

MHCLG CONSULTATION ON DOMESTIC ABUSE SERVICES

ACCOMMODATION-BASED SERVICES

Q1. Do you agree with our definition of ‘accommodation-based services’ for victims and their children?

d. Disagree

Comments:

The Northumbria PCC welcomes the current consultation on accommodation-based services for domestic abuse victims and the intention to use a statutory instrument to ensure more consistent, high quality provision across the country. However, if local authorities (and their multi-agency partners) are to be held accountable for ensuring such services are available to meet demand the definition of what constitutes ‘accommodation-based services’ must be robust.

The definition offered is unfortunately lacking in detail and too wide-ranging. For example, the definition includes:

- (a) ‘Specialist refuge accommodation’ - without any clarify regarding what this accommodation involves;
- (b) Several other types of accommodation which are either a variant form of refuge provision (e.g. dispersed accommodation) or best provided by specialist domestic abuse staff (e.g. move on and second stage accommodation);
- (c) Sanctuary schemes – which, whilst an important option for some victims of domestic abuse, are not a support service or necessarily offered as part of a wider support package;
- (d) ‘other forms of emergency accommodation’ – which, if included and left ill-defined, run the risk of allowing Local Authorities to meet their statutory responsibilities through the inclusion of inappropriate services such as mixed-sex homeless hostels and bed and breakfast provision.

In this context, the Northumbria PCC would suggest that the definition of accommodation-based support services should align with that already established within ‘Routes to Support’, the on-line VAWG Service Directory and database maintained by Women’s Aid and part-funded by the MHCLG.

The PCC would also recommend that a clear definition of a ‘refuge service’ is developed which can encompass both a range of accommodation types (shared houses, self-contained units with communal areas and dispersed accommodation) and a range of time-specific interventions (e.g. refuge-based emergency ‘crash pads’, core refuge provision and move-on accommodation). The MHCLG will also need to tackle the requirement (and need) for separate, gender-based refuge provision.

The PCC would also warn against any intention, implicit in the consultation document, to make access to refuge services dependent upon the DASH checklist or any other risk assessment framework; many victims murdered by a partner or ex-partner and subsequently made the subject

of a statutory domestic homicide review (DHR) have been assessed as facing a standard to medium risk of serious or fatal harm in the weeks leading up to their death.

2. Are there any other services, other than those listed, that you would define as an accommodation-based service?

a. Yes

The Northumbria PCC would want to ensure that the proposed definition includes accommodation-based support specifically designed to address the needs of domestic abuse victims with additional and/or complex needs such as refuge projects that provide intensive and/or long term support for victims with mental health needs, learning difficulties, significant drug and alcohol issues etc.

SUPPORT

Q3. Do you agree with our definition of 'support'?

d. Disagree

Comments:

Once again, the definition offered is too broad and lacking in detail. Focussed on a list of roles rather than a detailed exploration of the work undertaken, the current definition offers no clear analysis of what separates specialist support for domestic abuse victims (adult and child) from other, non-specialist support. When working with children, for example, specialist DA services will provide a range of practical in-house support measures (including replacement clothing and toys, playroom facilities, etc.) alongside essential trauma-informed interventions (such as 1-2-1 work, groupwork programmes and parent-child support work). They will also, where necessary, undertake important child protection interventions (such as social care referrals, ongoing liaison with social care staff and support in the family court).

Perhaps because it is role focused, the current list also includes a number of services – such as advice, translation and counselling – that arguably support the work of the specialist sector rather than forming a fundamental part of it. It also includes 'outreach workers' who, whilst undertaking vital work, do not offer accommodation-based services and should therefore be seen as complementary provision.

As such, the Northumbria PCC supports the recommendation made by Women's Aid that the MHCLG follow the model recently adopted by the Welsh Government in the statutory commissioning guidance developed to underpin the VAWDASV Act and adopt a clear definition of 'specialist' support in the statutory guidance on accommodation-based support services.

The commissioner would also recommend further work to develop clear and nationally agreed quality standards for all services funded through the proposed model and notes that a set of shared core standards have already been developed by the VAWG Sector Sustainability Working Group that might usefully be used for this purpose.

Q4. Do you define an accommodation-based service not listed here as support?

b. No

STATUTORY DUTY

Q5. Do you agree with our approach of introducing a statutory duty underpinned by statutory guidance?

b. Agree

Comments: The Northumbria PCC supports the intention to use a statutory instrument to tackle the postcode lottery that has dogged provision in this area and to ensure more consistent, high quality delivery of accommodation support services across the country. However, if central government are to make this area of service provision a statutory responsibility they must also make funding available to deliver on this responsibility (at the local and national level) and offer further, detailed information on how the amounts allocated to each area will reflect known need as opposed to pre-determined budgetary constraints.

