

# Public Document Pack



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PUBLIC

To: Members of Improvement and Scrutiny Committee - Places

Tuesday, 9 November 2021

Dear Councillor,

Please attend a meeting of the **Improvement and Scrutiny Committee - Places** to be held at **2.00 pm** on **Wednesday, 17 November 2021** in the Council Chamber, County Hall, Matlock, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink that reads 'Helen E. Barrington'.

**Helen Barrington**  
**Director of Legal and Democratic Services**

## **AGENDA**

### **PART I - NON-EXEMPT ITEMS**

1. Apologies for absence
2. To receive declarations of interest (if any)
3. To confirm the minutes of the meeting held on 22 September 2021 (Pages 1 - 4)
4. Public Questions (30 minutes maximum in total) (Pages 5 - 6)

(Questions may be submitted to be answered by the Scrutiny Committee, or Council officers who are attending the meeting as witnesses, on any item that is within the scope of the Committee. Please see the procedure for the submission of questions at the end of this agenda)

5. Draft Domestic Abuse Support in Accommodation Strategy (Pages 7 - 26)
6. Countryside Service Review (Pages 27 - 34)
7. Future Highways Model Scrutiny Working Group (verbal report)

**PUBLIC**

**MINUTES** of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES** held on 22 September 2021.

**P R E S E N T**

Councillor S Bull (in the Chair)

Councillors D Allen (substitute Member), M Ford (substitute Member), D Greenhalgh, P Niblock, R Redfern, J Siddle and A Stevenson.

Also in attendance was N Bennett (Place Department).

Apologies for absence were received on behalf of Councillors D Collins and N Gourlay.

**12/21** **MINUTES RESOLVED** that the minutes of the meeting of the Committee held on 28 July 2021 be confirmed as a correct record and signed by the Chairman.

**13/21** **PUBLIC QUESTIONS** There were no public questions.

**14/21** **FUTURE HIGHWAYS MODEL BRIEFING** Neill Bennett, the Highways Strategy Manager attended the meeting to provide the committee with a briefing on the Future Highways Model (FHM), the progress to date, next steps and the role of the committee in providing further scrutiny as part of the overall FHM programme.

The presentation provided committee members with an outline of how the FHM had been instigated, the progress to date and the next steps in its development. The presentation outlined how the approved outline business case (OBC) would re-shape the service to deliver a commissioning approach to highways service delivery using the mixed economy approach and what that would provide in ensuring service objectives and goals will be delivered, benefits realised and value for money (VfM) assured.

A waypoint review had been undertaken in 2018, on the progress to implement the FHM. However, the Service had been significantly disrupted by the challenging circumstances over the past 24 months, with Toddbrook Reservoir, three flooding events impacting the county and the impacts of Covid-19. In addition, staff pressures and lack of capacity had meant that inadequate resources had been available to develop the work.

The Programme objectives were:

- Replace ineffective services with a robust 'mixed economy' operating model, delivering best practice.
- Create clearly delineated client and delivery (provider) functions and roles, with integrated leadership.
- Establish a distinct function for executive and political briefing, engagement and priority setting.

- Deliver improved structures, reporting and accountability.
- Enable the commissioning of alternative function providers.
- Manage budgets and operating costs at a functional level.
- Replace the current evolved, vague structures with defined functions.
- Aim to deliver significant business benefits.
- Review, upgrade and/or replace current depots and remote offices.
- Comprehensive assessment of options considered that:
  - Aligned with DCC priorities and goals
  - Provided demonstrable delivery of VfM and were
  - Achievable

The committee's involvement with the FHM will be around communication and engagement, as scrutiny would have a key role to play as part of the FHM governance. Consideration would be given to how the committee could assist the FHM going forward, but focus could be provided on achieving VfM, climate change issues and resources, particularly recruitment including apprenticeships.

On behalf of the committee, the Chairman thanked Mr Bennett for his presentation and looked forward to regular updates and feedback.



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## **Procedure for Public Questions at Improvement and Scrutiny Committee meetings**

Members of the public who are on the Derbyshire County Council register of electors, or are Derbyshire County Council tax payers or non-domestic tax payers, may ask questions of the Improvement and Scrutiny Committees, or witnesses who are attending the meeting of the Committee. The maximum period of time for questions by the public at a Committee meeting shall be 30 minutes in total.

### **Order of Questions**

Questions will be asked in the order they were received in accordance with the Notice of Questions requirements, except that the Chairman may group together similar questions.

### **Notice of Questions**

A question may only be asked if notice has been given by delivering it in writing or by email to the Director of Legal Services no later than 12noon three working days before the Committee meeting (i.e. 12 noon on a Wednesday when the Committee meets on the following Monday). The notice must give the name and address of the questioner and the name of the person to whom the question is to be put.

Questions may be emailed to [democratic.services@derbyshire.gov.uk](mailto:democratic.services@derbyshire.gov.uk)

### **Number of Questions**

At any one meeting no person may submit more than one question, and no more than one such question may be asked on behalf of one organisation about a single topic.

### **Scope of Questions**

The Director of Legal Services may reject a question if it:

- Exceeds 200 words in length;
- is not about a matter for which the Committee has a responsibility, or does not affect Derbyshire;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Committee in the past six months; or
- requires the disclosure of confidential or exempt information.

## **Submitting Questions at the Meeting**

Questions received by the deadline (see **Notice of Question** section above) will be shared with the respondent with the request for a written response to be provided by 5pm on the last working day before the meeting (i.e. 5pm on Friday before the meeting on Monday). A schedule of questions and responses will be produced and made available 30 minutes prior to the meeting (from Democratic Services Officers in the meeting room). It will not be necessary for the questions and responses to be read out at the meeting, however, the Chairman will refer to the questions and responses and invite each questioner to put forward a supplementary question.

## **Supplementary Question**

Anyone who has put a question to the meeting may also put one supplementary question without notice to the person who has replied to his/her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds detailed in the **Scope of Questions** section above.

