

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3082

Title: Funding for domestic abuse safe accommodation support

Executive summary:

Part 4 of the Domestic Abuse Act 2021, which commenced on 1 October 2021, includes a duty on Tier 1 authorities (in London, the GLA) to support survivors of domestic abuse and their children in refuges and other safe accommodation. Key elements of the duty are to produce a strategy, and to effect that strategy through commissioning decisions. Through MD2902, the London Domestic Abuse Safe Accommodation Strategy was published in December 2021; and through MD2892, a commissioning approach was approved.

The Department for Levelling Up, Housing and Communities has allocated administration and support funding to the GLA, to support the discharge of its duty, totalling £21,160,496 for 2023-24 and £21,559,735 for 2024-25 (following the 2022-23 allocation of £20,745,496 (approved via MD2967)). Approval is sought to receive and expend this funding. Approval is also sought to delegate authority to the Executive Director of Housing and Land to approve the allocation of the funding: to London boroughs and providers for the delivery of support services, and entry into contracts and grant agreements; and for the costs incurred, or to be incurred, in the administration and delivery of the duty. This includes costs incurred by the Mayor's Office for Policing and Crime for the above support.

Decision:

That the Mayor:

1. approves the receipt and expenditure of £21,160,496 for 2023-24, and £21,559,735 for 2024-25, of government funding to implement the duty on the GLA set out in Part 4 of the Domestic Abuse Act 2021
2. delegates authority to the Executive Director of Housing and Land to approve the allocation of the remaining 2023-24 and 2024-25 government funding:
 - for the delivery of support services by London boroughs and providers, including through the commissioning approach set out in MD2892, through ad hoc contracting arrangements and grant-funding arrangements
 - for the costs incurred, or to be incurred, in the administration and delivery of the duty, including costs incurred by the Mayor's Office for Policing and Crime for its support to the GLA in this regard.

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:

7/3/23

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 (in London, the GLA) 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. 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 affect the strategy in carrying out their functions through commissioning and decommissioning decisions.
- 1.3. Mayoral approval (via MD2788 and MD2842) was given for the receipt and expenditure of £20.688m of funding (to cover both administration and support) for 2021-22 from the Department for Levelling Up, Housing and Communities (DLUHC). This was followed by Mayoral approval for the receipt and expenditure of £20,745,496 of funding for 2022-23 from the DLUHC (approved via MD2967). The Mayor also approved, via these Mayoral Decisions, the GLA entering into a shared-services arrangement with the Mayor’s Office for Policing and Crime (MOPAC). Through this arrangement, MOPAC supports the GLA to undertake the activities associated with the new duty.
- 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). The final strategy was published on 23 December 2021 (approved via MD2902).
- 1.5. The DLUHC has allocated funding of £21,160,496 for 2023-24; and £21,559,735 for 2024-25, for both administration and support costs. The vast majority of the funding will be used for the provision of support to victims/survivors of domestic abuse in safe accommodation. Approval is therefore sought to receive and expend this funding.
- 1.6. The commissioning approach for this support was approved via MD2898. This involved the establishment of the Domestic Abuse Safe Accommodation Framework, dated 20 December 2021. MOPAC, with the GLA, can then call off services from the framework to support survivors of domestic abuse and their children in refuges and other safe accommodation.
- 1.7. The administrative costs associated with implementing the duty will also be paid from the government funding provided to the GLA for 2023-24 and 2024-25. The administrative costs include staffing, legal input and activities incurred, or to be incurred, by MOPAC under the shared-services agreement. Approval is sought to enable the Executive Director for Housing and Land to determine and approve spend on administrative costs, with a view to ensuring efficient and effective running of the programme while keeping overheads to a minimum.
- 1.8. Approval is also sought to delegate authority to the Executive Director of Housing and Land to approve the allocation of the remaining 2023-24 and 2024-25 funding to providers and London borough councils. This is for the delivery of support services; entry into contracts and grant agreements on behalf of the GLA; and administration costs. This information will be published on london.gov.uk.

2. Objectives and expected outcomes

2.1. Key outcomes and outputs for 2022-23 will include:

- implementing the proposals set out in the strategy, including through:
 - commissioning and providing grant support to new and enhanced services, including via call-off and grant awards
 - workstreams being taken forward through the London Domestic Abuse Safe Accommodation Partnership Board (the Partnership Board)
- reviewing the needs assessment and the strategy.

2.2. All commissioning and grant funding will take forward policies and proposals in London's Domestic Abuse Safe Accommodation Strategy, the objectives of which 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, 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 unclear, limited or no recourse to public funds (NRPF)¹.
- 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.
- 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 that 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.

¹ The term 'NRPF' is used to mean people with limited or no recourse to public funds. It therefore includes a wider group than those subject to the NRPF condition.

- 3.2. 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).
- 3.3. 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.
- 3.4. Given the above, the proposals in this paper are likely to have positive impacts on several groups with protected characteristics. Specifically, the activities carried out under the duty, supported by the government funding, will focus on arrangements to facilitate improvements in support for victims/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.
- 3.5. An equalities impact assessment was undertaken and was published with the Domestic Abuse Safe Accommodation strategy.
- 3.6. The 2021-22 commissioning round – which involves setting up a framework of providers and then calling off from that framework for specific services and initiatives – has been designed to help ensure that support is tailored to groups of victims/survivors with specific protected characteristics. This includes having a specific lot for 'by and for' providers, an approach unique to London. The framework of providers will continue to be used in 2022-23 for call-offs.