Central government must also commit to a year's transitional funding, for 2020-21, whilst the details of this new model are assessed, agreed and implemented.

Further information is also needed on whether the identified partners (CCGs, PCCs, social care services etc) will be required to not only attend local partnership meetings, contribute to local needs analyses and develop local strategies but also to contribute financially to the commissioning of local services to meet identified need. Where the footprint of these partner services differs, as they do in Northumbria, clarity will also be required on how the stated commitment to pooled budgets can be realised in practice.

Q6 Do you agree with placing the statutory duty on Tier 1 Authorities (County Councils, Metropolitan Councils, Unitary Authorities and the Greater London Authority) as 'Lead Authorities'?

b. Agree

Comments

The Northumbria PCC would agree that local authorities are best placed to lead the commissioning of accommodation-based support services for domestic abuse victims and their children. They are, as noted in the consultation document, already responsible for related issues such as homelessness and child and adult social services and also have experience of working with specialist providers and of commissioning their services.

However, it must also be noted that a number of specialist services have closed and others have faced significant funding difficulties at the hands of local authority commissioners, many of whom continue to use competitive tendering practices found to favour large scale, generic providers over small scale specialist services who know their communities better and are better able to identify and respond to local needs. In this context, statutory guidance on service commissioning practices that outlines the added value that small-scale specialist providers can offer is much overdue, as is a duty to undertake a full equality impact assessment whenever a contract is put out to competitive tender.

In addition, the Northumbria PCC would support Women's Aid in their call for:

- (a) Sufficient ring-fenced local funding, delivered through the proposed multi-agency partnership board, for specialist refuge provision which meets the needs of domestic abuse victims from all backgrounds, and;

- (b) Sufficient ring-fenced national funding for specialist refuge provision led by and for BME women and other minority groups.

The PCC would also seek further clarity regarding the powers of the proposed national steering group to identify, investigate and (where necessary) sanction those areas that introduce or continue to implement practices – such as local connection requirements – that are known to endanger adult and child victims of domestic abuse.

Q7. Do you agree that a duty to co-operate should be placed on Tier2 Authorities and London Boroughs?

c. Neither Agree or Disagree

Comments:

The Northumbria PCC would support the duty to cooperate only to the extent that safeguards are put in place to ensure that this does not result in these districts or boroughs being forced into large scale, cross-boundary commissioning practices that risk incentivising more generic provision at the expense of their local, small-scale specialist providers and prioritising larger scale demands over the needs of smaller and more marginalised communities.

In this context, the Northumbria PCC would particularly want to highlight the work already undertaken by PCC members of the NRCN and their funding of a recently published report on domestic abuse in rural areas ('Captive and Controlled: Domestic Abuse in Rural Areas, NRCN, 2019). This research has found that rural victims are half as likely to report their abuse (compared to their urban counterparts), endure abuse for 25% longer and have particular experiences of coercive and controlling behaviour that they struggle to overcome and which their neighbours may not recognise, want to report or feel able to address. It has also found that support services are less available, less visible and less effective in rural areas in part because service commissioning decisions are too reliant on demand-led (as opposed to needs-led) data and have a poor understanding of how rural geography facilitates and impacts domestic abuse. Meeting the needs of rural victims of domestic abuse must therefore be prioritised in the statutory guidance alongside other groups that similarly experience difficulties either accessing or gaining benefit from current services.

ACCOUNTABILITY

Q8. Do you agree with the proposed representation on Local Partnership Boards?

b. Agree

Comments...

The Northumbria PCC would support this approach whilst noting that Northumbria OPCC staff would be required to attend partnership boards in 6 local authority areas.

The PCC would also note the difficulties that specialist providers can experience in attending and contributing to such meetings (providing expert input and related needs data into local governance structures can, for example, be a resource intensive process for services that have traditionally developed very small managerial infrastructures) and in ensuring that their knowledge and expertise is given sufficient credence when commissioning and decommissioning decisions are being made.

