

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4869
Author:	Jane Lewis
Department:	Communities, Environment and Resident Services
Contact:	Jane Lewis (Job Title: Community Safety Strategy Manager, Email: jane.lewis@nottinghamcity.gov.uk, Phone: 07517130680)
Subject:	DLUHC Grant funding for DVA Statutory Duty Community Based Services
Total Value:	£566,169 (Type: Revenue)
Decision Being Taken:	To accept DLUHC Statutory Duty Grant funding of up to £566,169 and delegate authority to the Corporate Director for Communities, Environment and Resident Services to enter into the Grant Agreement. To delegate authority to the Corporate Director for Communities, Environment and Resident Services to spend up to £566,169 to award contracts and make variations between April 2023 and March 2024 on the purposes specified in appendix 1 in compliance with the councils contract procedural rules.
Reasons for the Decision(s)	<p>The Domestic Abuse Act 2021 places a statutory duty on Tier 1 local authorities as of 1 April 2021. The DLUHC grant will enable Nottingham City Council to fulfil the functions of the statutory duty on Tier 1 Local authorities relating to the provision of support to survivors of domestic violence and abuse and their children residing within safe accommodation. In Oct 2022 CPEC approved the development of a DSVA /VAWG Framework to compliantly procure services. However the Framework has proved more complex than anticipated as it has to be agreed across the commissioning partnership. Subsequently the Framework has been delayed until 2023/24 and therefore a decision is required to spend the DLUHC Grant on services for one year in 2023/24 whilst the Framework is concluded. The funding on which approval is requested totals £566,169 All the contracts are to deliver the Statutory Duty for the Local Authority, as set out in the Strategy and Needs Assessment submitted to DLUHC. The suppliers recommended are the only suitable suppliers to deliver best value in this interim period. The proposed contracts will be in compliance with the councils contract procedural rules.</p>
Briefing notes documents:	DDM Community DVA Services Jan 23 appendix .docx

Other Options Considered: 1. Not accept the funding for these services. This will prevent NCC from delivering its Statutory Duty under the DA Act 2021. 2. To wait until the Framework is completed during 23/24 and then undertake a tender for all services. This will mean that NCC has failed to comply with the Statutory Duty during 23/24.

Background Papers: None.

Published Works: None.

Affected Wards: Citywide

Colleague / Councillor Interests: None.

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: section 17 of the Crime and Disorder Act requires local authorities to do all they reasonably can to prevent crime and disorder. DVA is a local priority in the Crime and Disorder Partnership Plan published by the Crime and Drugs Partnerships on behalf of NCC.

Equality: Please login to the system to view the EIA document: EIA Equality Impact Assessment 2021 DVA StatDuty 29th April 2021.pdf

Social Value Considerations: Recommendations have been considered in line with the Public Services (Social Value) Act 2012. All services within this report aim to improve the social wellbeing of the client groups they target.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date:

03/03/2023

Advice Sought:

Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

Grant funding from the DLUHC will be subject to terms and conditions of funding which, if not adhered to, may be subject to clawback from the Council. Accordingly, the council should ensure that provision is included in the contracts with external providers of the services requiring them to adhere to the grant terms, with an indemnity to the Council in the event of any provider breach of such conditions which results in clawback of any funding.

All contracts awarded for the provision of the grant funded services must be awarded in accordance with public procurement rules and the Council's Contract Procedure Rules.

Advice provided by Sarah O'Bradaigh (senior solicitor) on 15/02/2023.

Finance Advice:

This report seeks approval to accept and spend £566,169 of the Department of Levelling Up, Housing and Communities (DLUHC) statutory grant funding award from 1st April 2023 to 31st March 2024. The grant funding will be received into the Communities, Environment and Resident Services Department of the Crime and Drugs Partnership (CDP).

The grant will enable Nottingham City Council to fulfil the Community Based Service functions of the statutory duty on Tier 1 Local authorities relating to the provision of support to survivors of domestic violence and abuse and their children residing within safe accommodation (as set out in Part 4 of the Domestic Abuse Act 2021).

Detailed allocation of spend against this grant is set out in the appendix within this report.

The Council must ensure all spend is within the terms and conditions of the grant and that no future financial risk is committed to beyond the current funding agreement. All spend must be closely monitored ensuring value for money and in accordance with internal process controls whilst remaining within the grant allocation amount, ensuring no MTFP financial pressures materialise.

Advice provided by Susan Turner (Senior Commercial Business Partner) on 22/02/2023.

