

Cabinet

7th March 2017



Report Title: Prioritising victims of domestic violence and abuse for rehousing

Ward: citywide

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Purpose of the report:

This report proposes a change to the HomeChoice allocations scheme which would give greater priority to victims of domestic violence and abuse.

Recommendations for the Mayor's approval:

1. That the HomeChoice Bristol Allocations Scheme be amended so that victims of domestic violence and abuse (DVA) who are assessed as being at high risk by the Multi-Agency Risk Assessment Conference (MARAC) are awarded band 1 status for 3-6 months (and potentially for an extended period on the recommendation of the MARAC) in order to facilitate rehousing.
2. That priority move on status be applied to vulnerable victims accommodated and referred by Nextlink (or other specialist providers that accommodate DVA victims from Bristol).



The proposal:

1. The HomeChoice Allocations Scheme is used to prioritise households seeking affordable social rented housing within Bristol. The Scheme is used to determine the allocation of Bristol City Council's social housing and that of other social landlords in the city. Households applying to HomeChoice that meet the eligibility criteria are placed in one of four bands according to level of need, band 1 being the highest priority and band 4 the lowest. The current version of the Scheme was approved by Cabinet in April 2014.
2. Victims of domestic violence and abuse (DVA) seeking to be rehoused as a result of the DVA are awarded band 2 under the current Scheme. Households that have become homeless as a result of DVA to whom the council has agreed a homelessness duty are also awarded band 2.
3. The proposed change to the Scheme is to award band 1 to victims of DVA that urgently need to be rehoused as a result of the risk presented to them by the perpetrator. The aim of this change is to significantly reduce the length of time it takes to rehouse high risk victims of DVA and to mitigate the risk that the victim is exposed to (and to any children in the household).
4. Decisions about banding are made at Team Leader level within the Housing Options service. Applicants have a right to have their banding decision reviewed and this is carried out by a more senior officer. In order to make a decision about whether a victim of DVA should be placed in band 1 it is proposed that the recommendation come from the Multi-Agency Risk Assessment Conference (MARAC). The MARAC Coordinator will send recommendations for band 1 cases after each MARAC meeting with the supporting minutes, detailing risks and needs. This will be sent to a named officer in HomeChoice who will make the banding change within 5 working days or sooner if the applicant has a live and up to date HomeChoice application.
5. The MARAC in Bristol is made up of statutory and voluntary sector agencies including the lead provider of DVA services and accommodation in Bristol, Nextlink. The MARAC meets twice monthly to consider referrals from agencies about victims of DVA that are at serious risk of harm. This is estimated to be 10% of all victims of DVA. DVA experts have devised a risk indication checklist (known as DASH) which is used across the country by professionals to assess the level of risk in DVA cases. The Risk Assessment is a list of 24 questions preferably completed with the victim. If the victim answers yes to 14 or more questions the case is deemed high risk and a referral to MARAC is made by an agency/professional that the victim is known to.
6. The first priority of all agencies is to keep the victim safe in their existing home e.g. by excluding the perpetrator and ensuring that the property is secure. However many victims of DVA need to flee the home because of the risk presented by the perpetrator who is generally the partner or ex-partner. In many cases there are children in the household.
7. The change to the Scheme would mean that where MARAC identifies a high level of risk resulting in the need for urgent rehousing MARAC will make a recommendation to Housing Options that the household be placed in band 1. This band will apply for 3-6 months. Active bidding during the 3-6 month period will generally deliver a social rented property, taking in to account areas of the city that would be deemed unsafe for the household. Extension of the period in band 1 will be at the discretion of the Housing Supply Team Manager, on the recommendation of the MARAC e.g. where there has been a lack of suitable properties during the initial period that would meet the

household's needs. (It is important to note that band 2 is a priority band and will generally deliver a housing outcome within 9-10 months subject to suitable properties being available).

