to the need's assessment.
9. Domestic abuse (DA) is an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence. Whilst both men and women experience domestic abuse, it disproportionately affects women, who are more likely to be repeat victims and to sustain long-term emotional damage from the abuse they experience. Furthermore, women experience a greater severity of abuse, are significantly more likely to fear injury or death, and substantially more likely to be killed in a domestic or family context<sup>2</sup>
10. The Domestic Abuse Act 2021 (the Act) aims to transform the national response to DA by:
  - preventing offending, protecting survivors and children, and ensuring they have access to support.
  - placing a range of duties on statutory agencies, such as local authorities and criminal justice system agencies; and,
  - requiring relevant local authorities to establish a DA multi-agency partnership board, carry out a safe accommodation needs assessment and publish a strategy for the provision of accommodation-based support in their areas by 5<sup>th</sup> January 2021

This duty under the Act is separate to local authority housing duties under the Housing Act 1996 and Homelessness Act 2002. The Act does not place a requirement on authorities to provide domestic abuse victims with accommodation, but to assess the need for accommodation-based support and develop a strategy to meet that need.

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<sup>1</sup> [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

<sup>2</sup> Dobash & Dobash, 2004; Hester, 2013; Myhill, 2015; Myhill, 2017; ONS, 2020; Walby & Allen, 2004; Walby & Towers, 2017.

## STRATEGIC CONTEXT

11. The proposal aligns with various outcomes as set out in the following council strategies:

- Corporate Plan 2021-25
- Public Health Strategy 2020-2025
- Homelessness and Rough Sleeping Strategy 2019-2024
- Community Safety Partnership Plan 2022
- Care Close to Home Strategy 2021-2024

12. In addition, this also links with national strategies:

- The Violence against Women and Girls Strategy (July 2021) and the forthcoming complementary national strategy on domestic abuse aim to reduce the prevalence of violence against women and girls and improve the support and response for victims and survivors by increasing the number of perpetrators brought to justice and increasing appropriate, quality support for victims and survivors, preventing and identifying more of these crimes.
- The Victim's Bill which aims to establish a right to specialist sexual violence and abuse support services for victims of sexual, violent, and domestic abuse, and for connected purposes.
- The Perpetrator Strategy which will form part of the domestic abuse strategy that will go beyond the implementation of the Domestic Abuse Act by improving the detecting, investigating and prosecuting offences involving domestic abuse.
- The Rough Sleeping strategy - GOV.UK ([www.gov.uk](http://www.gov.uk))

13. These strategies tend to be underpinned by a key priority that is shared which is to ensure that vulnerable people are protected from harm and that everyone has the opportunity to live the lives they want to lead in a safe community and a place people can call home.

## SERVICE IMPACT

14. Preventing and intervening early in domestic abuse across the life course of Isle of Wight residents is everyone's business. This strategy provides a framework for all relevant organisations, agencies, and voices of victims (including those of children and young people) and perpetrators to contribute to and identify their role in the domestic abuse safe accommodation agenda as underpinned by the Domestic Abuse Act (2021).

15. In addition to fulfil the requirements as set out within the strategy we will need to expand the choice of types of safe accommodation and support to mitigate disruption to the victim's social, work, and school networks and perpetrators are supported in being held to account for their actions.

## CONSULTATION

16. The wording for the proposed strategy has been approved by the Domestic Abuse Forum and has been consulted on widely with stakeholders, providers and both current and former service users.
17. Further external consultation has not been possible at this stage.

## FINANCIAL / BUDGET IMPLICATIONS

18. The IWC has been provided with a section 31 grant allocation of £292,040 for 2021/22 by the Department for Levelling Up, Housing and Communities (DLUHC) to carry out its duties under the Act by commissioning services to meet the need for support in safe accommodation in its area.
19. In the spirit of the New Burdens Doctrine, the new duty will be funded in future years. The amount of funding from April 2022 will be a matter for the next Spending Review.

## IMPACT ON YOUNG PEOPLE AND FUTURE GENERATIONS

20. To flourish, children need a safe place -- both physically and emotionally -- to come home to. If a child is to turn their full attention to the many demands of growing up, they need a secure, solid home where they feel protected. They need to feel and be safe, which allows them to go out and do battle in the world and return home to recharge.
21. Domestic violence has a devastating impact on children and young people that can last into adulthood. Domestic abuse services offer specialist emotional and practical support for children and young people affected by domestic abuse.