## **Written Answers**

The time allocated for questions by the public at each meeting will be 30 minutes. This period may be extended at the discretion of the Chairman. Any questions not answered at the end of the time allocated for questions by the public will be answered in writing. Any question that cannot be dealt with during public question time because of the non-attendance of the person to whom it was to be put, will be dealt with by a written answer.





**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**PLACES IMPROVEMENT AND SCRUTINY COMMITTEE**

**17 November 2021**

**Report of the Executive Director Commissioning, Communities and Policy**

**Draft Domestic Abuse Support in Accommodation Strategy**

**1. Purpose**

- 1.1 To inform Members of the new statutory duties imposed by the Domestic Abuse Act 2021, to consult on the development of the draft Derbyshire Domestic Abuse Support in Accommodation Strategy (the draft Strategy) and to provide and update on the proposed next steps.

**2. Information and Analysis**

- 2.1 The Domestic Abuse Act 2021 introduces a new statutory duty for upper tier local authorities to provide accommodation-based support for victims of domestic abuse and their families and to develop a strategy outlining its intentions in consultation with partners. The statutory guidance specifies that the draft strategy should be published by 26 October 2021 and the final version by 5 January 2022.
- 2.2 Grant funding of £1.47m has been made available to the Council in 2021/22 through the former Ministry of Housing and Local Government to meet the new statutory duty. This funding will continue in subsequent years, but it is not yet known if it will be at the same level.
- 2.3 The draft Strategy covers both County and City and has been informed by a needs assessment which has been conducted with the support of the Domestic Abuse and Sexual Violence Governance Board.

- 2.4 The needs assessment has a broader focus than accommodation-based support and provides a holistic view of domestic abuse across the County. It has been informed by data from a range of partners and consultation with specialist services providers, professionals and the wider community including survivors of domestic abuse.
- 2.5 The timescales outlined in the statutory guidance have proved to be extremely challenging and have meant that the focus in the short-term has had to be on accommodation-based support. Moving forward, the draft strategy will form part of a more holistic domestic abuse strategy which will be developed in the new year.
- 2.6 The draft Strategy, now attached at Appendix 2 for consideration, was published on the Safer Derbyshire website on the 26 October 2021 to meet the timescales set out in the statutory guidance and prior to publication it was considered by the Domestic Abuse and Sexual Violence Governance Board which has representation from County Council departments such as Childrens Services, Public Health and Adult Social care, as well as wider stakeholders. Implementation of the Strategy will be supported by a commissioning plan.
- 2.7 The Strategy will need to be agreed by both the County Council and City Council prior to publication. To ensure that the final strategy is published by 5 January 2022, it is proposed that the Cabinet Member for Health and Communities formally agree the strategy from a County Council perspective.
- 2.8 Following publication, work to develop the broader holistic domestic abuse strategy will take place and further reports in progress will be presented to Members in due course.

### **3. Consultation**

- 3.1 This report allows an opportunity for pre-decision scrutiny of the Draft Domestic Abuse Support in Accommodation Strategy.

### **4. Alternative Options Considered**

- 4.1 For the Council to produce a Domestic Abuse Support in Accommodation Strategy in isolation from Derby City Council. The Statutory Guidance outlines the need for the Strategy to be produced in collaboration with wider partners and stakeholders. Given the nature of domestic abuse and the response required, a strategy across the whole of Derbyshire facilitate a more effective and consistent strategic approach enabling equitable support for victims and their families.

4.2 The Council could agree not to produce a Domestic Abuse Support in Accommodation Strategy. However, as it is a legislative requirement, the Council would not be meeting its statutory duty.

## **5. Implications**

5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **6. Background Papers**

6.1 Cabinet Report – 8 July 2021: Urgent Decision Taken By The Managing Executive Director And Approval For Delegated Authority Relating To Grant Expenditure

## **7. Appendices**

7.1 Appendix 1- Implications.

7.2 Appendix 2 – Draft Domestic Abuse Support in Accommodation Strategy

## **8. Recommendation(s)**

That Committee:

- a) Notes the new statutory duties imposed on the Council by the Domestic Abuse Act 2021 to provide accommodation-based support for victims of domestic abuse and their families and to develop a strategy outlining its intentions in consultation with partners.
- b) Notes the development of the draft Derbyshire Domestic Abuse Support in Accommodation Strategy for consultation and its publication on the Safer Derbyshire website on 26 October 2021.
- c) Provides comment on the draft Derbyshire Domestic Abuse Support in Accommodation Strategy, prior to the Strategy being considered by the Cabinet Member for Health and Communities.

## **9. Reasons for Recommendation(s)**

- 9.1 To ensure Members are informed of the new statutory duties imposed by the Domestic Abuse Act 2021.
- 9.2 To ensure Members are aware of the draft Derbyshire Domestic Abuse Support in Accommodation Strategy.
- 9.3 To seek views on the draft Derbyshire Domestic Abuse Support in Accommodation Strategy.

**Report Author: Christine Flinton**  
**Contact details: Christine.flinton@derbyshire.gov.uk**

## **Implications**

### **Financial**

- 1.1 The Council has been awarded £1,471.203 for 2021/22, through a section 31 grant to meet the burden of the new statutory duty.

### **Legal**

- 2.1 As detailed in the report.

### **Human Resources**

- 3.1 None identified

### **Information Technology**

- 4.1 None identified

### **Equalities Impact**

- 5.1 Domestic abuse is a complex crime that can affect anyone, leaving physical and emotional scars on victims for a lifetime and impacting on their families and society into the future. However, evidence suggests that it is an issue which disproportionately affects women and children and that there is an under-representation in services of male victims and LGBTQ+ victims. The grant funded services will enable the specialist providers to continue to provide enhanced support to those with complex needs and to continue development work to increase engagement from under-represented groups.

Supporting victims and their families to access specialist support services at the appropriate time enables them to make their own choices and live independently, reducing the impact on communities and the need for them to access wider services, for example social care and health services.