8. Victims of DVA that need to flee the family home as a result of the DVA are generally accommodated in temporary accommodation until settled accommodation can be found. This temporary accommodation can be in the private sector, in a refuge/safe house or in other supported accommodation commissioned by the council. Some victims choose to stay with family or friends until settled accommodation can be found. This means that high risk victims are not forced to stay in their home until new settled accommodation can be found. Not all victims will seek to be accommodated in social housing e.g. those with the financial means may find their own accommodation in the private rented sector. The city council offers incentives to private landlords and support to households in order to facilitate rehousing within the private rented sector.
9. A key aim of the change to the Scheme is to facilitate and speed up move on from refuges/safe houses. Next Link works closely with women in refuges/safe houses, offering support with move on and dealing with the emotional and practical issues resulting from DVA. It can take several months to be rehoused and a long period in a refuge can affect a woman's wellbeing and confidence. In order to facilitate and speed up move on it is proposed that Nextlink and other providers that accommodate Bristol DVA victims in supported accommodation will now be included in the council's Priority Move On Scheme (PMOS). This Scheme enables an accommodation provider to refer a client who is ready to move on directly in to Homechoice. The referred client is awarded band 2 **with a 6 month backdating** which puts them high up in band 2 with swifter move on times being achieved through bidding. PMOS also gives scope to identify a direct offer of social housing for the client which can be made if bidding does not deliver an outcome in the short term. Access to PMOS would afford Nextlink and other DVA accommodation providers the same mechanism that other supported accommodation providers use to activate move on for clients who are 'tenancy ready'.
10. A full review of the Allocations scheme will be carried out in 2017 with a view to changing the scheme to ensure best use of social housing, effective prioritisation and development of sustainable communities. The rehousing needs of victims of DVA will be considered within that wider review.

Consultation and scrutiny input:

a. Internal consultation:

Neighbourhoods Leadership Team; Cllr Paul Smith; Cllr Asher Craig

b. External consultation:

A public consultation on the proposed change ran from 20/10/16 to 6/1/17 on the Bristol City Council website. 126 responses were received. The quantified results are shown at appendix 1. Free text comments were also received and these are attached as appendix 2.

Key findings of the external consultation were:

- 40 respondents were members of the public, 25 were DVA practitioners, 22 Bristol City Council employees and 16 respondents identified as current or former users of domestic abuse services.
- There was strong support for the scheme change but mixed views about how effective it will be in freeing up accommodation in refuges and safe houses
- There was general support for MARAC being the forum where decisions about band 1 prioritisation should be made (72% in agreement) and that areas of risk should be considered by the MARAC to determine safe areas of Bristol where a person can bid (74%)
- 58% were in agreement that there should be conditions attached to the awarding of band 1 e.g. commitment to active and wide bidding, and engaging with support services.
- There were concerns about the 3 month time limit in band 1 with 43% of respondents disagreeing that there should be a 3 month limit (38% agree and 18% are undecided). 62% said there should be exceptions to allow the 3 month limit to be extended
- 88% agreed that there should be flexibility around the length of time someone can spend in a refuge/safe house

Key themes from the free text comments (not exhaustive):

- Recognition and concern about the lack of affordable housing generally which results in many high priority households competing for a scarce resource
- The importance of keeping victims safe in their own home where possible (avoiding the need to move)
- Concerns about what constitutes 'high risk' and about women who do not come through MARAC (and women unknown to agencies). A significant number of respondents felt that MARAC should not be the only route to band 1
- How to meet the needs of all priority groups and the risk of prioritising one group over another
- Support on the bidding process is required and in managing expectations e.g. about the types of property/areas that become available
- Ensuring that the MARAC process is effective
- A needs based as well as a risk based approach is required
- Not enough detail on how move-on from refuges and safe houses will be speeded up/improved
- Children's needs to be considered too in rehousing e.g. changing schools
- Concern that emotional abuse, coercion and financial abuse cases are not considered by MARAC
- All women who are in refuge/safe houses should be considered for band 1 whether MARAC case or not
- Survivors are the experts in understanding the risks to themselves and their children
- In some cases women will reunite with the perpetrator after being rehoused. Need to acknowledge this does happen
- Processing of HomeChoice applications for people who are in refuge/safe house needs to be quicker

38 Degrees also ran the consultation through their website and had 182 respondents. A higher proportion of respondents through this route were members of the public. The main differences in response when compared to the council's consultation were : 38 Degrees respondents were less likely to agree that the change to the Scheme will reduce rehousing times and increase move on from refuges/safe houses; less agreement that MARAC is the right forum for decisions about band 1 cases (51% disagree that MARAC should be the forum); less likely to agree that conditions should be attached to band 1; less likely to agree that 3 month time limit should apply.

