



Cabinet
7th December 2020

Report from Assistant Chief Executive

Executive response to the Violence Against Women and Girls Report of the Resources & Public Realm Scrutiny Committee September 2020

Wards Affected:	All
Key or Non-Key Decision:	Non Key Decision
Open or Part/Fully Exempt:	Open
No. of Appendices:	Two Appendix 1 – Executive Response to the Violence Against Women and Girls Report of the Resources & Public Realm Scrutiny Committee September 2020 with additional response information. Appendix 2 - Violence Against Women and Girls Scrutiny Report
Background Papers:	None
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1.0 Purpose of the Report

- 1.1 The purpose of this report is to present the Cabinet’s Executive Response to the Violence Against Women and Girls scrutiny report and recommendations of the Resources & Public Realm Scrutiny Committee for agreement. The scrutiny report was agreed at the meeting of the scrutiny committee on 1st October 2020. The Cabinet’s Executive Response is at Appendix 1 to this report.
- 1.2 This report also wishes to provide members with reassurance and an additional overview of key points raised in the scrutiny report, these are summarised in appendix 1(item 3).

2.0 Recommendation(s)

That the Executive Response to the Violence Against Women and Girls report of the Resources & Public Realm Scrutiny Committee 1st October 2020 at Appendix 1 be agreed.

3.0 Detail

- 3.1 In accordance with Part 4 of the Brent Council Constitution (Standing Orders of Committees) Brent Council scrutiny committees may make recommendations to the Full Council or the Cabinet with respect to any functions which are the responsibility of the executive or of any functions which are not the responsibility of the executive, or on matters which affect the borough or its inhabitants. The Community and Wellbeing Scrutiny Committee may also make recommendations to the relevant NHS bodies or relevant health service providers or Full Council.
- 3.2 The Cabinet is being asked to consider its Executive response to the **Violence Against Women and Girls Report of the Resources & Public Realm Scrutiny Committee** recommendations and either agree, reject or agree as amended, the scrutiny recommendations made, as set out in the draft Executive Response attached at Appendix 1 to this report.
- 3.3 Scrutiny committees may not make executive decisions and scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; usually the Cabinet, but also to full Council for policy and budgetary decisions and the NHS where it is the decision maker, in accordance with the terms of reference for scrutiny committees set out in the Council Constitution.
- 3.4 The Executive Response to the Violence Against Women and Girls, Scrutiny recommendation is attached as Appendix 1. It provides a key overview of current progress and identified actions required, in relation to each of the 10 recommendations of the scrutiny committee.
- 3.5 Additional updates are also listed in appendix 1 (item 3), although outside of the 10 recommendations made by scrutiny, the council would like to ensure that members feel reassured that we retain an overview on the items listed as part of our core delivery (no additional actions are required) .

4.0 Response to an inquiry into Violence Against Women and Girls in Brent.

- 4.1 Brent Council is committed to the reduction of Violence Against Women and Girls (VAWG) through working in partnership to enable a coordinated community response to these issues. There is a recognised strategic priority in the Safer Brent Community Safety Strategy (2018-2021) to address all forms of domestic and sexual violence with a focus on forms of violence that disproportionately affect women and girls.
- 4.2 The Council recognises the comprehensive and inclusive approach of the Scrutiny Committee during the height of an international pandemic. The scrutiny report has provided an additional opportunity to further highlight awareness of Domestic Abuse and we welcome the recommendations for how the response to VAWG can be improved, to make Brent safer for women and girls.
- 4.3 Within this cover report we would like to draw your attention, to the good practice already being undertaken in Brent, to combat issues of Violence Against Women and Girls.

- Brent has been recognised and commended by the Mayor's Office for Police and Crime (MOPAC) for having a best practice response to VAWG.
- MOPAC requested Brent's consultation while conducting a complete review of stakeholder engagement with victims/survivors of violence against women and girls (VAWG) across London. This review is still ongoing but aims to identify examples of best practice that can be replicated across London to ensure that victims have a consistent response from statutory services to support their recovery and reduce risk.

4.4 Brent was also commended by the Domestic Abuse Housing Alliance (DAHA) who have an established set of standards and accreditation process, which can be awarded to successful housing providers/ services who have a strong response to domestic abuse. They specifically highlighted good practice around publicity and awareness raising activities to reach victims and survivors during the Covid-19 pandemic. DAHA have expressed interest in using Brent's campaign as a best practice example of engaging with "hard to reach" communities.

