

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2902

Title: Domestic abuse support in safe accommodation – strategy and allocations

Executive summary:

Part 4 of the Domestic Abuse Act 2021 (the 2021 Act), which commenced on 1 October 2021, includes a new duty on Tier 1 authorities (the GLA in London) to support survivors of domestic abuse and their children in refuges and other safe accommodation. The GLA has been allocated £20.668m by the Department for Levelling Up, Housing and Communities (DLUHC) to discharge its duty in 2021-22 (to cover both administration and support costs). Mayoral approval (via MD2788) has been given for the receipt and expenditure of this funding. The Mayor has also approved (via MD2788 and MD2842) the GLA entering into a shared services arrangement whereby the Mayor's Office for Policing and Crime (MOPAC) supports the GLA to undertake the activities associated with the new duty and the transfer of up to £15.868m of the 2021-22 funding from the GLA to MOPAC for this purpose.

Key elements of the duty are to produce a strategy, and to give effect to that strategy through commissioning decisions. Mayoral approval to publish the draft strategy for consultation and to the commissioning approach was given via MD2892 in November 2021. The responses to this consultation have been analysed and are taken into account in the final version. Approval is now sought to agree the content of and publish London's strategy for accommodation-based support for victims/survivors of domestic abuse and their children as set out in Appendix 2. Approval is also sought to delegate authority to the Executive Director of Housing and Land to approve and enter into call-off agreements as set out in MD2892, and approve the allocation of funding to providers and London boroughs for the delivery of support services.

Decision:

That the Mayor:

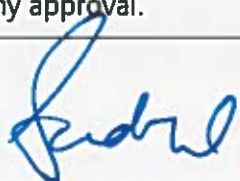
- i. approves the content of London's strategy for accommodation-based support for survivors of domestic abuse and their children as set out in Appendix 2 and approves its publication before 5 January 2022
- ii. delegates authority to the Deputy Mayor for Housing and Residential Development, in consultation with the Deputy Mayor for Policing and Crime at MOPAC, to approve non-material changes to the above-mentioned strategy ahead of publication
- iii. delegates authority to the Executive Director of Housing and Land to:
 - approve and enter into call-off agreements as set out in MD2892
 - approve the allocation of funding to providers and London boroughs for the delivery of support services.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

21/12/21

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Part 4 of the Domestic Abuse Act 2021 (the 2021 Act) came into force on 1 October 2021. It confers a statutory duty on Tier 1 authorities (the GLA in London) to support survivors of domestic abuse and their children in safe accommodation. The Domestic Abuse Support (Local Authority Strategies and Annual Reports) Regulations 2021 (the 2021 Regulations) also came into force on 1 October 2021.
- 1.2. Mayoral approval (via MD2788 and MD2842) has been given for the receipt and expenditure of the 2021-22 funding from the government, and specific expenditure for grant funding in 2021-22 of: up to £5m for London boroughs, of which £3.377m has been allocated to the boroughs; and £1.433m for service providers. The Mayor has also approved, via these Mayoral Decisions, the GLA entering into a shared services arrangement. Through this arrangement, MOPAC supports the GLA to undertake the activities associated with the new duty, and the transfer of up to £15.868m of the 2021-22 funding from the GLA to MOPAC for this purpose.
- 1.3. The key functions required of Tier 1 authorities – as outlined in the 2021 Act, the 2021 Regulations and statutory guidance – include preparing, publishing and keeping under review a strategy for accommodation-based support for survivors of domestic abuse and their children. They also require Tier 1 authorities to give effect to the strategy in carrying out their functions through commissioning and decommissioning decisions.

Strategy

- 1.4. Informed by the London needs assessment and consultation with stakeholders, a draft strategy for the provision of accommodation-based domestic abuse support in London was published for consultation on 5 November 2021 (approved via MD2892).
- 1.5. The draft strategy contained proposals organised around the following policies:
 - improving early intervention
 - improving access to and the provision of safe crisis accommodation
 - improving access to and the provision of second-stage and move-on accommodation, and resettlement
 - improving standards of safe accommodation
 - overarching issues:
 - meeting a diversity of need so that all groups can access and receive appropriate services
 - improving data and information to better enable strategic planning.
- 1.6. The public consultation period closed on 21 November 2021. The responses from the consultation have been analysed and set out in the consultation response report at Appendix 1. The consultation responses have been taken into account in the final version of the strategy which is at Appendix 2.
- 1.7. The consultation response report sets out the key themes that arose from the response to the consultation. There are some areas of the draft strategy that respondents highlighted that have not been changed and the reasons for not making changes are set out in the report. However, there are areas where changes have been made to the strategy following careful consideration of the

consultation feedback. The reasons for each change are set out in the consultation report. The key changes to policies and proposals are as follows:

Policy 5: Tackling overarching issues

- The addition of the following sub-policies:
 - improving the provision of buildings
 - creating a more equitable and sustainable approach to funding across London.
- The addition of the following proposals:
 - Registered providers should work with service providers to ensure that buildings accommodating existing services are fit for purpose and, where appropriate, are refurbished or remodelled to meet the needs of victims/survivors. They should also support service providers to develop new services by partnering with them to deliver new buildings.
 - Periodic refreshes of the London Domestic Abuse Safe Accommodation Needs Assessment will include monitoring the level of provision of safe accommodation services in London, including any decommissioning.
 - The Partnership Board will work with partners:
 - to explore how a more equitable approach to funding safe accommodation services across London can be achieved
 - to ensure effective communication between home and host boroughs.

Policy 6: Improving early intervention

An enhancement of proposal 6.1, to specify that housing associations' and boroughs' accreditation by the Domestic Abuse Housing Alliance should cover not only their role as housing providers, but also as providers of other services – such as housing options services; and that the opportunity for accreditation should be extended to private landlords and letting agents.

Policy 7: Improving access to and the provision of safe crisis accommodation

- An enhancement of proposal 7.4, to specify not only that specialist support should be available to victims/survivors and their children placed by boroughs in generic temporary accommodation, but also that the Mayor will continue to lobby for the inclusion of this support in the Part 4 duties (it is currently beyond scope).
- A change to proposal 7.7, to specify that a pan-London single point of entry (that is, provision via a single organisation) should enable effective access to safe crisis accommodation for all victims/survivors, including those with specialist needs such as people with no or limited recourse to public funds and/or multiple disadvantage. The draft strategy proposed new, separate single points of entry for those with specialist needs.

Policy 8: Improving access to and the provision of move-on and second-stage accommodation, and resettlement support

- No substantive changes. Changes made as a result of comments on this section have been incorporated elsewhere and are set out above and below under the relevant policies.

Policy 9: Improving the quality of safe accommodation

- The addition of the following proposals:

- The design of safe accommodation, including refuges and other crisis accommodation, second-stage and move-on, should meet the needs of disabled victims/survivors.
 - Physical security should be ensured, with newly built or refurbished safe accommodation meeting Secured by Design requirements, and surveys by the Metropolitan Police's Designing Out Crime Officers undertaken where appropriate.
- 1.8. Approval is sought to publish the final version of the strategy set out in Appendix 2 before 5 January 2022 (which is the date by which the GLA must publish the strategy as set out in the 2021 Regulations), with delegation to the Deputy Mayor for Housing and Residential Development, in consultation with the Deputy Mayor for Policing and Crime at MOPAC, to approve any non-material changes to the version (should they be needed). The equalities impact assessment will be published alongside the strategy (Appendix 3).
- 1.9. Further detail on the consultation is in paragraphs 4.8 and 4.9 below and detailed in the consultation report at Appendix 1.

Funding and delegation

- 1.10. The commissioning for services process was approved via MD2898. In addition to commissioning services under the framework agreement, the GLA and MOPAC may also provide grant funding.
- 1.11. Approval is now sought to delegate authority to the Executive Director of Housing and Land to approve and enter into call-off agreements as set out in MD2892; and approve the allocation of funding to providers and London boroughs for the delivery of support services, through either the call-off contracts arising from the framework or grants that may be awarded outside the framework process.

2. Objectives and expected outcomes

- 2.1. The objectives of the strategy and the commissioning which follows from it are as follows:
- to establish a clear and integrated pan-London pathway of support through all stages of a survivor's journey, from early intervention, through to crisis and recovery and beyond; this must include supporting victims/survivors to safely remain in their own homes or to return, if and when it is safe to do so
 - to support the right of victims/survivors to access physically and psychologically safe spaces where they and their children can recover safely from abuse, supported by services rooted in a rights-based, trauma-informed and gender-informed approach
 - to ensure that services, including refuges, meet the cultural, language, religious and other needs of those they serve, and, where appropriate, are run by 'by and for' specialist providers
 - to reduce the barriers to accessing services faced by victims/survivors, such as those requiring interpreters, Deaf and disabled victims/survivors, and non-UK nationals with no or limited recourse to public funds¹
 - to ensure that services are of a consistently high quality, in terms of both support and the accommodation provided, to enable victims/survivors to recover and rebuild; over time, all provision should be self-contained, to support independence and dignity

¹ This includes a wider group than those subject to the "no recourse to public funds" condition.