In this context, the PCC would draw the MHCLG's attention to the clear examples of poor partnership working that have already been drawn to their attention by the VAWG sector – including the exclusion of specialist services from attending planning meetings which have been informed by

their own data and the diversion of grant funding secured with the support of specialist refuge providers into local competitive tendering opportunities – and recommend that the government work with second-tier specialist services such as Women’s Aid to:

- (a) Explore the most effective mechanism(s) for ensuring that both provider and survivor expertise is able to fully inform local decision making;
- (b) Identify the funding needed to resource and administer the chosen mechanisms adequately.

The PCC would also repeat the recommendation made earlier in this response that the government clarify whether other commissioners and partner agencies (CCGs, PCCs, social care services etc) will be required to contribute financially to the commissioning of local services and provide further guidance on how the stated commitment to pooled budgets can be realised in practice.

Q9. Do you believe your local authority has an existing governance structure in place which could meet the proposed role of the Board?

a. Yes

Comments:

Each of the six local authorities operating within the Northumbria PCC area have domestic abuse partnership boards that report to such as their Community Safety Partnership.

Q10. If you believe your local authority has an existing governance structure in place that could meet the proposed role of the Board... a. what is the structure of the Board? b. Who are the Board members?

Each of the 6 local authorities that fall within the boundaries of the Northumbria PCC office have confirmed they are planning to submit their own response to this consultation and will therefore be supplying a description of their board structures and membership.

Q11. Do you agree with a duty to convene a Local Partnership Board?

a. Strongly Agree

Comments:

Domestic Abuse Partnership Boards, formerly known as Domestic Violence Fora, have been in existence for some time in the Northumbria area and have proven invaluable in developing multi-agency awareness of and commitment to tackling the issues faced by child and adult victims of domestic abuse. Should these boards be adequately supported and resourced by the government, there is more that each can do, both individually and collectively, to ensure the consistent provision of accommodation-based support services as part of a coordinated community response to domestic abuse.

Q12. Do you agree with the role and remit of Local Partnership Boards?

b. Agree

Comments:

The Northumbria PCC agrees with the role and remit of the proposed partnership board, provided recommendations made earlier in this consultation response (particularly with regards to clarifying the required financial commitment of other commissioners and partner agencies) are given due attention.

The PCC would also suggest that the remit of the proposed boards might usefully be widened to more clearly embrace all forms of Violence against Women, including force marriage, so-called honour based violence, sexual exploitation and sexual violence.

Q13. Do you agree with Local Partnership Boards assessing need for services?

b. Agree

Comments:

The Northumbria PCC agrees that the proposed partnership boards should assess the local need for services, provided recommendations made earlier in this consultation response (particularly with regard to the adequate representation of specialist providers and survivors of domestic abuse) are given due attention.

Q14. Do you agree with Local Partnership Boards developing local strategies?

b. Agree

Comments:

The Northumbria PCC agrees the proposed partnership boards should develop local VAWG strategies to address clearly identified need.

Q15. Do you agree with Local Partnership Boards commissioning domestic abuse services in partnership with Tier 2 Authorities?

c. Neither Agree or Disagree

Comments:

As indicated earlier in this consultation response, the Northumbria PCC would support joint commissioning between Tier 1 and Tier 2 local authorities only to the extent that safeguards are put in place to ensure that this does not result in the latter being forced into large scale, cross boundary commissioning practices that risk incentivising more generic provision at the expense of their local, specialist providers and prioritising larger scale demands over the needs of smaller and more marginalised communities.

The PCC would also support Women's Aid in their call for an end to competitive tendering for domestic abuse services where it is not required. Research by the Lloyds Bank Foundation on commissioning practices has highlighted that current commissioning processes work in favour of larger organisations and contracts, and have a number of adverse impacts on smaller charities. Work undertaken by Women's Aid has also confirmed that EU procurement laws need only apply to tenders and contracts above a certain amount (currently 750,000 EURO), are not required for services identified to be of 'social benefit' and have already been set aside by a number of national governments. This is an approach that the UK government could, and arguably should, emulate.

Q16. Local authority/ providers: What would be the practical implications of meeting the proposed requirements of the statutory duty?

Comments:

The Northumbria PCC has left this section blank in the belief that local authorities and local providers are best placed to offer information on the practical implications for them.

Q17. Local Authority: What would be the financial implications of meeting the proposed requirements of the statutory duty?

Comments:

The Northumbria PCC has not commented on the financial implications for their 6 local authorities but is aware that the national network of specialist refuge providers continues to face significant funding difficulties including an uncertain funding landscape, a continuing emphasis on short-term contracts and poor commissioning practices in some areas. The PCC would therefore support the sector's call for ring fenced funding (as outlined under Q6 in this consultation) and also urge the government to make a year of transitional funding available for the period 2020-21 whilst the detail of this new model is fully assessed and agreed.