### **Corporate objectives and priorities for change**

- 6.1 The work outlined in the report will contribute to the following key priorities for the Council
- resilient, healthy and safe communities
  - high performing, value for money and resident focused services
  - effective early help for individuals and communities

**Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 The work outlined in this work will support the safeguarding of victims of domestic abuse and their families and will support the reduction of crime and disorder, substance misuse and anti-social behaviour.

**DRAFT**  
**Derby and Derbyshire**  
**Domestic Abuse**  
**Support in Accommodation**  
**Strategy**  
**2021 – 2024**

**October 2021**  
**Version 1**

## Introduction

Domestic abuse is a cruel and complex crime which anyone can be affected by. The impact of it can last a lifetime, very often across generations. Tragically, it sometimes leads to the loss of life.

The [Office for National Statistics \(ONS\)](#) estimate that 1.6 million women and 757,000 men aged 16 to 74 years experienced domestic abuse in England and Wales during the year to March 2020 (5.5% of the population).<sup>1</sup>

A fifth of homicides of persons aged 16 years and over are domestic abuse related. Three-quarters of domestic homicide victims are female. In the 3 years to March 2019, 274 women and 83 men were victims of domestic homicides.

Domestic abuse remains high on the national agenda with the Domestic Abuse Act becoming law in April 2021. The Government is committed to raising awareness and understanding about the devastating impact of domestic abuse on victims and their families, further improving the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice, as well as strengthening the support for victims of abuse by statutory agencies.

In Derby and Derbyshire, significant progress has been made in terms of how local stakeholders work together to raise awareness and deliver support and prevention work in relation to domestic abuse; and there is ongoing commitment and determination to ensure that domestic abuse services continue to be reviewed and improved for all victims.

The vision for Derby and Derbyshire, as will be set out in the holistic Domestic Abuse (DA) and Sexual Violence Strategy for Derby and Derbyshire, is that everyone can live safe lives, without the threat or experience of domestic abuse or sexual violence. The Domestic Abuse Support in Accommodation Strategy will focus solely on how local partners intend to work together in a coordinated and cohesive way to meet new statutory duties to provide safe accommodation and support for victims of domestic abuse under the Domestic Abuse Act 2021 (The DA Act).

## Scope

The Domestic Abuse Support in Accommodation Strategy sets out the shared ambitions for Derby and Derbyshire in terms of how local partners and services will work together to effectively address the provision of domestic abuse support in safe accommodation across the city and the county.

It has been produced by Derbyshire County Council and Derby City Council on behalf of the Domestic Abuse and Sexual Violence Governance Board; in partnership with local stakeholders working together throughout Derbyshire, including the Office of the Police and Crime Commissioner and District and Borough Councils.

For local partners across Derby and Derbyshire, over the next three years, the focus of delivery for DA support in safe accommodation will be to achieve the following objectives:

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<sup>1</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsenlandandwales/yearendingmarch2020>



- Undertake early intervention, before the point of crisis, to give people choices, including support in short term emergency accommodation.
- Provide domestic abuse support in a range of safe accommodation, so that family make-up, individual needs and complexities are not barriers to accessing the help that victims require.
- Address the needs of particular communities accessing our services and invest in support that reflects their characteristics, so that their experience is an inclusive one.
- Support victims and their families who wish to build a life within our communities, when they are ready to move on from intensive support in emergency accommodation.
- Ensure services are accessible and provide up-to-date information about what is available so that victims and professionals know where to go and what to expect.

Public authorities are bound by the [Public Sector Equality Duty](#) and therefore must consider how their policies or decisions affect people who are protected under the [Equality Act 2010](#). This strategy aims to be fully inclusive and, throughout the development of it, careful consideration has been given to how the needs of those with protected characteristics can be met.

Domestic abuse support in accommodation services will be regularly monitored and evaluated to ensure they continue to meet the needs of victims.

### **Domestic Abuse Act 2021**

The government's commitment to tackling domestic abuse is clear, with the introduction of key legislative measures contained within the [Domestic Abuse Act 2021](#). For the first time, a statutory definition of domestic abuse has been created, which is:

*Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:*

- *Psychological / emotional – e.g. victim-blaming, name-calling, belittling*
- *Physical – e.g. hurting or threatening to hurt physically*
- *Sexual – e.g. forced to take part in unwanted, unsafe or degrading activity*
- *Economic – e.g. restricting finances / access to work, getting a victim into debt*
- *Coercive control – e.g. isolating, monitoring, threats, humiliation<sup>2</sup>*

The Act also recognises the impact of domestic abuse on those who are 'personally connected'<sup>3</sup> and defines what is meant by this as:

*"...intimate partners, ex-partners, family members or individuals who share parental responsibility for a child."*

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<sup>2</sup> [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)

<sup>3</sup> [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)

There is no requirement for the victim and perpetrator to live in the same household. Also, for the first time, the DA Act recognises that a child who sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator is also to be regarded as a victim of domestic abuse.

For further details of the Domestic Abuse Act 2021 and what it intends to achieve, see this [overarching factsheet](#).

### **Duty to Provide Support in Safe Accommodation**

[Part 4 of the DA Act](#) places a statutory duty on Tier One authorities for the delivery of support to victims of domestic abuse and their children in safe accommodation and provides clarity over governance and accountability. District and Borough Councils (Tier Two) are required to co-operate with Tier One authorities, in so far as is reasonably practicable.