- to be more strategic in the way support is commissioned, delivered and accessed, with the development of more multi-borough and pan-London level services, where appropriate; and to ensure victims'/survivors' access to safety and recovery is not constrained by postcode.

3. Equality comments

3.1. Under section 149 of the Equality Act 2010, as public authorities, the Mayor and the GLA are subject to a public-sector equality duty and must have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and those who do not.

Protected characteristics under section 149 of the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (all except the last being 'relevant' protected characteristics).

3.2. Characteristics of survivors of domestic abuse (national figures) are as follows:

- Gender: women are much more likely than men to be the victims of high-risk or severe domestic abuse. Three-quarters of domestic abuse homicide victims in London between 2005 and 2020 were women.
- Age: younger people are more likely to be subject to interpersonal violence. Most high-risk victims are in their 20s or 30s. Those under 25 are the most likely to suffer interpersonal violence.
- Pregnancy: nearly one in three women who suffer from domestic abuse during their lifetime report that the first incidence of violence happened while they were pregnant.
- Separation: domestic abuse is highest amongst those who have separated, followed by those who are divorced or single.
- Drug and alcohol use: victims of abuse have a higher rate of drug and/or alcohol misuse (whether it starts before or after the abuse); at least 20 per cent of high-risk victims of abuse report using drugs and/or alcohol.
- Mental health: 40 per cent of high-risk victims of abuse report mental health difficulties.

3.3. Given the above, the proposals in this paper are likely to have positive impacts on a number of groups with protected characteristics. Specifically, the work outlined above will focus on arrangements to facilitate improvements in accommodation and support for survivors of domestic abuse (who are more likely than the general population to be women and to have mental health support needs). The equalities implications will be kept under review throughout this programme of work including in relation to the commissioning of support.

3.4. An equalities impact assessment has been undertaken and will be published with the strategy (Appendix 3).

4. Other considerations

Key risks and issues

4.1 Table of risks and issues

Risk description	Rating	Mitigating action
Insufficient capacity in the market to deliver the services needed/being commissioned, meaning that outcomes for survivors will not be maximised and the 2021-22 allocation will not be spent in full.	Amber	MOPAC has been engaging potential bidders and other stakeholders to raise awareness of, and enable participation in, the design of the commissioning approach, including the framework. In addition, the commissioning approach will ensure that the widest range possible of smaller, specialist organisations (including 'by and for') are able to bid and are not penalised by an evaluation approach that disproportionately weights cost to the detriment of experience and expertise. In addition, MOPAC convened a series of clarification sessions for potential bidders in November 2021.
Providers on the framework/those that are awarded call off contracts may not have the expertise, experience or capacity to deliver services effectively.	Green	There is a robust commissioning process whereby providers must demonstrate their capacity to deliver and appropriate expertise and experience. An expert panel will evaluate bids in line with agreed criteria. In addition, a robust contract and contract-monitoring process will include setting clear objectives for providers; and ensuring that poor performance is identified and rectified quickly and appropriately.

Links to Mayoral strategies and priorities

4.2 The objectives of the proposals are in line with:

- the Mayor's London Housing Strategy, policy 7.2c
- MOPAC's Police and Crime Plan 2017-21 (tackling violence against women and girls (VAWG) is one of three priority areas for action to protect people at especially high risk of crime)
- MOPAC's VAWG Strategy.

4.3 New versions of the Mayor's Police and Crime Plan, and the Mayor's VAWG Strategy, are currently being developed.

Impact assessments and consultations

4.4 Both the [London Housing Strategy](#) and the [VAWG Strategy](#) were subject to public consultation and equalities impact assessments.

4.5 The development of the draft strategy involved extensive consultation with a wide range of stakeholders. This includes those with whom the 2021 Act requires the GLA to consult on the draft strategy: the London Domestic Abuse Safe Accommodation Partnership Board (Partnership Board) appointed by the GLA; the London boroughs; and such other persons as the GLA considers appropriate. Consultation activities included a workshop with the Partnership Board, and surveys of London boroughs and other key stakeholders (76 groups and individuals). Twenty-five boroughs

(mainly VAWG coordinators), 47 service providers, 10 housing providers and 14 key other stakeholders responded to surveys and/or participated in a consultation meeting. In addition, seven survivors participated in the consultation.