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 2023-24 and 2024-25 funding will not be spent in full.	Green	There has been a positive response to both the invitation to join the framework and the commissioning of the first call-off. The commissioning process has been designed to encourage the widest possible range of expert providers to participate, including 'by and for' organisations.

Providers awarded call-off contracts or grant agreements with the funding may not have the expertise, experience or capacity to deliver services effectively.	Green	MOPAC, which administers commissioning under the shared-services agreement, has commissioning processes whereby providers must demonstrate their capacity to deliver and appropriate expertise and experience. For call-offs, an expert panel evaluates bids in line with agreed criteria. In addition, MOPAC's contracting and contract-monitoring processes include setting clear objectives for providers, and ensuring that poor performance is identified and rectified quickly and appropriately.
Unwillingness of stakeholders to engage with the GLA to deliver the duty.	Green	The membership of the Partnership Board comprises not only those organisations required under the 2021 Act, but a much wider stakeholder base. In February 2021, the Board agreed its detailed workplan. Various stakeholders have volunteered to join task-and-finish groups to take this work forward.

Links to other 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 2021-25 (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 2022-25.

Impact assessments and consultations

- 4.3. Both the London Housing Strategy and the VAWG Strategy were subject to public consultation and equality impact assessments. These strategies contain policies relating to pan-London provision of safe accommodation for victims of domestic abuse.
- 4.4. The development of the draft London Domestic Abuse Safe Accommodation Strategy, and the final 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 Partnership Board appointed by the GLA; the London boroughs; and such other persons as the GLA considers appropriate. 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 informing the proposals in the London Domestic Abuse Safe Accommodation Strategy. MOPAC also convened a series of stakeholder workshops with boroughs and service providers on the commissioning approach and process.
- 4.5. As stated above, an equality impact assessment was undertaken and published with the strategy.

Conflicts of interest

- 4.6. The officers involved in the drafting and clearance of this form have not identified any known conflicts of interest.

5. Finance comments

- 5.1. This decision is seeking approval for the GLA to receive revenue grants from the DLUHC, in the amount of £21,160,496 for 2023-24 and £21,559,735 for 2024-25, which will be used to fund both administration and support costs for the provision of support to victims/survivors of domestic abuse in safe accommodation.
- 5.2. Approval is also sought to delegate authority to the Executive Director of Housing and Land to approve the expenditure for MOPAC to provide the service under the shared-services agreement; and to allocate remaining funds in the respective years to London boroughs, to provide support services to victims/survivors of domestic abuse in safe accommodation.
- 5.3. The risks and mitigations for delivering this programme are outlined in section 4, above.

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 in London is the GLA) must prepare and publish a strategy for the provision of accommodation-based domestic abuse support in its area.
- 6.3. Section 57(3) of the 2021 Act provides that a relevant local authority publishing such a strategy must, in carrying out its functions, effect that strategy.
- 6.4. 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, the following:
 - 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.
- 6.5. Section 401A(2) of the Greater London Authority Act 1999 provides that arrangements may be entered into for the provision of administrative, professional or technical services, whether for consideration or otherwise. The shared-services agreement entered into by MOPAC and the GLA provides for consideration to be made in such sums to be determined by the parties.
- 6.6. Any funding granted must be provided in accordance with section 12 of the GLA's Contracts and Funding Code. Furthermore, officers must ensure that an appropriate funding agreement be put in place between the GLA and the grant recipients before any of the funding be provided.
- 6.7. Officers have indicated that services will be called off from the London Domestic Abuse Safe Accommodation Framework agreement, which was procured specifically for the purposes of discharging the GLA's duties under the 2021 Act. Moreover, officers must ensure that the services required are procured in accordance with the requirements of that framework. Finally, officers must ensure that an appropriate call-off agreement be put in place and executed by the successful bidder and the GLA before the commencement of the services.
- 6.8. Any further services that are not called off from the aforementioned framework must be procured separately by the GLA in consultation with TfL's Procurement and Commercial team, who will determine the detail of the procurement strategy to be adopted in accordance with the GLA's Contracts and Funding Code, and the relevant procurement legislation. Officers must ensure that an

appropriate contract be put in place, and executed, by the GLA and the successful bidder before the commencement of the relevant services.

- 6.9. Any function exercisable by the Mayor on behalf of the Authority may also be exercised by any member of GLA staff, albeit subject to any conditions that the Mayor sees fit to impose. To this end, the Mayor may make the requested delegation to Executive Director of Housing and Land, if he so chooses.

7. Planned delivery approach and next steps

Activity	Timeline
Call-offs from the framework	Ongoing
Grant funding opportunities, if required	Ongoing
Strategy reviews	Annually

Appendices and supporting papers:

None.

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? NO

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:

Shabana Kausar has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

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

✓

Mayoral Adviser:

Tom Copley has been consulted about the proposal and agrees 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 6 March 2023.

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature:

D. Gane

Date:

06/03/2023

CHIEF OF STAFF:

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

Signature:

D. Bellamy

Date:

06/03/2023