Safe accommodation <sup>4</sup>is defined as that which is:

*“...solely dedicated to providing a safe place to stay for victims of domestic abuse, including expert support...”*

Safe accommodation includes:

Refuge accommodation	Single gender or single sex accommodation and domestic abuse support which is tied to that accommodation.
Specialist safe accommodation	Single gender or single sex accommodation, alongside dedicated domestic abuse support which is tailored to also support those who share particular protected characteristic(s) and may include services delivered by organisations who reflect those characteristics.
Dispersed accommodation	Including safe accommodation with similar levels of support to that in a communal refuge but accommodation more suited to clients for whom communal accommodation is inappropriate and safe accommodation which is semi-independent for clients requiring a lesser degree of support.
Sanctuary Schemes	Where properties have been ‘target-hardened’ with additional security to enable victims to remain in their own homes if safe for them to do so.
Second stage, step-down or move-on accommodation	Provided to victims and their children, who are moving on from other forms of relevant accommodation and/or who no longer need the intensive level of support provided in a refuge, but would still benefit from a lower level of domestic abuse specific support for a period before they move to fully independent and settled accommodation.
Other forms of domestic abuse emergency accommodation	A safe place (single gendered or single sex, secure and dedicated to supporting victims of domestic abuse) with domestic abuse support tied to the accommodation to enable victims to make informed decisions when leaving a perpetrator and seeking safe accommodation.

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<sup>4</sup> [Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services - GOV.UK \(www.gov.uk\)](#)

The support that local authorities have a duty to provide within this accommodation includes:

- Overall management of services within relevant safe accommodation.
- Support with the day-to-day running of the service.
- 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, designed specifically for victims with relevant protected characteristics (including ‘by and for’ support delivered by organisations reflecting those characteristics).
- Designed specifically for victims with additional and / or complex needs including sign posting accordingly.
- Children’s support – including play therapy, child advocacy or a specialist children worker (for example, a young people’s violence advisor, IDVA or outreach worker specialised in working with children).
- Housing-related advice support.
- Advice service – including financial and legal support.
- Counselling and therapy – including group / emotional support for both adults and children.

This duty is separate to local authority housing duties under the [Housing Act 1996](#) and [Homelessness Act 2002](#) and does not place a requirement on authorities to provide domestic abuse victims with accommodation. However, local authorities must still comply with their duties under homelessness law in line with the Chapter 8 of the [Homelessness Code of Guidance](#) for local authorities.

### **Governance**

The Derbyshire Domestic Abuse and Sexual Violence Governance Board provides both a strategic and advisory function in influencing the shape of Derbyshire’s partnership response to domestic abuse and sexual violence by:

- Overseeing the development of Derbyshire’s relevant partnership strategies and associated action plans
- Overseeing the implementation of action plans

To fulfil the requirements of the safe accommodation duty, Derbyshire’s Domestic Abuse and Sexual Violence Governance Board will function as the Local Partnership Board for Derby and Derbyshire. Meeting quarterly, the Board currently has representation from the following agencies:

- Derbyshire Constabulary (Chair)
- Derbyshire County Council (Vice Chair)
- Derby City Council
- Office of the Police and Crime Commissioner (OPCC)
- Derbyshire District and Borough Council representation
- Derby and Derbyshire Safeguarding Childrens Partnership

- Derby and Derbyshire Safeguarding Adults Board
- Derby and Derbyshire Clinical Commissioning Groups
- Derbyshire Criminal Justice Board
- National Probation Service
- Derbyshire Fire and Rescue Service
- NHS England

Membership of the Board is currently under review, to ensure the interests of all stakeholders are represented and that there is compliance with the DA Act statutory guidance<sup>5</sup>. Representation will include victims of domestic abuse; children of domestic abuse victims, charities and other voluntary organisations that work with victims of domestic abuse and representation of the Districts and Borough Councils in the County.

### Local Context

Applying the national estimated prevalence to Derbyshire's population, in 2019 -20:



Between 30,000 and 33,000 estimated number of domestic abuse victims in Derbyshire County Area.

In 2020/21, between 7,800 women and 3,700 men in the City Council area were estimated to be victims of domestic abuse.



Between 19,500 -21,500 estimated number of dependent children of these victims.



Over last two years (2019-20 and 2020-21) a monthly average of 1,060 Domestic Abuse incidents reported to Police in the County Council Area of which 913 were recorded as crimes.

In 2020/21, there were 6,666 Police Domestic Abuse Calls for Service to Police in the City Council Area and 5,919 recorded crimes.

In Derbyshire, statistical analysis shows that domestic abuse is more prevalent for those:

- under 24 years of age,
- with a disability,
- who are sick or ill on a long term or temporary basis, those who are unemployed, and those who are not yet retired,
- who are single, separated or divorced,
- who are single parents,
- who are social housing tenants

There is less difference in prevalence for those:

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<sup>5</sup> [Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services - GOV.UK](https://www.gov.uk/government/news/delivery-of-support-to-victims-of-domestic-abuse-in-domestic-abuse-safe-accommodation-services) ([www.gov.uk](https://www.gov.uk))

- who are from ethnic minority communities,
- who reside in rural areas

The Derbyshire DA Helpline received 7,714 incoming calls within normal hours during 2020-2021, and a further 1,500 calls outside normal hours. Although the overall volume of calls reduced during the pandemic by 22%, calls resulting in emotional or practical support to clients, or their family or friends increased by 42% to 977. 1,934 referrals to support services were received by the Helpline.

During 2020-21 there were 230 referrals of adults into the commissioned accommodation services and 161 adults accommodated and 156 Children, around two-thirds of the clients in the commissioned accommodation services have a child or children. Half of the children of clients are under 5 years of age.

In the City, there were 4,382 referrals of adults into the commissioned accommodation services with only 12% being accommodated.

### **Domestic Abuse Support Services in Derby & Derbyshire**

Core services for domestic abuse victims in Derby and Derbyshire are commissioned and funded by different partners, including Derby City Council, Derbyshire County Council and the Police and Crime Commissioner.

Derby and Derbyshire's DA Needs Assessments provide full details of both commissioned and non-commissioned DA services across Derbyshire.