- 4.6 There was also in-depth consultation and engagement during the development of the London Domestic Abuse Safe Accommodation Needs Assessment, which provides much of the data and information informing the proposals in the draft strategy. This included a workshop with the Partnership Board; interviews with four survivors of domestic abuse; a provider survey; a VAWG coordinator survey; two focus groups with key stakeholders; and 13 one-to-one meetings with key stakeholders.
- 4.7 MOPAC also convened a series of stakeholder workshops with boroughs and service providers on the commissioning approach and process.
- 4.8 On 5 November 2021, the draft strategy was published on the GLA and MOPAC websites. It was also sent to the Partnership Board, all London boroughs and other key stakeholders. The public consultation period ran to 21 November 2021, with a meeting of the Partnership Board dedicated to consulting on the draft strategy held on 23 November 2021.
- 4.9 During the consultation period, 31 consultation responses were received and stakeholders were consulted at meetings and events. As MOPAC is providing professional support services to the GLA relating to the duties under the 2021 Act, it managed the consultation.
- 4.10 As stated above, an equalities impact assessment has been undertaken and will be published with the strategy (Appendix 3).

Conflicts of interest

- 4.11 The officers involved in the drafting and clearance of this form have identified no known conflicts of interest.

5. Financial comments

- 5.1. The decision is seeking approval to publish the strategy for the provision of accommodation-based domestic abuse support in London. Approvals are also sought to delegate authority to the Executive Director of Housing and Land for allocating funding for support services. Costs associated with the publication of the strategy and for commissioning will be funded from the £20.688m grant from the DLUHC. (MD2788 approved the receipt and expenditure of this funding.)
- 5.2. MD2842 approved the transfer of up to £15.868m of 2021-22 funding to MOPAC to support the GLA to undertake the new duty. Funding to meet MOPAC's administrative costs and the cost of commissioning services, up to this amount, will be transferred to MOPAC in due course.

6. Legal comments

- 6.1. Part 4 of the 2021 Act received Royal Assent on 29 April 2021 and commenced on 1 October 2021.
- 6.2. Section 57(1)(b) of the 2021 Act provides that a relevant authority (which is the GLA in London) must prepare and publish a strategy for the provision of accommodation-based domestic abuse support in its area. Section 57(4) provides that, before publishing a strategy under this section, a relevant local authority must consult the local partnership board, local authorities in its area and other persons considered appropriate.

- 6.3. The 2021 Regulations, made under section 57(9) of the 2021 Act, provide that a relevant local authority that prepares and publishes a section 57 strategy must first publish a section 57 strategy before 5 January 2022.
- 6.4. The statutory guidance sets out the content of the draft strategy and who should be consulted on it.
- 6.5. Section 57(3) of the 2021 Act provides that a relevant local authority that publishes a strategy must, in carrying out its functions, give effect to the strategy.
- 6.6. Section 17 of the Crime and Disorder Act 1998 places a general obligation on the GLA to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent:
- crime and disorder in its area (including antisocial and other behaviour adversely affecting the local environment)
 - the misuse of drugs, alcohol and other substances in its area
 - reoffending in its area.
- 6.7. Any funding granted must be provided in accordance with the GLA's Contracts and Funding Code; and officers must ensure that the GLA – the relevant authority subject to the obligations set out in the 2021 Act – is a party to the provision of any funding arrangement.

7. Planned delivery approach and next steps

- 7.1. The commissioning approach will involve the publication of a tender (through an open tender process), followed by the award of contracts to successful bidders.

Activity	Indicative timeline
Final version of the strategy published	Before 5 January 2022
Framework contracts and call-off contracts awarded/mobilisation	Q1 2022
Further call-offs from the framework	Ongoing
Strategy reviews	Annually

Appendices and supporting papers:

Appendix 1 - Support for victims/survivors of domestic abuse and their children in safe accommodation: a draft strategy for London – consultation report

Appendix 2 - Support for survivors of domestic abuse and their children in safe accommodation: a strategy for London

Appendix 3 - Support for survivors of domestic abuse and their children in safe accommodation: a strategy for London – equalities impact assessment

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 – Deferral**Is the publication of Part 1 of this approval to be deferred? YES**

If YES, for what reason: non-material changes may be made to the final strategy before it is published.
Until what date: Until the date the final strategy is published (before 5 January 2022)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO**ORIGINATING OFFICER DECLARATION:**

Drafting officer
to confirm the
following (✓)

Drafting officer:

Debra Levison has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Rickard Hyatt has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Tom Copley and Sophie Linden have been consulted about the proposal and agree the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 20 December 2021.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

D. Gane

Date

20/12/21

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature

D. Bellamy

Date

20/12/21