## CLIMATE, ENVIRONMENT & UNESCO BIOSPHERE IMPACT

22. None

## LEGAL IMPLICATIONS

23. The Domestic Abuse Act 2021 requires the Council to appoint a domestic abuse local partnership board for the purposes of providing advice to the Council about the exercise of its housing related domestic abuse functions and the provision of other local authority support in its area. As soon as reasonably practicable after the end of each financial year the Council must submit to the Secretary of State an annual report in relation to the exercise of its functions under Part 4 of the Act. In exercising its functions under Part 4 the Council must have regard to any guidance issued by the Secretary of State.
24. The Act also requires the Council to assess, or make arrangements to assess, the need for accommodation-based support in its area; prepare and publish a strategy for the provision of such support in its area; and monitor and evaluate the effectiveness of the strategy. Before publishing a strategy, the Council must consult with Domestic Abuse Local Partnership Board established under section 58 of the Act and such other persons as the Council considers appropriate.

25. The Act also requires the Council (from 01.10.2021) to provide support to victims of abuse and their children living in refuges, specialist safe accommodation, dispersed accommodation, sanctuary schemes and second stage accommodation. Under the duty the Council must provide support for children, counselling and therapy, housing related advice and support, communication with other health and social care providers, specialist support for victims with complex needs and/or protected characteristics and help for victims to recognise the signs of abusive relationships to prevent victimisation.

## EQUALITY AND DIVERSITY

26. In exercising discretion, the local authority must always be mindful of their duty contained in section 149 of the equality Act 2010, that is the duty to have due regard to the need to (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited or under the Act: (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

27. This includes having due regard to the need to: - (a) Remove or minimise disadvantages suffered by relevant protected characteristic that are connected characteristics from the needs of the persons who do not share it. (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. Section 158 of the Equality Act 2010 permits the taking of positive action where this is proportionate means of meeting the needs of persons who share a protected characteristic which are different from the needs of persons who do not share that protected characteristic.

28. The strategy commits us to ensuring that our safe accommodation and corresponding support is accessible to all of those who need it, irrespective of their individual circumstances and/or any protected characteristics they may have. This includes, but is not limited to, addressing the needs of victims of all genders, all ages, all sexualities, people with physical and learning disabilities, people with mental health issues, substance misusers and people of all ethnicities and migrants.

29. The proposed decision will help the Council to meet its equalities duties and address known inequalities affecting individuals with protected characteristics. No negative consequences are identified for those who identify with one or more protected characteristics; accordingly, the decision represents progress to eliminate discrimination and advance equality of opportunity.

## SECTION 17 CRIME AND DISORDER ACT 1998

30. The Safe Accommodation Strategy aims to positively contribute to prevent, crime, disorder, antisocial behaviour by addressing the support needs of members of our community who are at risk or are experiencing Domestic Abuse.

## OPTIONS

31. The options available to the council are as follows:

Option 1: Approve the Safe Accommodation Strategy 2022-2025.

Option 2: Refuse to approve the Safe Accommodation Strategy 2022-2025.

32. Option 1 is the recommended option as the development and publication of a Domestic Abuse Safe Accommodation Strategy is a statutory duty placed on the local authority.

### RISK MANAGEMENT

33. To minimise the risk of harm to people in our communities the IWC will aim to lead a coordinated effort to ensure everyone on the island has the chance to live safely without fear of being harmed by domestic abuse. We can only achieve this vision with active collaboration, cooperation and responsibility from all organisations and agencies across the island.
34. The delivery of this strategy will help manage this risk by co-ordinating and connecting the work of Isle of Wight Council services and wider partners and providers, this is the foundation of a “whole systems approach” that we seek to embed.
35. As with any strategy, there is a risk that strategic direction does not translate into action on the ground. This has been mitigated by the creation of a comprehensive action plan which will be monitored on a quarterly basis.

### EVALUATION

36. The development and publication of a Domestic Abuse Safe Accommodation Strategy is a statutory duty placed on the local authority.
37. The strategy gives due consideration to the associated risks, legal and budget implications and has been approved by the Domestic Abuse Forum following consultation with stakeholders, providers and both current and former service users. It will provide a strategic plan for the IWC to address issues around domestic abuse safe accommodation and specialist support that affect hundreds of people on the Isle of Wight each year. Its aim is to ensure that the Isle of Wight continues to provide high quality domestic abuse safe accommodation with specialist support to enable victims / survivors and their children to recover from the harm caused by domestic abuse.

### APPENDICES ATTACHED

Appendix 1 – Domestic Abuse Safe Accommodation Strategy 2022-2025

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