In brief, the following domestic abuse services for women, men and their children are available:

- Domestic Abuse Helpline - a single point of contact for victims, their friends and families seeking advice and support, and for professionals referring or seeking advice.
- Accommodation - a combination of communal refuge spaces and supported dispersed properties are commissioned and available to those fleeing domestic abuse situation with support for adults and children.
- Outreach – Support offered in the community, including ongoing needs and risk assessment, safety planning, advocacy and emotional support.
- Self-esteem and confidence building programmes – e.g. Freedom Programme, Power to Change.
- IDVA service delivering time-limited support to domestic abuse victims assessed as being at high risk of homicide or serious harm, subject to MARAC procedures, with the aim of reducing that risk.
- Perpetrator programmes - including intervention for high harm / high risk abusers (DRIVE) and a range of interventions with lower risk adult abusers and programmes for young people who are displaying abusive behaviours in intimate or familial relationships raising. With associated support for victims and those affected by the abuse.

In the County only, the following services are available:

- Children's workers – supporting children and young people affected by domestic abuse.
- Counselling / therapeutic services – including art therapy and mental health support work, available to adults and children.

### **Outcomes of Needs Assessment**

Derby City Council and Derbyshire County Council worked in partnership on their local needs assessments and collaboratively with the wider domestic abuse partnership. Statistical analysis of available and relevant local data was carried out for Derby and Derbyshire separately. Then a number of surveys were conducted jointly; including a professional's survey; faith, voluntary and community sector survey; and a public survey. Two separate needs assessments (for the City and the County) have then been produced using the data collected for each area.

Both the Derby Domestic Abuse Needs Assessment (2021) and the Derbyshire Domestic Abuse Needs Assessment (2021) are key to understanding the scale of the wider domestic abuse issues that exist locally and enable any gaps in domestic abuse services / provision to be identified, which will inform the wider DA & SV Strategy.

Based upon the statistical data provided, the main accommodation-based support issues and needs identified in the County were:

- Refuge spaces in the County meet the recommended level but not all of these are commissioned by the County Council.
- The provision of move-on properties and support has been shown to be beneficial for those victims who are ready to move on from refuge but have a continuing need for support.
- There is a need to ensure support is available for victims with no recourse to public funds (NRPF), and for victims with complex needs (including those suffering homelessness, mental health, and substance misuse issues).
- The commissioned IDVA services in the County Council area are below the recommended level, however additional funding by the PCC/Ministry of Justice has increased this capacity and it remains to ensure consistency of delivery throughout the county and, in particular, to ensure intensive support is provided to those victims in accommodation who are at high risk.
- There is a need to encourage victims aged 35 and older, male victims, and victims with disabilities to engage with the services.
- The need to enable victims to remain in their own homes with enhanced safety measures.
- The Domestic Abuse Commissioner report showed that the provision of specialist court-related domestic abuse support improves the experiences of survivors and that the current service needs to be sustainable.

Based upon the statistical data provided, the main accommodation-based support issues and needs identified in the City were:

- 25 refuge spaces in the City are close to the recommended level of 26 family spaces, but demand is significantly higher.
- There is no provision in the City Council area for refuge spaces for male victims.

- There are no children's workers based in the refuges (although children are supported alongside their parent by the adult workers).
- There is a need to encourage victims aged 35 and older and victims from the LGBT+ communities to engage with the services.
- The IDVA services in the City Council area meet the recommended level but are commissioned by the PCC. The IDVA services include the provision of intensive support to those victims in accommodation who are at high risk.
- There is a need to ensure support is available for victims with complex needs, including mental health, alcohol, and drugs issues.
- The Domestic Abuse Commissioner report showed that the provision of specialist court-related domestic abuse support improves the experiences of survivors and that the current service needs to be sustainable.

Based upon the survey responses, the accommodation-based support needs / gaps (or opportunities) identified include:

- Improved response to non-typical presentations of domestic abuse. For example, abuse in familial settings, involving older people, where there is disability or a care relationship, where the victim is male and specialist support for those with protected characteristics.
- Improved engagement with the voluntary & community sector in order to improve service delivery and enhance inclusion.
- The lack of safe accommodation for particular communities and the need for a rapid response when safe accommodation is required. Concerns were raised relating to support in emergency accommodation for victims disclosing a need to seek refuge out of hours, particularly those who may have complex needs.
- Improved promotion of domestic abuse support services to particular communities and involvement of them in service development, with specialism reflected in commissioning.
- Addressing the scope and appeal of accommodation related support services to further address the needs of victims including those with disabilities, mental health issues, men, LGBT+ and those who are older.

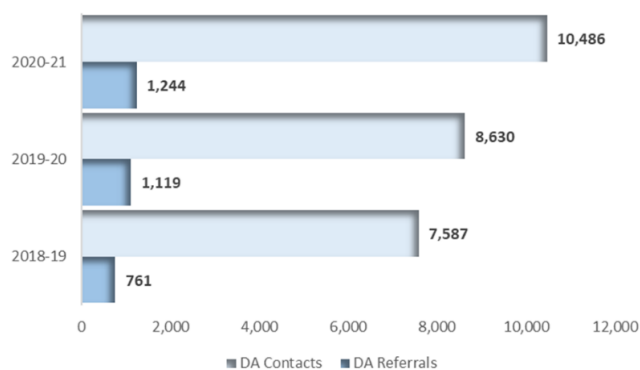
### **Impact of Domestic Abuse on Children**

Derbyshire's DA Needs Assessment highlighted the significant number of children who are from households where domestic abuse has taken place. Over the three years 2018-2021, in Derbyshire, on average, approximately one third of all referrals into Children's Safeguarding identified domestic abuse as an issue.

The number of contacts to Children and Young People in the City for domestic abuse increased by 1,856 on the previous year and increased from 30.9% of all contacts in 2018/19 to 37.4% in 2020/21.

Approximately 13% of enquiries became referrals with CYP in 2019/20, with this decreasing to 12% in 2020/21.