NEEDS ASSESSMENT

Q18: Do you think that Government should develop a standardised needs assessment form for local areas to use in assessing need for domestic abuse support services?

a. Yes

Comments:

The Northumbria PCC believes that a standardised approach would help to improve the quality of the work undertaken, but would emphasise that this should not be pursued at the expense of additional and locally agreed approaches and therefore advocate a basic assessment tool to which localised assessments can be easily added.

The Northumbria PCC would also emphasise the vital role that local specialist services will play in helping to develop a full and accurate picture of local need and the need to ensure that resources are in place to support them in performing this important function.

The Northumbria PCC would also note the need for an assessment of accommodation-based support services to align with similar needs assessments for community based services, and for services that address other forms of VAWG that overlap with domestic abuse (e.g. forced marriage, so-called honour based violence and sexual violence).

The PCC would also support Women's Aid in calling for a national needs assessment to capture the need for services led by and for groups with protected characteristics; need which may not be identified (or adequately met) at the local level but which will nonetheless need to be considered and addressed by local partnership boards.

Q19. How often should the needs assessment be conducted?

3-5 years

Comments:

The frequency of these assessments must mirror the allocation of central funding for services to meet identified need. The Northumbria PCC therefore recommends that local needs assessments are completed every three - five years to reflect current local government funding structures and to encourage longer commissioning cycles and great service stability.

REPORTING ON OUTCOMES

Q20. Do you agree with Local Partnership Boards making commissioning decisions in partnership with Tier 2 Authorities? c. Neither Agree or Disagree

Comments:

As indicated earlier in this consultation response, research by the Lloyds Bank Foundation has highlighted that current commissioning processes tend to favour larger organisations and contracts; a risk that appears likely to be exacerbated if Tier 1 and Tier 2 authorities are required, by law, to make commissioning decisions in partnership. The PCC would also highlight the NRCN-funded research on domestic abuse in rural communities (referenced earlier) and work undertaken by Women's Aid that confirms that EU procurement laws only apply to tenders and contracts above a certain amount (currently 750,000 EURO), and support their request for long term grant funding which could be used in place of local commissioning and still support and facilitate joint decision making in this area.

Q21. Do you agree that standardised reporting would promote accountability and transparency? b. Agree

Comments:

The Northumbria PCC is aware that specialist services can struggle to deliver vital services whilst also being required to report on their activities to funders that often vary significantly in their data and reporting requirements. Standardised reporting would therefore not only promote greater accountability and transparency, but also support greater continuity and stability of provision within this sector.

The PCC is aware that there are a number of established frameworks for service standards in this sector (e.g. the VAWG Sector Shared Standards, Women's Aid quality standards etc.) and of the research undertaken by Cordis Bright (The Big Lottery Fund, Review of Domestic Abuse Outcome Measurement Frameworks, January 2016) which identified 7 outcome frameworks that providers have been variously asked to utilise. The PCC would therefore suggest that the approach taken by the MHCLG should seek to streamline what is required and enable 'light touch' monitoring where services have been quality assured and found to meet standards fully. The managerial and administrative costs generated by these reporting requirements will also need to be adequately addressed in a sector that often struggles to secure funding for core costs.

Q22. Do you agree with the reporting themes suggested?

c. Neither Agree or Disagree

Comments

The reporting themes remain under-developed within the consultation document, particularly with regard to evidencing '*that there is adequate provision for all victims, including BAME, LGBT and disabled victims*' and also include a number of identifiable gaps such as:

- An equality impact assessment of decisions taken locally – e.g. where a decision has been taken to offer/award one large scale contract over several small scale contracts.
- Evidence that key statutory agencies have contributed financially, as appropriate, to delivery of the agreed local strategy alongside any local authority funding secured for this work.

The Northumbria PCC would also want to-re-emphasise the need for the reporting regime to facilitate a localised approach which allows areas to identify, prioritise and report on specific areas of un- or poorly-met need in their own communities and localities.

Q23. Do you agree with the role and remit of the National Steering Group?

c. Neither Agree or Disagree

Comments

The role and remit of the National Steering group remains under-developed within the consultation document and key decisions, such as the group being chaired by an MHCLG Minister (rather than the DA Commissioner, for example) are not fully explored or explained.