4.5 The Executive response further highlights the existing practice and areas we aim to strengthen delivery to enhance service provision. Part of the response to VAWG in Brent is through the following leading charities, commissioned by the council to deliver front line services in the borough:

- Advance Charity – IDVA, Family Support, MARAC and Chrysalis
- Rise Mutual – Perpetrator Intervention
- The Nia Project – Exiting Prostitution
- Young Brent Foundation – Supporting Young Women and Girls

4.6 The council works closely with the voluntary and community sector and pan London, to ensure we have a coordinated response and are meeting the needs of our community drawing on the skills and expertise of specialist advisers and leaders.

5.0 Financial Implications

5.1 The current Domestic Abuse support (IDVA, MARAC) activity is delivered by ADVANCE at an annual cost of £267,000 until August 2021. This is currently being funded through Public Health £160,000 and Children and Young People services £107,000. Future funding is under review.

5.2 The current annual cost of delivery of perpetrator intervention services by RISE Mutual is £97,552, who are contracted until March 2021 and funded through the London Crime Prevention Fund, Mayor Office of Police And Crime. This is a grant-funded program and there is no confirmation yet as to funding beyond this period. There are no additional financial implications for the council.

5.3 ADVANCE provide the One Stop Shop – Chrysalis, at an annual cost of £37,500. This is funded from the Community Protection core budget to deliver support until August 2021.

- 5.4 Recommendation 2: Would be incorporated into the role of the Engagement Officer. This post is grant funded through the Violence Reduction Unit, Mayor's Office of Police And Crime.
- 5.5 Recommendation 3: refers to an additional resource required to deliver an enhanced training offer. The current training offer is specified within the existing contract. If additional training beyond this is required then a further budgetary pressure will exist. An increase in funding through external grants would need to be sought.
- 5.6 COVID -19 recovery funding of £163,000 has been allocated to support the increase in demand on the existing service for 2020/21.
- 5.7 The Impact Assessment published alongside the Domestic Abuse Bill indicates the current estimated cost of the measures in the Bill applying to England and Wales between £137 to £155 million per year once fully implemented. The cost of domestic abuse is estimated to be approximately £66bn for victims of domestic abuse in England and Wales for the year ending March 2017.

6.0 Legal Implications

- 6.1 Section 9F, Part 2 of the Local Government Act 2000, *overview and scrutiny committees: functions*, requires that Executive Arrangements by a local authority must ensure that its overview and scrutiny committees have the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are or are not the responsibility of the executive, or on matters which affect the authority's area or the inhabitants of that area.
- 6.2 Section 9Fe, *duty of authority or executive to respond to overview and scrutiny committee*, requires that the authority or executive;-
- (a) consider the report or recommendations,
 - (b) respond to the overview and scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,
 - (c) if the overview and scrutiny committee has published the report or recommendations, publish the response, within two months beginning with the date on which the authority or executive received the report or recommendations.
- 6.3 The proposals complies with a number of the Council's key safeguarding duties. The Care Act 2014 sets out the council's duties to safeguard adults who are experiencing or at risk of abuse or neglect. The Children Act 1989 provides the legislative framework relating to the council's duty to protect children from abuse and neglect and to promote the welfare of all children and young people in their area. Some of the council's responsibilities for the care and protection of children and young people are listed under, sections 17, 20, 31 and 47 of the 1989 Act. Section 11 of the Children Act 2004 places duties on a council to ensure its functions are discharged having regard to the need to safeguard and promote the welfare of children. Section 10 of 2004 Act and Section 27 of the 1989 Act refers to the requirement for local authorities to cooperate with other agencies to promote the well-being of children.