Procurement Advice:

This decision relates to the receipt and expenditure of grant funding from the Department of Levelling Up, Housing and Communities (DLUHC) for the delivery statutory duties under the Domestic Abuse Act 2021. It proposes contract awards and variations to extend existing contracts (as detailed in Appendix 1) for the delivery of community based services during 2023-24.

The proposed contract awards will enable the Council to fulfil its obligations under the statutory duty pending the establishment of a framework of providers of these services for awards from April 2024 onwards. The Procurement Team has been consulted on these proposals. In relation to the proposed awards to Juno Women's Aid for specialist posts, exemption has been approved from the procedural requirements of the Contract Procedure Rules in accordance with Article 18.79. The proposed award to Equation is considered to be a permissible extension of an existing contract.

A number of awards will be made through a quotation process in compliance with the Contract Procedure Rules. The commissioning process to establish a framework of providers for these services should be completed in a timely way during 2023 to enable the compliant award of contracts from April 2024.

Advice provided by Jo Pettifor (Procurement Team Manager) on 06/02/2023.

Equality and Diversity Advice:

The EIA has been reviewed. The proposal could particularly benefit all protected characteristics. There are no impacts to any of the protected characteristics, I am therefore happy to sign off.

Advice provided by Rosey Donovan (Equality and Employability Consultant) on 03/02/2023.

Signatures

Neghat Khan (PH Neighbourhoods, Safety and Inclusion)
SIGNED and Dated: 24/02/2023
Frank Jordan (CD Communities Environment Resident Services)
SIGNED and Dated: 24/02/2023

DLUHC Stat Duty Grant 2023/24 Appendix 1

Service	23/24 funding amount	Procurement	Provider where known
Therapeutic Support (Women)	£67,590	To award a contract through a quotation process. With 3 quotes in compliance with the contract procedural rule 18.55.	
Therapeutic Support (Children)	£67,590	As above	
Survivor engagement (All survivors)	£51,765	As above	
Response to Complexity (SMD) Team 2 specialists	£99,622	Direct Award for one year and an exemption in accordance with article 18.79 procedural rules has been agreed.	Juno Women's Aid
Safe Accommodation Team (Women) 3 Specialists including BMER, older women and disabilities and women.	£149,433	As above	Juno Women's Aid
Safe Accom Team (Men)	£45,952	Permissible Extension to contract for one year for Men's Services. Permission to extend contract for Stat Duty under 18.99 Reg 72 no exemption required.	Equation
Safe Accom Team (LGBT)	£45,952	To award a contract through a quotation process. With 3 quote in compliance with the contract procedural rules.	
DAHA assessment and accreditation	£7,500	Officer Decision	Standing Together
DAHA implementation	£19,001	Officer Decision	
Refuge Flexible Housing Fund	£11,764	Officer Decision	Refuges
Total	566,169		

Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control Equalities@nottinghamcity.gov.uk

Control Details:

Title:	Statutory Duty for Accommodation based Domestic Abuse services
If this is a budget EIA please ensure the title is the same as the title used within the budget booklet	
Author:	Jane Lewis
Director:	Andrew Errington
Department:	Community Protection
Service Area:	Community Safety
Contact details:	Jane.lewis@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N (Does this EIA have an impact on the budget) If yes, please include the reference number	Yes (MHCLG allocation 871,229)
Exempt from publication: Y/N (All EIA's are published on Nottingham Insight for public viewing unless specified. Exemption criteria is available on the EIA section on the Intranet)	N

2. Document Amendment Record:

Version	Author	Date	Approved
1	Jane Lewis	23 rd March 21	29 th April 2021

3. Contributors/Reviewers (Anyone who has contributed to this document will need to be named):

Name	Position	Date
Josephine Yousaf	Commissioning Officer	22/04/2021
Rosey Donovan	Equality and Employability Consultant	29/04/2021

4. Glossary of Terms

Term	Description
MHCLG	Ministry of Housing, Communities and Local Government
DVA	Domestic Violence and Abuse
DSVA	Domestic Sexual Violence and Abuse
CDP	Crime and Drugs Partnership
Survivors	This term is commonly used to describe a person who is experiencing domestic or sexual violence/abuse. The term is used as a replacement of “victim”, as it is considered to be best practice as it empowers the survivor. The term “Victim” may be used in criminal justice processes.
Move On accommodation	Defined as Safe Accom in the new Statutory Duty, it is specialist supported accommodation for survivors of DVA who are ready to move on from refuge, but who have not yet been allocated permanent accommodation.
Refuge	Defined as Safe Accom in the new Statutory Duty, it is specialist supported accommodation for survivors of DVA.
Bed space	A unit of accommodation in Refuge and Move on accommodation, it is defined as a family room to be shared by the survivor and children in refuge or a house in Move On.
BAMC	Black, Asian and minoritised communities
EIA	Equality Impact Assessment
NCC	Nottingham City Council
LGBT	Lesbian, Gay, Bisexual and Transgender