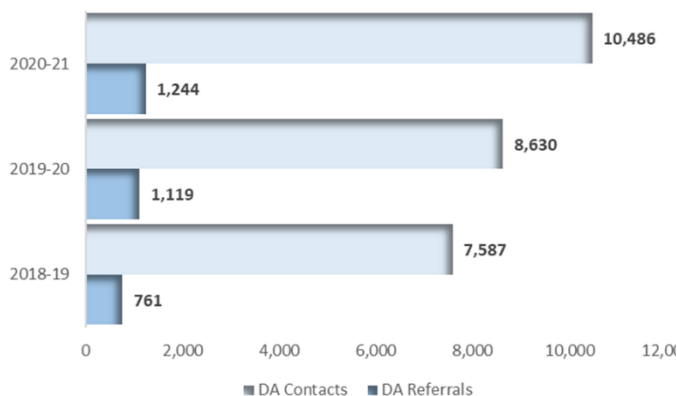
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### Homelessness

Domestic Abuse represents a significant reason for the presentation of clients seeking temporary accommodation to homelessness services. For the three years 2018 – 2021, the County as a whole received the following presentations of homelessness where the principle reason for this was identified as domestic abuse:



- 2018 - 2019 = 287 of whom 64 were given temporary accommodation
- 2019 - 2020 = 256 of whom 58 were given temporary accommodation
- 2020 - 2021 = 309 of whom 67 were given temporary accommodation

The number of homelessness approaches to Derby Homes, as the settled home loss reason of domestic abuse, fell from 380 in 2019/20 to 335 in 2020/21. It seemed that there were fewer approached because of lockdown but numbers have started to increase again with 103 recorded in the last quarter.

### Commissioning Proposals

In Derby and Derbyshire, commissioning options may include:

#### Collaboration

- Involvement in collaborative commissioning of services to facilitate comprehensive, sustainable support in accommodation across the City and County.
- Liaising with housing authorities on the provision of a Short-Term Emergency Accommodation Pilot
- Liaising with housing authorities on developing an advocate role within Housing / LA Depts to champion the response to domestic abuse, raise awareness and



perform the administrative / strategic role to meet the new duty, in collaboration with T1 authorities.

- Developing a Training, Education and Communication Strategy as part of the joint City / County Strategy.

### **Range of accommodation and support**

- Funding of additional support workers to enable commissioned services to provide increased safe accommodation, including flexible dispersed properties.
- Piloting a short-term accommodation support package - to provide a temporary place of safety, with immediate DA support and intensive activity to determine next moves into refuge/housing options etc.
- Additional practical support, including legal support for those in accommodation.
- Additional counselling services to ensure that accommodation-based clients are not reliant on short term additional grant funding.
- Continuance of additional support for adults and children currently in receipt of Covid-19 emergency funding.
- Additional IDVA service capacity.
- Continued evening extension of DA Helpline hours.

### **Address particular needs of communities**

- Continuance and further development of complex needs support in refuge (former MHCLG grant funding).
- Deep dive research into the experience of particular groups in terms of DA support services. Year 1 to inform 'By and for' involvement for years 2 and 3 commissioning.

### **Supporting survivors to thrive in our communities**

- Continuance and development of move-on / step-down support (former MHCLG grant funding).
- Continuance and development of community outreach service for adults and children.

### **Monitoring and Evaluation**

The Derbyshire DA & SV Governance Board has overall responsibility for the delivery of this strategy. Measures will be developed and agreed to monitor the impact of it. Objectives will be underpinned by detailed action plans, with outcomes monitored regularly by the Board.

To ensure that delivery plans are flexible and responsive, this strategy will be reviewed annually, alongside the Needs Assessments; with regular updates provided to the Department for Levelling Up, Housing and Communities.

The objectives set out in this strategy will have been delivered when:

- More victims are accessing the accommodation-based support provided.
- A range of safe and accessible accommodation is available so more victims can access it irrespective of their particular needs.

- Victims of domestic abuse that require “safe accommodation and support” are not housed in generic temporary accommodation.
- A range of community based domestic abuse services are in place alongside safe accommodation support.
- Adults and children referred to services report that they felt they were listened to; that they feel safer, support was provided when they needed it and their situation improved.
- Increased referrals reflect that services are more widely understood by public and professionals.
- Reduced repeat referrals indicates that the support offered is appropriate and resilience to domestic abuse is enhanced.

## **Appendix A**

### **Associated National and Local Strategies**

As well as the DA Act 2021, the Statutory Guidance sets out that Local Authorities must ensure they comply with their obligations under a range of associated Acts, including the:

- [Equality Act 2010](#)
- [Human Rights Act 1998](#)
- [Children Act 2004](#)
- [Housing Act 1996](#)
- [Homelessness Act 2002](#)
- [Crime and Disorder Act 1998](#)
- [Homelessness Reduction Act 2017](#)
- [Modern Slavery Act 2015](#)

Local Authorities should also consider their Part 4 duties alongside the following guidance and legislation:

- [Improving access to social housing for victims of domestic abuse](#) in refuges or other types of temporary accommodations: statutory guidance on social housing allocations for local authorities in England.
- [Homelessness Code of Guidance](#)
- [Keeping Children Safe in Education](#): Statutory guidance for schools and colleges
- [Working together to safeguard children](#): A guide to inter-agency working to safeguard and promote the welfare of children
- [Violence against women and girls](#) (including men and boys): national statement of expectations
- [Tackling Violence Against Women and Girls Strategy 2021](#)
- [Care Act 2014](#) makes provisions on physical and mental health and emotional wellbeing, and protection from abuse and neglect.
- [National Institute for Health and Care Excellence \(NICE\) guidance for Domestic Violence and Abuse: Multi-Agency Working, 2014](#)
- [Children Act 1989](#)
- [Adoption and Children Act 2002](#)
- [Domestic Violence, Crime and Victims Act 2004](#)
- [Protection of Freedoms Act, 2012](#)
- [Serious Crime Act, 2015](#)
- [Prevent Strategy, 2011](#)
- [Modern Slavery Strategy, 2014](#)

### **UK Legislation**

Although domestic abuse now has a statutory definition, it is not a specific criminal offence. However, there are a number of offences that perpetrators can be prosecuted for depending on the specific acts, such as murder, rape, manslaughter, assault, criminal damage, harassment and threatening behaviour. There are also civil orders to protect people from harmful acts such as harassment, forced marriage and female genital mutilation.

