

MUNICIPAL YEAR 2019/2020 REPORT NO.

DELEGATED AUTHORITY DECISION

Agenda – Part:1

Item:

REPORT OF:

Director of Law and
Governance

Subject: Independent Domestic Violence
Advocate project

Wards: All

Key Decision No: KD 4871

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Cabinet Member consulted: Councillor
Nneka Keazor

1. EXECUTIVE SUMMARY

This report seeks approval to award the contract to the selected IDVA provider for the provision of the Independent Domestic Violence Advocacy (IDVA) Service to support Enfield residents subjected to or at risk of domestic abuse. The provider will employ four (4) Independent Domestic Violence Advocates (IDVAs) and a part time floating support worker. This is a continuation of the current service funded through MOPAC, Community Safety (CS) and Housing Revenue Account (HRA) and is awarded following the full tendering process.

2. RECOMMENDATIONS

- 2.1 That approval is given to award contract to the IDVA provider as per the result of the tendering process to provide an Independent Domestic Violence Advocacy (IDVA) service and a part time floating support service including group work.
- 2.2 Further information is provided in part 2

3. BACKGROUND

- 3.1 The Report is seeking approval to award contract to the IDVA provider for the provision of independent domestic violence advocacy support service for victims that are experiencing domestic abuse, consisting of four IDVA's and a part time floating support worker. This service is targeted at high-risk victims of domestic and sexual violence. The service aims to address the needs of victims and children at risk of harm to secure their safety. This is achieved through a combination of advice, advocacy and housing related support provided to clients and putting them on the path to long term safety and being able to live their lives free from abuse.
- 3.2 We agree the Home Office (March 2013) definition of domestic abuse as "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 encompasses but is not limited to psychological, physical, sexual, financial and emotional abuse.
- 3.3 In Enfield domestic abuse violence with injury offences have risen by 3.6%, increasing from 899 offences from December 2017 to 931 by the end of 2018
- 3.4 Legislatively, the Care Act (2014) specifies that freedom from abuse and neglect is a key aspect of a person's wellbeing, and local authorities have a duty to provide advice and support to prevent the arising or worsening of care and support needs arising from abuse. This applies to adults who have a need for care and support. The Crime Disorder Act 1998 section 17 requires that local authorities consider the impact of crime and disorder across all of its functions and that community safety partnerships access crime and disorder and work in partnership to find resolutions. "tackling violence in all of its forms is a key priority of Enfield community safety partnership". In addition the Children Act 1989 places a general power on local authorities to provide a range of services to children in need and also, the Children Act 2004 says that local authorities must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children.
- 3.5 Further information is provided in Part 2.

4. ALTERNATIVE OPTIONS CONSIDERED

Doing nothing is not an option. The Council is looking to reduce the impact on local authority services and resources for residents, including council housing tenants, and to maximise a return on

investment. The Council has a responsibility to provide advice and support and additionally as a key partner, commissioning these services partly on behalf of the Safer and Stronger Communities Board is the most efficient way of ensuring best value and quality and adheres to the Council's procurement policies. Additionally, the council has a safeguarding responsibility to provide advice and support to victims of domestic abuse.

The resource will also ensure support is provided to those when they are seeking it and safety planning and risk reduction is carried out at the earliest opportunity. To do nothing would be an opportunity lost.

5. REASONS FOR RECOMMENDATIONS

The application submitted by the Contractor to Enfield Council complied with the terms of the specification and was successful based on both price and quality.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

Information is provided in Part 2.

6.2 Legal Implications

6.2.1 The Council has the general power of competence pursuant to s.1 (1) of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions. In addition, under the Crime and Disorder Act 1998, local authorities have a statutory responsibility to work with other agencies to reduce crime and disorder in their local area.

6.2.2 In funding such services, the Council must have due regard to the Equality Act 2010. The Equality and Human Rights Commission set out that under the Equality Act 2010 women only services are lawful in specified circumstances. Single sex services in certain situations, for example, services for women who have experienced domestic violence, are vital to ensure the alleviation of discrimination. It is, therefore, a requirement for public bodies to fund women only services in certain situations, to discharge their duties under the Equality Act.

6.2.3 Section 149 of the Equality Act covers the "Public Sector Equality Duty" which requires public bodies to have "due regard" to "advance" equality

of opportunity. The Public Sector Equality duty requires public sector bodies to consider how they can meet the following objectives of: eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by the Equalities Act 2010 as well as advancing equality of opportunity between persons from different groups.

- 6.2.4 Persons who are homeless or threatened with homelessness may apply to a local housing authority for accommodation under Part 7 of the Housing Act 1996. In considering what duty (if any) is owed to applicants, authorities have to reach decisions on whether applicants have a priority need for accommodation. Section 189(1) of the 1996 Act sets out descriptions of persons who have such a need. Persons of priority need include those who are vulnerable as a result of leaving accommodation on account of violence or threats of violence under Article 6 such as those seeking refuge due to the above circumstances. The provision for the said services will assist the Council in meeting its statutory obligations.
- 6.2.5 The Key Decision procedure under the Council's Constitution must be followed for this decision
- 6.2.6 The Procurement and Commissioning Hub have confirmed that the tender process was carried out in accordance with the EU procurement rules ('light touch regime') and the Council's Contract Procedure Rules.