Face to face consultation and feedback has also been gained from Bristol Women's Commission and Sisters Uncut. The key points from a meeting held on 8th February 2017 are set out at appendix 3.

As a result of the external consultation the following changes have been made to the proposal :

- Where victims of DVA are placed in band 1 this will not be rigidly for a period of 3 months but for a period of up to 6 months and longer where recommended by MARAC.
- MARAC will not be the only body that is able to refer victims for prioritisation. MARAC will be able to make recommendations for band 1 prioritisation. Nextlink and other DVA accommodation providers will be included in the Priority Move On Scheme and will be able to refer victims via this Scheme.
- The consultation has also raised many useful points about the council's approach to victims of DVA and these will be followed up through staff training, the development of specialist knowledge within Housing Options and a renewed focus on enabling move on.

Other options considered:

The other option considered was that all victims of domestic violence and abuse seeking to be rehoused as a result of DVA should be awarded band 1. This option was ruled out on the grounds that we need to allocate the scarce resource of social housing according to need including risk of harm and also noting that no victim will be left in unsafe circumstances through provision of temporary accommodation in some form. We therefore need a way of prioritising according to the household's specific needs and the level of risk presented by the perpetrator of the DVA. MARAC offers a citywide multi-agency and victim centred approach for identifying those households that should be prioritised for swift rehousing through the awarding of band 1. Nextlink and other providers are best placed to identify victims whose move on from refuge/safe house needs to be accelerated and to this end those providers will be included in the Priority Move On Scheme.

Risk management / assessment:

FIGURE 1					
The risks associated with the implementation of the <i>(subject)</i> decision :					
No.	RISK	CURRENT RISK (Controls now in place)	RISK CONTROL MEASURES	TARGET RISK (After new mitigations/actions)	RISK OWNER
	Threat to achievement of the key objectives of	amber	Existing mitigations (ie controls) and proposed actions with evaluation (ie effectiveness of	amber	

	the report	Impact	Probability	mitigation/ actions).	Impact	Probability	
1	There is a risk of impact on other high priority households that may wait longer to be rehoused as a result of this changes to the Scheme	1	2	This is likely to affect band 2 households including homeless households. The number of households affected by DVA that will be prioritised to band 1 will be limited to high risk cases based on need and risk. We will monitor MARAC recommendations and review after 6 months to look at the impact on all priority households (Band 1 and 2)	1	2	Gillian Douglas/Paul Sylvester

FIGURE 2

The risks associated with not implementing the *(subject)* decision:

No.	RISK Threat to achievement of the key objectives of the report	INHERENT RISK (Before controls)		RISK CONTROL MEASURES Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK (After controls)		RISK OWNER
		Impact	Probability		Impact	Probability	
1	Victims of DVA at high risk of harm are not rehoused quickly enough	High	Low	No household should be left in unsafe accommodation and will be offered temporary accommodation where necessary pending rehousing	Low	Low	Gillian Douglas/Paul Sylvester
2	The mental health and confidence of women fleeing DVA is affected	Medium	High	If we apply PMOS this will accelerate move on for victims	Low	Low	Gillian Douglas/Paul Sylvester

	by extended periods in temporary accommodation			that are ready to move			
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Public sector equality duties:

In making this change to the Allocations Scheme the council is taking steps to better meet the needs of persons who share a relevant characteristic (the majority of victims of DVA are women) while also ensuring that the allocation of social housing is needs based and does not discriminate against men affected by DVA or other equalities groups that have a high priority and urgent need for housing e.g. disabled people with high level medical needs that mean there is an urgent need to be rehoused. The challenge is in balancing these needs.

There is extensive research and data at national level to show the prevalence of DVA and the fact that the majority of victims are women. Men can also be victims and DVA happens in same sex as well as heterosexual relationships. DVA happens across all equalities groups although socio-economic status affects the need to seek help from services such as housing.

Key statistics :

2 women are killed every week in England and Wales by a current or former partner (Office of National Statistics, 2015).

1 in 4 women in England and Wales will experience domestic violence in their lifetimes and 8% will suffer domestic violence in any given year (Crime Survey of England and Wales, 2013/14)

Domestic violence has a higher rate of repeat victimisation than any other crime (Home Office, July 2002)

Every minute police in the UK receive a domestic assistance call – yet only 35% of domestic violence incidents are reported to the police (Stanko, 2000 & Home Office, 2002)

The 2001/02 British Crime Survey (BCS) found that there were an estimated 635,000 incidents of domestic violence in England and Wales. 81% of the victims were women and 19% were men.