The Northumbria PCC would also like further clarification regarding the powers of the national steering group to:

- (a) Undertake a national needs assessment;
- (b) Oversee the development of a sustainable national funding system that meets identified needs and includes contributions from a number of key governmental departments such as the DfE, DoHSC, the MOJ and the Home Office;
- (c) Undertake rigorous oversight of service provision, standards and outcomes;
- (d) Hold local partnerships to account for the quality of their needs assessments, strategies and local decision making, particularly where practices – such as local connection requirements – have been introduced that are known to endanger adult and child victims of domestic abuse.

Q24. Do you agree with the proposed representation on National Steering Group?

d. Disagree

Comments:

The Northumbria PCC would highlight the need to ensure that survivors of domestic abuse are able to inform the work of the steering group, alongside representation from a wide variety of specialist providers, including those working with victims from the BAMER, LGBT and disability communities.

Thought should also be given to the inclusion of key grant funders – such as Lloyds, the Big Lottery Fund and BBC Children in Need - who already invest heavily in this sector and have accumulated significant expertise

The MHCLG will also need to address the responsibilities of key departments – the DfE, DoHSC, MOJ and Home Office - in terms of their representation and contribution to funding services that can also offer significant cost savings for their own departmental budgets.

GUIDANCE

Q25. Do you agree with the overall approach of the statutory guidance?

b. Agree

Comments:

The Northumbria PCC agrees with the introduction of statutory guidance as a means of addressing the current postcode lottery and ensuring that high quality services are consistently available across

the country. However, the success of the chosen approach is seen to be dependent on a number of factors already highlighted in this consultation response including:

- Clear and agreed quality standards and outcomes for these key services;
- Clear guidance for the Local Domestic Abuse Partnership Board on how it should operate and deliver on its key functions;
- Clear guidance for the local DA Partnership Board on current best practice in regard to VAWG service commissioning – as outlined in the VAWG Commissioning Toolkit (2016) and the recently published Welsh statutory guidance;
- Further detail on how monitoring and evaluation undertaken at the local level will be reported back to the national group and on what actions they in turn will take to hold local partnerships to account where they are failing to deliver as intended.

Q26. What else would you like to have set out within the Guidance?

Comments:

The Northumbria PCC believes that the success of the chosen approach is dependent on a number of factors already highlighted in this consultation response including:

- Clear and agreed quality standards and outcomes for these key services
- Clear guidance for the Local Domestic Abuse Partnership Board on how it should operate and deliver on its key functions
- Clear guidance for the local DA Partnership Board on current best practice in regard to VAWG service commissioning – as outlined in the VAWG Commissioning Toolkit and the recently published Welsh statutory guidance
- Further detail on how monitoring and evaluation undertaken at the local level will be reported back to the national group and on what actions they in turn will take to hold local partnerships to account where they are failing to deliver as intended

Q27. What support would you find most useful to meet the requirements of the statutory duty and guidance?

Comments:

The PCC would repeat the recommendation made earlier in this consultation response that the government:

- (a) Clarify whether other commissioners and partner agencies (CCGs, PCCs, social care services etc.) will be required to contribute financially to the commissioning of local services through the proposed board structures, and;
- (b) Provide further guidance on how the stated commitment to pooled budgets can be realised in practice, particularly where service boundaries are not in alignment.

Q28. Do you think that the proposed policy will help local areas ensure the needs of all victims and their children can be met?

a. Yes

Comments:

The Northumbria PCC believes that the proposed policy makes an important contribution to ensuring that the needs of all victims and their children can be met but would note that a number of additional measures are also essential including:

- Adequate levels of sustainable, ring fenced funding on both a national and local level;
- Wider, legislative reforms such as a statutory bar on local connection restrictions and reforms to the DVR and DDVC, to ensure that women with insecure immigration status can safely access a refuge space for as long as is needed.

29. What more could the Government do to ensure the needs of victims and their children with protected characteristics are supported?

Comments:

The Northumbria PCC welcomes this consultation on accommodation-based support services for adult and child victims of domestic abuse but notes that, in seeking to also address their wider support needs, the consultation has lost a degree of

(a) Focus - e.g. on what refuge provision and the specialist support these services can be expected to offer entails, and;

(b) Clarity – e.g. regarding which services will be the subject of a statutory duty, and therefore central government funding, and which will be dependent upon local needs assessments and the expectation that other funders will be expected to contribute financially, as well as practically, to local commissioning and decommissioning decisions.

Further work is therefore needed if the statutory duty and guidance proposed in this consultation are to meet need and be fully fit for purpose.