6.3 Property Implications

None. The current service is co-located in a number of venues in Enfield.

6.4 Procurement Implications

Information is provided in Part 2.

7. KEY RISKS

There are no key risks arising from the recommendations being made.

8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

8.1 Good homes in well-connected neighbourhoods

Research shows that services such as independent domestic violence advocacy have a massive impact on the lives of vulnerable victims and their families and can support to help prevent homelessness and further violence.

(St Mungo's "Our own data also reveals that women's homelessness is associated with domestic violence, as a third (33%) of our female

residents that slept rough said domestic abuse contributed to them becoming homeless”)

8.2 Sustain strong and healthy communities

This domestic abuse support service gives victims back the confidence to feel safe, participate in their local community and help to shape the service for future users.

The service will contribute to enabling and empowering victims of domestic abuse and build resilience that encourages self-determination and independence.

8.3 Build our local economy to create a thriving place

Domestic Abuse services work with some very vulnerable victims and their families. The Independent Domestic Violence advocacy project can make a huge difference in meeting their immediate needs and ensuring their future safety and well-being. The service will contribute to enabling and empowering victims of domestic abuse and build resilience that encourages self-determination and independence.

9. EQUALITIES IMPACT IMPLICATIONS

Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. It is important to consider the needs of the diverse groups with protected characteristics when designing and delivering services or budgets so people can get fairer opportunities and equal access to services.

The Council aims to serve the whole borough fairly, tackle inequality and protect vulnerable people. The Council will promote equality of access and opportunity for those in our communities from the protected characteristic groups or those disadvantaged through socio-economic conditions.

A Predictive EQIA has been undertaken on the proposals and it has highlighted no negative impact on residents from the protected characteristic groups. The contract for domestic violence advocacy service and the EQIA action plan will continue to be reviewed to ensure ongoing compliance with the equalities Act 2010.

10. PERFORMANCE AND DATA IMPLICATIONS

- Within the Service specification there are a number of performance indicators which the Provider is required to report on to enable the Council to determine how well the service is performing in improving people's lives and meeting the Councils objectives. The provider will report on these measures which include;
- Number of Victims accessing the service
- Number of Victims who are risk assessed
- Number of Service Users who are Council Housing tenants
- Number of Victims being supported through criminal justice proceedings (as a victim)
- Number of Victims with a safety plan in place within one month of accessing the service
- % of Victims who attend DV Workshops or address this in one-to-one case work sessions
- Number of children present in the household
- Number of Victims moved onto safe accommodation i.e. Refuge

In Enfield domestic abuse violence with injury offences have risen by 3.6%, increasing from 899 offences in the 12 months to December 2017 to 931 by the end of 2018. We will continue to monitor the improvement or worsening position from the current baseline to understand future trends.

11. HEALTH AND SAFETY IMPLICATIONS

None

12. HR IMPLICATIONS

None

13. PUBLIC HEALTH IMPLICATIONS

We know from the work carried out locally, and the work of the Women's Aid federation of services, that domestic abuse is very common, however this is often difficult to accurately quantify. Whilst the specification of the service is left gender neutral much of the research recognises that the vast majority of victims are women. Domestic abuse is a largely hidden crime, occurring primarily at home. Women often don't report or disclose domestic abuse to the police (HMIC, 2014) and may underreport domestic abuse in surveys, particularly during face-to-face interviews (ONS, 2015). From the latest available estimates from the Crime Survey for England and Wales (CSEW) showed that over four in five victims (83%) of partner abuse did not report the abuse to the police (ONS, 2018)

In addition, prevalence estimates do not take into account important context and impact information, for example whether the violence caused fear, who experienced multiple incidents and who experienced coercive controlling behaviour.

Domestic abuse has a significant effect on health; research suggests that women will see health professionals some 36x before seeking support for domestic abuse and it is documented that violence against the woman is often accompanied by violence against any children present. Even where direct physical violence does not occur the psychological effects can be traumatic.

The effects of domestic abuse have a considerable impact on the survivor's health and well-being, and that of their children. The direct and immediate physical effects of domestic violence include injuries such as bruises, cuts, broken bones, lost teeth and hair, miscarriage, stillbirth and other complications of pregnancy. The results of domestic violence can also be long-term and may cause or worsen, chronic health problems of various kinds, including asthma, epilepsy, digestive problems, migraine, hypertension, and skin disorders. Domestic abuse also has an enormous effect on the survivor's mental health, and may lead to increased use of alcohol, drugs and other substances.

Domestic violence can be fatal; women are both intentionally murdered by their partners and lose their life as a result of injuries inflicted by them. On average two women are killed by their partner or ex-partner every week in England and Wales.* (ONS, 2018)

The provision IDVA's will help to mitigate some of the harm and ill-health caused by domestic violence.

Background Papers

None