- 6.4 The prevention of abuse and the protection of victims lies at the heart of the pending Domestic Abuse bill and the government wider programs of work. From the Queen's Speech it is anticipated that the Bill will include a duty on local authorities in England to provide support to victims of domestic abuse and their children in refuges and other forms of safe accommodation. The Domestic Abuse Commissioner will monitor the responses of local authorities, the justice system and other statutory agencies to domestic abuse and hold them to account for tackling it. The Bill is expected to create a new statutory definition of domestic abuse, expanding the current definition to include emotional, coercive or controlling, and economic abuse. Once the Domestic Abuse Bill, which is due to come in force in April 2021, has been enacted, there may be additional requirements placed upon local authorities, which may affect the recommendations made in this report.
- 6.5 Sections 42 to 46 of the Care Act 2014 and covers abuse and neglect of adults. The provisions of the Care Act are intended to promote and secure wellbeing. Under the definition of wellbeing, it is made clear that protection from abuse and neglect is a fundamental part of that. s.42 Care Act 2014 imposes specific safeguarding duties on local authorities in England. The Act imposes a duty to promote well-being and the duty of enquiry. Where a local authority has reasonable cause to suspect an adult is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect themselves against abuse or neglect or the risk of it, the local authority must make enquiries. Abuse is not defined in in the Care Act 2014.
- 6.6 The statutory guidance accompanying Care Act 2014 provides abuse encompasses physical abuse, domestic violence, sexual abuse, psychological abuse, modern slavery, discriminatory abuse, organisational abuse and neglect. S.42(3) Care Act 2014 makes clear that the term abuse includes financial abuse.
- 6.7 Crucially the Domestic Violence is expected to create a new statutory definition of domestic abuse, expanding the current definition to include emotional, coercive or controlling, and economic abuse.
- 6.8 The Bill now contains an important legal duty on local authorities to deliver support to survivors of domestic abuse in accommodation based services. The anticipated implications for local authorities include sustainable funding streams to support the ongoing provision of specialist support services and accommodation to meet these statutory requirements.
- 6.9 Further challenges which face local authorities is the support of migrant women with 'No Recourse to Public Funds' (NRPF). These women face barriers to accessing support services, including refuges. The housing costs of refuge services are largely met through housing benefit, but women with NRPF due to their immigration status are unable to access welfare benefits. The Bill contains no provision for support for women who are NRPF, which, as a result of the new statutory duties the Bill imposes, places potential financial pressures on local authorities.

¹ Cited 15.10.20 <https://www.gov.uk/government/collections/domestic-abuse-bill>

- 6.10 The report highlights the lack of accommodation for women who have older male teenagers. The recommendations address the future provision of refuge accommodation however, do not take into account this particular issue, highlighted in the report. The recommendations should stipulate whether this issue can be addressed within future provision or not and if not, set out the reasons why. Tackling the issue of the lack of services for women with teenage male children would allow this group to access appropriate refuge provision.

7.0 Equality Implications

- 7.1 The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic. There are no negative equality implications resulting from the proposals in this report.
- 7.2 A protected characteristic is defined in the Act as; Age, Disability, Gender reassignment, Pregnancy and maternity, Race (including ethnic or national origins, colour or nationality), Religion or belief, Sex and Sexual orientation. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination. The previous public sector equalities duties only covered race, disability and gender.
- 7.3 Comment:
The provision of services must have consideration of people who identify with LGBT+ groups. Within these groups violence is perpetrated by women against women, consideration of this would ensure women in this situation are included and that the policy is more inclusive of issues specific to LGBT+ groups bearing in mind the Equality Act 2010
- 7.4 Brent Council is required to make anticipatory reasonable adjustments to ensure that disabled service users have equitable access to all services. Over the past 12 months, we have been working to make our web services compliant with the Web Content Accessibility Guidelines version 2.1 AA standards.
- 7.5 Brent Council have commissioned, Domestic Abuse provider – ADVANCE, Perpetrator services – RISE Mutual and other services commissioned by the council we undertake regular monitoring and collation of data relating to equality as part of the contract including gender, disability, sexuality, ethnicity, and age (with particular interest in young victims and perpetrators). The advocacy service are monitored on their ability to deliver effective services to specialist BME victims, and to link in with other local specialist partners to facilitate this. An Equalities Impact Assessment form has been completed prior to the point of procuring services.

8.0 Consultation with Ward Members and Stakeholders

8.1 The VAWG delivery board is due to be consulted in adopting the listed actions to the current Domestic Abuse action plan and maintain oversight and review of its progress. Membership includes internal and external partners.

8.2 Lead members for Community Protection and Housing have been briefed on the report and the council response including amendments.

9.0 Human Resources/Property Implications

9.1 Recommendation 2: Would be incorporated in to the role of the Engagement Officer who would support a year round communications strategy, liaising with those with lived experience to get feedback to support service improvements.

9.2 If Commissioned services are unsuccessful or additional funding cannot be identified then a process to exit delivery will be undertaken.

9.3 The first property has been procured from MHCLG funding in January 2020, a six-bedded home, with two kitchens, three bathrooms (including large ensuite), large garden and communal lounge. The second property was procured in August 2020 a five-bedded property, with 1 kitchen, 2 bathrooms, no communal lounge and large garden.

9.4 The Housing Supply and Partnership service has started to explore potential locations and costings for the development of a refuge, owned by the Council.

Related Document: <https://www.gov.uk/government/collections/domestic-abuse-bill>

Report sign off:

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