5. Summary

(Please provide a brief description of proposal / policy / service being assessed)

The Domestic Abuse Bill due to become legislation in April 2021 includes a Statutory Duty for Local Authorities to commission Domestic Abuse services (accommodation based). MHCLG has allocated Nottingham City Council with £871,229 to fund DVA services for one year. The allocation in 2022 will be based on the spend of this allocation in 2021.

DSVA services are commissioned by the Crime and Drugs Partnership on behalf of commissioning partners through a formal Partnership Agreement between Nottingham City Council (including Public Health), Office of the Police and Crime Commissioner and the Clinical Commissioning Group. The partnership function is delivered by the DSVA Joint Commissioning Group which makes recommendations to the CDP Board and to the City Council Commissioning and Procurement Subcommittee as required.

The contracts to deliver the Statutory Duty will be initially for one year, as that is the funding allocation by the MHCLG. Other elements of the new Statutory Duty include an annual Needs Assessment and Survivor Engagement, this will be progressed during 2021 and will support future decision making on the following years MHCLG funding allocation.

The findings and recommendations from this EIA will be used to determine the equality requirements of the service specification, and any additional considerations for the procurement process.

[screentip-sectionC](#)

6. Information used to analyse the effects on equality:

(Please include information about how you have consulted/ have data from the impacted groups)

We employed a DVA specialist consultant to gather local data and to consult with the DVA sector and Housing partners as part of the preparation for the Statutory Duty. Our commissioned services collect data on protected characteristics under the Equality Act 2010 and this has been considered as part of our proposals.

7. Impacts and Actions:

<u>screeentip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	x	<input type="checkbox"/>
Men	x	<input type="checkbox"/>
Women	x	<input type="checkbox"/>
Trans	x	<input type="checkbox"/>
Disabled people or carers.	x	<input type="checkbox"/>
Pregnancy/ Maternity	x	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	x	<input type="checkbox"/>
Lesbian, gay or bisexual people.	x	<input type="checkbox"/>
Older	x	<input type="checkbox"/>
Younger	x	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). Survivors of DVA with multiple disadvantage and complex needs (mental health, substance misuse)	x	<input type="checkbox"/>
<i>Please underline the group(s) /issue more adversely affected or which benefits.</i>		

<p style="text-align: right;"><u>screeentip-sectionE</u></p> <p>How different groups could be affected (Summary of impacts)</p>	<p style="text-align: right;"><u>screeentip-sectionF</u></p> <p>Details of actions to mitigate, remove or justify negative impact or increase positive impact (or why action isn't possible)</p>
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>Children and Young People in Refuge and Move On accommodation.</p> <p>Children and young people will be identified as survivors of DVA in their own right for the first time in the Statutory Duty and it is recognised that a specialist role as part of the refuge team is critical to supporting children and young people effectively.</p> <p>Children are a large group of service users in refuge and Move On and Nottingham has been unable to commission service for children since 2017 when the funding source ended.</p> <p>The CDP flexed its funding to enable refuges to utilise budgets for Children's Workers, but that has put pressure on support worker roles for women. Some refuges fundraised through charities and trusts, however as these funders recognise the role of the Statutory Duty in funding services for Children, these funding sources have ended.</p> <p>A specialist DVA therapeutic service for children will be provided for those children and young people in refuge and Move On accommodation. This service is an expectation in</p>	<p>The role of children's worker will be included in the refuge service specification, the service will be monitored and evaluated as part of quarterly reporting and service reviews.</p> <p>The role will work with all children in refuge 0 – 16</p> <p>.</p> <p>This specialist therapeutic service for children and young people will have a service specification and will be monitored</p>

the Statutory Duty. This was previously delivered by Family Care, a charity which closed due to funding issues.

Services have identified a subsequent gap in provision for children in Refuge and Move On. The service will support children to come to terms with the impact of DVA on them and the relationship with their mother. It will improve engagement and behaviour in education and with other adults and children

The Statutory Duty defines services to women in Refuge and Move On accommodation.

Nottingham has mainstream funding and contracts with 3 refuges and annual MHCLG funding and a contract with one additional refuge.