More recent developments in UK legislation include:

- [Domestic Violence Disclosure Scheme \(Claire's Law\), 2014](#): A scheme allowing an individual to ask Police to check whether a new or existing partner has a violent past. A disclosure can be made by the Police if it is legal, proportionate, and necessary to do so.
- [Coercive Control Offence, 2015](#): Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their perpetrators to justice.
- [Stalking Protections Orders, 2020](#): A civil order that protects victims from stalking, harassment and other unwanted contact.
- The DA Act 2021 introduced a new civil [Domestic Abuse Protection Notice \(DAPN\)](#) to provide immediate protection following a domestic abuse incident, and a new civil [Domestic Abuse Protection Order \(DAPO\)](#) to provide flexible, longer-term protection for victims.

### **Local Strategic Drivers**

This strategy links to a number of local strategic drivers and research, including:

- [Derbyshire Safeguarding Adults Board Strategic Plan, 2019-2022](#)
- [Derbyshire and Derby Safeguarding Adults Boards Practice Guidance April 2020](#)
- [Derbyshire Children's Services Service Plan Update, 2020/21](#)
- [Derbyshire Community Safety Agreement, 2020 - 2023](#)
- Domestic abuse and Child Protection: Learning Brief, 2021
- [Adult Social Care and Health Service Plan Update, 2020-2021](#)
- [Derbyshire Police and Crime Plan, 2016-2021](#)
- [Derbyshire Self-Harm and Suicide Prevention Strategic Framework](#)
- [Derbyshire Healthcare Trust Strategy Refresh, April 2021](#)



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES**

**17 November 2021**

**Report of the Executive Director - Place**

**Countryside Service Review**

**1. Purpose**

- 1.1 This report provides an update on the Countryside Service Review following a pause in the work in March 2020 due to COVID-19 and sets out the proposed next steps.

**2. Information and Analysis**

- 2.1 In September 2018, a fundamental review of the Countryside Service commenced. The Review was undertaken in the context of the Council's Enterprising Council Strategy to identify areas of service improvement, consider how the Service could achieve its savings target of £400,000 a year and to make a recommendation on the optimum delivery model going forward. With the support of external consultants, Mutual Ventures, a Service Review, Portfolio Analysis and Options Appraisal was undertaken to identify the best model for the long-term sustainability of the Service.
- 2.2 In August 2019, the initial findings were presented, and action was recommended in two key areas:
- 1) To restructure the Service to relocate the Public Rights of Way functions to Highways and the Access and Greenways team to Sustainable Travel.
  - 2) To progress proposals to create a Public Service Mutual (A Public Service Mutual (PSM), as defined by the Department of Digital,

Culture, Media and Sport, is an organisation which has a) left the public sector; b) continues to deliver public services and aims to have a positive social impact; and c) has a significant degree of staff influence or control in the way it is run. The PSM would be an independent organisation, created as a charitable company limited by guarantee, with a trading subsidiary carrying out non-primary purpose trading. The PSM would be contracted by the Council for a range of in-scope services) for the Wider Sites and Destination Sites teams of the Countryside Service to a detailed business case stage. The proposals were to create a PSM which would be a charitable organisation, with a trading-arm, that would allow the Service to access more revenue streams and innovate in order to maintain service levels, whilst delivering a revenue saving to the Council.

- 2.3 The relocation of Public Rights of Way and the Access and Greenways Teams (to Network Planning in the Highways Service) were completed in January 2020.
- 2.4 A detailed Business Case for the PSM was completed between September 2019 and January 2020. This established that the level of savings that could be achieved would not reach the level of £400,000 per annum and that any significant savings would be based on a series of stretching assumptions. During February and early March 2020, discussions were ongoing with relevant departments to resolve some outstanding technical considerations (e.g. pensions, legal form and contract value) with the intention of presenting proposals to Cabinet in March/April 2020. However, due to the COVID-19 pandemic, a decision was taken to pause the project for at least 12 months.

### **Impact of COVID-19 and Climate Change strategy on the future of the Countryside Service**

- 2.5 Following the creation of Place Department and recruitment of a new Executive Director and Director, the review was re-examined in order to agree a future operating model for the Service and provide certainty for the staff.
- 2.6 When the Review began in September 2018, the drivers for change were:
- The need to evidence the quality of service delivered by the Countryside Service and improve accordingly.
  - Delivering the £400,000 savings target against the Service.
  - Ensuring that the Service can be sustainable for the medium to long term.

2.7 In this re-examination, two additional factors were taken into account:

- the impact of COVID-19 and the importance of the Countryside Service (and its assets) to residents and visitors.
- the Council's newly developed Climate Change Strategy and action plan.

### **Impact of Covid-19**

2.8 The pandemic and lockdown has demonstrated how important open spaces are to the people of Derbyshire – providing many thousands of people with places to exercise and simply leave their houses safely. It has re-asserted the role of the Service and its assets as central to the objectives of the Council. The post-COVID-19 'new normal' is yet to be fully understood and that introduces new risks to any business case, particularly one involving a complex outsourcing. There may be opportunities out of the COVID-19 crisis that a more dynamic and nimbler independent organisation could take advantage of. However, increased uncertainty presents a potential risk to both the PSM and the Council.

2.9 The Council could take a flexible approach towards the PSM in the management of these issues (e.g. a contractual arrangement that underwrites any short-term financial challenges faced by the PSM due to COVID-19), but undoubtedly the market risk of the proposed alternative model is significant, particularly where the potential savings are not large enough to encompass significant variability.

### **Emerging Environmental Priorities**

2.10 Since the beginning of the Service Review, the Council has substantially increased its prioritisation of policy solutions aimed at tackling Climate Change. Climate change is at the heart of the Council Plan and in October 2021, the Council adopted a new and ambitious Climate Change Strategy: Achieving Net Zero.

