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Policy paper

Statutory duties on accommodation-based services fact sheet

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1. What are we going to do?

The Bill will place a statutory duty on tier 1 local authorities to provide support to victims of domestic abuse and their children within refuges and other safe accommodation.

Sandra Horley CBE, Chief Executive, Refuge:

“ This much needed change in the law could mean an end to the postcode lottery of finding emergency accommodation and would ensure critical specialist services are on a much more sustainable financial footing. We look forward to working with the government to make sure every woman and child can access the support they need, and that means sustainable funding that meets need and addresses current shortfalls.”

fully funded to deliver the statutory duty?

8. What transitional funding will there be to help local authorities get ready to deliver the duty?
9. Will funding under this duty be ringfenced?
10. Will it apply across the UK?
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2. How are we going to do it?

The Bill will put in place a 4 part statutory framework for the delivery of support to victims of domestic abuse and their children in safe accommodation and provide clarity over governance and accountability:

1. Place a duty on each tier one local authority in England (county and unitary councils (other than London Boroughs), the Greater London Authority and the Isles of Scilly Council) to appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult as it performs certain specified functions. These are to:
 - assess the need for accommodation-based domestic abuse support for all victims in their area, including those who require cross-border support
 - develop and publish a strategy for the provision of such support to cover their locality, having regard to the need's assessment
 - give effect to the strategy (through commissioning / de-commissioning decisions)
 - monitor and evaluate the effectiveness of the strategy
 - report back to central government
2. Require local authorities to have regard to statutory guidance in exercising their functions.
3. Require the Secretary of State to produce statutory guidance, having consulted the Domestic Abuse Commissioner, local authorities and such other persons as considered appropriate.
4. Require tier two councils (district or borough councils, and London Boroughs) to co-operate with the lead local authority, so far as is reasonably practicable.

3. Background

MHCLG plays a critical role in cross-Government work to tackle domestic abuse and other forms of violence against women and girls (VAWG).

For victims of domestic abuse and their children, refuges and other forms of safe accommodation provide vital support.

In March 2019, MHCLG reviewed the funding and commissioning of support for victims of domestic abuse and their children residing in refuges and other safe accommodation in England, and in May 2019 consulted on proposals for the future delivery of such support. This included a new legal duty on local authorities to assess the need for and commission support for victims and their children within safe accommodation.

There was strong agreement to the proposals to introduce a new duty on local authorities.

The consultation closed 2 August 2019 and the responses were carefully considered and a government response was published on 14 October 2019.

The proposals set out in the consultation aimed to address the inconsistent approach to the commissioning and delivery of support within safe accommodation. Through these provisions, we want to ensure that all victims of domestic abuse can access the right support within safe accommodation when they need it.

4. What types of safe accommodation will be covered by the new duty?

We propose to maintain a broad definition of safe accommodation in recognition of the diversity of housing in which victims and their children may live.

The new duty will cover the provision of support to victims and their children residing in:

- refuge accommodation
- specialist safe accommodation
- dispersed accommodation
- sanctuary schemes
- move-on or second stage accommodation

5. What types of domestic abuse support will be provided through the new duty?

Domestic abuse support will include:

- advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers)
- domestic abuse-prevention advice – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation
- specialist support for victims with protected characteristics and / or complex needs, for example, interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice
- children’s support – including play therapy and child advocacy
- housing-related support – providing housing-related advice and support, for

example, securing a permanent home and advice on how to live safely and independently

- counselling and therapy for both adults and children

6. Who will be represented on the Domestic Abuse Local Partnership Boards?

The makeup of Local Partnership Boards may vary across local authority areas, but they are expected to include a broad range of representative partners.

As a minimum, the Boards will include persons representing local authorities, victims and their children, domestic abuse charities or voluntary organisations, health care providers and the police or other criminal justice agencies.

7. Will Local Authorities be fully funded to deliver the statutory duty?

Local authorities will receive appropriate financial support to meet the proposed new duty.

Final decisions on funding will be made as part of the 2020 Comprehensive Spending Review.

8. What transitional funding will there be to help local authorities get ready to deliver the duty?

Funding will be made available to local authorities from the date of commencement of the new duty.

Further information on funding, including a full New Burdens Assessment, will be available in due course and ahead of the new duty coming into force.

9. Will funding under this duty be

ringfenced?

Local Authorities will be under a legal obligation to provide vital support within safe accommodation to meet the needs in their areas, and report back to central government that they have met these obligations.

Decisions on how funding will be provided to local authorities will be made ahead of the new duty coming into force.

10. Will it apply across the UK?

The new duty will apply to local authorities in England.

Support for victims of domestic abuse by local authorities is a devolved matter in Scotland, Wales and Northern Ireland.

11. How will you monitor the implementation of the new duty on local authorities?

A ministerial-led National Steering Group will be established to monitor and evaluate delivery of the new duty.

The National Steering Group will include representatives from local government, Police and Crime Commissioners, health bodies, specialist domestic abuse service providers and housing associations. The Domestic Abuse Commissioner will also be a member.

12. What provision is being made to support the funding of refuges in 2020/21, pending the introduction of the new duty?

The government is committed to protecting critical services and to providing support for victims and their children in safe accommodation. On 17 February 2020 the Government announced £16.6 million to go to 75 local authority projects for delivery of support to victims of domestic abuse, and their children, within safe

accommodation, helping up to 43,000 survivors.

The fund will allow local authorities to maintain essential existing services, as well as deliver new services, until the new duty comes into force in April 2021, subject to the successful passage of the Domestic Abuse Bill.

13. Key Facts

Number of local authorities who received funding for accommodation-based support services from the MHCLG Funds since 2014

Funding Period	Local Areas
£10 million 2014-15	148
£3.5 million 2015-16	66
£20 million 2016-18	258
£22 million 2018-20	254

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