The Statutory Duty identifies which groups may face barriers to services and this includes Black, Asian and minorities communities. These citizens are supported through a specialist refuge.

The Duty also identified those survivors with multiple disadvantage who refuges find difficult to support. We have contracted with a specialist refuge for this group of survivors, but it is dependent on MHCLG funding.

One refuge has space for physically disabled survivors, but all refuges are expected to accommodate survivors with a disability or impairment and enable carers to attend where appropriate where they are able to. All refuges have reviewed access including for children in partnership with experts in NCC.

and evaluated as part of quarterly monitoring and service reviews.

The service will work with all children and young people referred by the DVA services.

Nottingham has 31 commissioned bed spaces and 4 additional bed spaces for survivors with multiple disadvantage.

Nottingham has 12 units of Move On Accommodation, with a number associated with each refuge, so that survivors from BAMC and multiple disadvantage are able to benefit from the Move On accommodation alongside other survivors.

The MHCLG funding allocation will be utilised to fund the additional 4 bed spaces for survivors with multiple disadvantage and also support costs to deliver services to survivors in Move On accommodation.

These services will be included in the service specifications for the refuges and monitored quarterly, including with service reviews.

The funding will also support Move On accommodation, which has been allocated to each refuge and provides an opportunity for women ready to leave the refuge, but not able to access permanent accommodation yet.

Funding is also allocated for a Flexible Housing Fund, this can be utilised by the refuges to ensure that Women with No Recourse to Public Funds are funded whilst funding is being

The intention under the new Stat Duty is to provide safe accommodation outreach support for the following, women from Black, Asian and minoritised communities and those with No Recourse to Public Funds, survivors from Lesbian, Gay, Bisexual and Trans Plus communities, Male survivors, disabled survivors and survivors with multiple disadvantage. This approach is an increase in targeted support to survivors of DVA.

sought from Social Care or the national fund for this purpose. It will also ensure that women with specific needs have access to a budget whilst they settle into the refuge.

As part of the Needs Assessment work is being undertaken with specialist and statutory partners across Nottinghamshire to consider the needs of male survivors for safe accommodation. Currently our offer in Nottingham is through the Sanctuary Scheme, which also focusses on survivors with adapted properties and hostel spaces for male survivors, including men who identify as trans.

Juno Women's Aid are set up for trans women and further work is required for survivors who identify as non-binary and who are not comfortable referred to womens services.

This focus on outreach for groups identified as part of the initial scoping as requiring additional support will be reviewed during the year to ensure that we reduce any failure to engage these groups. We particularly know LGBT communities do not access services in the numbers we would expect for the population.

The roles will have 3 key aims, to reach into communities who may not have accessed DVA services and to build confidence that services are accessible. The role will also work with the Survivor Engagement lead to ensure services are meeting the needs of survivors who may not have accessed support or to identify gaps in provision. Finally the role will provide safe accom support to those survivors from groups identified during outreach.

	<p>A Safe Accom outreach service will also be based in Housing Aid to support the service to successfully respond to and offer support, advice and services to survivors who may previously have not accessed support successfully at Housing Aid. .</p>
<p>Therapeutic Support to survivors</p>	<p>We intend to build on the work with survivors with multiple disadvantage where it is clear that therapeutic support enables survivors to be supported in a trauma informed space and recover more effectively from DVA. The intention is to extend this service for one year and review it for female survivors and to work with partners across Nottinghamshire on the needs of male survivors,</p>
<p>Survivor Engagement and Peer Support role</p>	<p>This role has 2 key areas of focus The role will work with all survivors and support services to help deliver the survivor voice throughout commissioning and service delivery Support the development of Peer Support services, building on the Freedom Programmes and other emerging Peer Support groups and ensure best practice and safeguarding is adhered to, to reduce the risk to survivors post service and encourage the development of 'Space for Action'.</p>

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8. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Commissioned Services collect Protected Characteristics Data (Equalities Act 2010) as part of their contracts and this is reported through quarterly monitoring and service reviews. Going forward it will also be collected and analysed as part of an annual Needs Assessment which is part of the new Statutory Duty.

9. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/> X	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

10. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.</p>	<p>Date sent for advice: Send document or Link to: equalities@nottinghamcity.gov.uk</p>
<p>Approving Manager Signature: Philip Broxholme</p>	<p>Date of final approval: 6th May 2021</p>

Before you send your EIA to the Equality and Employability Team for advice, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

PLEASE NOTE: FINAL VERSION MUST BE SENT TO EQUALITIES OTHERWISE RECORDS WILL REMAIN INCOMPLETE.