2.11 The Countryside Service manages 121 sites owned by the Council, covering 4,478 acres of land including Sites of Special Scientific Interest (SSSIs), reservoirs, canals, Greenways and physical structures. The strategic importance of the role of the Countryside Service in managing Derbyshire's natural capital assets and its importance in delivering against the Council's environmental priorities is huge and must be considered when determining the next steps for the Service.

2.12 There is a significant opportunity for the Countryside Service to play a key role in the Council's Climate Change response. For example,

biodiversity net gain, as set out in the Government's Environment Bill, is a priority for the Council and represents a huge opportunity with all the natural capital assets the Service manages.

- 2.13 Whilst a PSM, with charitable status, could increase the opportunities for partnership working with other stakeholders, including access to investment aimed at non-governmental organisations, the Service currently works effectively with a wide range of stakeholders and there are considerable opportunities to make the Service more commercial. Retaining the Service in-house would allow currently paused investment opportunities to be reappraised. Importantly, the Council could retain greater control over a Service which will enable a more agile and flexible response to climate change demands and priorities that will be crucial to delivering this strategic priority.

### **Way Forward**

- 2.14 As outlined, the purpose of the review was to ensure that the Service maximises its impact, delivers areas of improvement and is financially sustainable with an optimum delivery model going forward. Whilst these drivers remain, some key considerations have altered since the beginning of the Review and raised concerns and put into question the appropriateness of externalisation of the Countryside Service.
- 2.15 Notably there is the uncertainty that the post-COVID-19 'new normal' creates for the business case and financial model for the PSM that was prepared. A greater degree of uncertainty around what services will be delivered by the PSM and the levels of income that can be assumed.
- 2.16 There is now a very strong focus and ambition to deliver the Council's Climate Change Strategy and the key role that the Countryside Service could play in the Council's response.
- 2.17 On this basis, it is being proposed that officers be authorised to develop a new business plan with an updated in-house delivery model for the Countryside Service. This business plan would reappraise currently paused investment opportunities, identify further invest to save opportunities and set out a forward vision for a remodelled in-house Service. This could include creation of a local authority trading company or concessionary arrangements for potentially commercial assets.
- 2.18 It would allow the Council to retain greater control over a Service that will be crucial to delivering its strategic priorities, whilst also delivering new and innovative areas of improvement and growth in line with the Council's Enterprising Council approach. It would enable the Service to



adapt and respond to future challenges and to bring about the changes needed to ensure future success.

- 2.19 A decision is also required around the budget for the Service and a detailed appraisal of the service level that could be provided inside the agreed financial envelope.

### **3. Consultation**

- 3.1 The Countryside Service Review has been ongoing for over two years, and the impact on staff is considerable. Extensive staff engagement was undertaken during the design of the PSM. A staff engagement session took place earlier this month to update staff on the review and proposed next steps.

### **4. Alternative Options Considered**

- 4.1 To progress proposals to create a Public Service Mutual (PSM) for the Wider Sites and Destination Sites teams of the Countryside Service, as outlined in this report. Due to the uncertainty that the post-COVID-19 'new normal' creates for the business case and financial model for the PSM that was prepared this is no longer considered to be a viable option. This alternative is therefore not recommended.
- 4.2 'Do nothing' i.e. effectively maintaining the 'status quo' i.e. retaining the Service in-house with it being managed within the County Council.

### **5. Implications**

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

### **6. Background Papers**

- 6.1 Non identified.

### **7. Appendices**

- 7.1 Appendix 1 – Implications.

### **8. Recommendations**

- 8.1 That the Committee supports that:

- a) The Countryside Service is a critical part of the County Council's offer to residents and visitors; and central to Derbyshire's climate change agenda.
- b) The Service remains managed within the County Council, albeit with development of strong relationships with partners.
- c) The Service draws up a new commercially focused business plan, supported with new staff to ensure that it continues to meet the Council's needs in future, with implementation in the next financial year.

## **9. Reason for Recommendations**

- 9.1 To allow the Council to retain greater control over a Service that will be crucial to delivering its strategic priorities, whilst also delivering new and innovative areas of improvement and growth in line with the Council's Enterprising Council approach. To enable the Service to adapt and respond to future challenges and to bring about the changes needed to ensure future success.

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## **Implications**

### **Financial**

- 1.1 The Countryside Service is carrying a budgeted saving of £400,000 per annum. This is on top of significant cuts to budget in prior years which has resulted in reductions in team numbers and stretched the Service. The new business plan will need to identify ways in which this saving can be achieved through transforming how the service operates, rather than simply reducing headcount.

### **Legal**

- 2.1 There are no legal implications in terms of the proposal to retain the service within the Council. The legal implications of the proposals relating to the internal review will be identified in the proposed business case and subsequent reports.

### **Human Resources**

- 3.1 The Countryside Service Review has been ongoing for over two years, and the impact on staff is considerable. Proposals from staff around growth opportunities for the Service have been on hold and uncertainty around the forward direction remains. Extensive staff engagement was undertaken during the design of the PSM, and certainty on the future of the Service is now required. The Service would welcome a decision that retained the Service within the Council. The recent close working between Countryside Service, Emergency Planning, Property and Highways to avert a reservoir flooding at Shipley Park is an indication of the importance of relationships between colleagues within the Council.
- 3.2 The Service is to be led by a new Assistant Director of Climate Change and Environment and a new Head of Service pending the retirement of the current Head of Service before the end of this year.

### **Information Technology**

- 4.1 None.

### **Equalities Impact**

- 5.1 None.

## **Corporate objectives and priorities for change**

- 6.1 The proposals will help deliver the following Council Plan priorities: Resilient, Healthy and Safe Communities; High Performing, Value for Money and Resident-Focused Services; A Prosperous and Green Derbyshire.

## **Environmental Sustainability**

- 7.1 The Countryside Service has a key role to play in the Council's Climate Change response and the proposals support the Council's ambition to be a net zero organisation by 2032, or sooner, and for the county to be net zero by 2050.

## **Other (for example, Health and Safety, Property and Asset Management, Risk Management and Safeguarding)**

- 8.1 None.