Domestic violence incidents also made up nearly 22% of all violent incidents reported by participants in the BCS (Home Office, July 2002)

On average, a woman is assaulted 35 times before her first call to the police (Jaffe, 1982)

20% of children in the UK have been exposed to domestic abuse (Radford et al. NSPCC, 2011)

Social housing is a limited resource and demand far exceeds supply. It is therefore imperative that the Allocations Scheme balances the needs of high priority groups and that an evidence and risk based approach is used to evaluate needs and award the appropriate banding to each household.

As at February 2017 there are 244 households in band 1, 750 in band 2, 2,411 in band 3 and 3,902 in band 4 i.e. a total of 8,307. In 2015/16 there were 1,996 new lettings but a proportion of these were movements of existing social tenants within the system.

The MARAC will be the group of professionals that will make recommendations about households to be placed in band 1 on the basis of risk and need.

The profile of the 1,401 victims discussed by Bristol MARAC in the year to September 2016 was : 96% women, 4% men of a total of 1,401 victims. 16 % were Black and minority ethnic. 4 % were

disabled people. 1% were Lesbian, Gay, Bisexual or Transgender . These are the cases where there may be a housing recommendation although we have not quantified how many this will be.

Victims accommodated in refuges and safe houses are among the most vulnerable including women with children, women with complex needs, disabled women and those with health conditions. Vulnerable victims are often those on the lowest incomes where access to the private rented sector is not a realistic option. By enabling Nextlink and other providers to access PMOS these victims will be able to move on more quickly from refuges and safe houses.

Eco impact assessment

No significant environmental impacts as a result of this proposal.

Steve Ransom , Environmental Programme Manager

Resource and legal implications:

a. Financial (revenue and capital) implications:

The recommendation of the report relates to a policy change regarding the prioritisation of households under the HomeChoice Allocations Scheme. Implementing the recommendation is not anticipated to generate any additional revenue or capital costs for the Council.

Advice given by Robin Poole, Finance Business Partner

Date 8th February 2017

b. Legal implications:

1. Each local housing authority is required by s.166A(1) Housing Act 1996 (HA) to have a scheme for the allocation of social housing. In devising a scheme, a housing authority is required to have regard to any statutory guidance when exercising their functions under Part VI Housing Act 1996. The current statutory guidance is Allocation of Accommodation: Guidance for local housing authorities in England (June 2012) . The guidance suggests those who require rehousing as a result of violence or threats of violence are awarded additional preference and the current and proposed schemes comply with this. S.166A 12 requires the local authority to have regard to Bristol City Council's current homelessness strategy and the current tenancy strategy when modifying the allocation scheme.
2. In relation to prioritisation between applications, Part VI HA 1996 states that every local allocation scheme must be drawn up so as to secure a "reasonable preference" for the groups of people specified in HA 1996. In framing their allocation scheme to determine allocation priorities, housing authorities must ensure that reasonable preference is given to the categories of people defined at s.166A(3). The proposed changes amend the reasonable preference for households who need to move due to high risk as a result of DVA from Band 2 to Band 1.
3. S.168 HA 1996 requires that when an alteration is made to an allocation scheme reflecting a major change of policy those likely to be affected should be consulted. Consultation should include social housing providers who receive nominations from the scheme. Consultation should occur when proposals are at a formative stage; should give sufficient reasons for any proposal to permit intelligent consideration and should allow consultees adequate time for consideration and response. A public consultation on this proposal was carried out through the Bristol City Council website and ran from 20/10/16 to 6/1/17. In addition 38 Degrees consulted on the proposal through its website. The

responses are summarised in the body of the report and set out in the appendices . The decision maker must conscientiously consider the consultation responses, before taking its decision.

Advice given by Sarah Sharland, Team Leader, Legal Services

Date 6th February 2017

d. Land / property implications: n/a

e. Human resources implications: n/a

Appendices:

Appendix 1 – public consultation results

Appendix 2 – annex of free text comments from public consultation

Appendix 3 – key points from a consultation meeting with Bristol Women’s Commission and Sisters Uncut

Access to information (background papers):

Bristol Allocations Scheme <https://www.homechoicebristol.co.uk/>