

Questionnaire

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

Disagree

Comment:

As a member of Women's Aid Federation of England, Birmingham and Solihull Women's Aid (BSWA) fully supports the national federation's response to this consultation.

For forty years BSWA has provided front line domestic abuse support services to women and children. We are a women's organisation. Run by women, for the benefit of women. Drawing on our extensive practice-based experience: we advocate for the rights of ALL women; we support women and children affected by domestic abuse; we educate, train and inspire action; we campaign for change. Our services include the running of six refuges. Our six refuges are not only the biggest offering from any service in the region, they are specifically distinguished by the supportive, empowering and safe environment found in all of them for women and their children. All six refuges differ in the number of rooms, or self-contained flats they house. One refuge is specifically for young women aged 16 to 24, meaning support provision is even more tailored to their needs. However, the refuges house all women, and thus women of all walks of life receive tailored support within one building. This in-depth level of daily support work delivered under one roof is extremely nuanced from any other service, especially considering the vast specialist experience utilised. BSWA also runs a floating support team, MARAC IDVA's, drop-in centres, a helpline, IRIS, a 55+ age range specific project, a young women's project, education and training within schools and for employers, FGM specialists, court IDVA's, the PURE employment and skills project, Think Family and supporting women and children affected by perpetrator programmes. BSWA runs a unique service in collaboration with Birmingham City Council, the Housing Options Hub. Women affected by domestic abuse can present or book appointments at the Hub to receive advice from specialist housing and domestic abuse officers on their options. Birmingham City Council have two Senior Housing Officers based in the Hub so that decisions to do with Council housing can be made in conjunction with local authority decision makers, with specialist knowledge input. The Housing Options Hub has been very successful in appropriately supporting women and their children affected by domestic abuse and violence really understand their rights and receive appropriate support in making their applications. The majority of our services are based within accommodation or housing settings, or have close ties to the safety and proper support of women and children in the home given the nature of domestic abuse.

We warmly welcome the government's commitment to deliver a sustainable future funding model for support in accommodation-based services. The national network of refuges does not only save lives but delivers unique and specialist support to women and children escaping trauma, helping them to cope and begin recovery and independence. However, specialist refuge services have faced a funding crisis from budget reductions and poor commissioning practices over the past decade, and demand for these services nationally continues to far outstrip supply. 60% of referrals to refuges were declined in 2017/18 (*Women's Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*). As a provider of these life-saving services, which are an integral part of a holistic response to domestic abuse at local level, we know just how urgently this sustainable funding future is required and support the government's proposal to define the specific services that will be funded through this model.

The proposed definition of accommodation-based services is, however, unclear and problematic. The current definitions are poorly defined and carry significant risks that generic 'accommodation-based' services with limited or housing-focused support for women and children affected by domestic abuse, which don't deliver the safe environment and support they need, are commissioned and funded through this model. This concern results from significant changes to provision over the past decade, the consequences of which are fewer, larger services covering a larger geographical area and an increase in 'generic providers' - those whose core business is not domestic abuse (*Women's Aid (2018) Survival and Beyond: The Domestic*

Abuse Report 2017. Bristol: Women's Aid; Women's Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid). There are now 158 providers running the 269 refuge services in England. Only two thirds (66%) of all refuge services are run by dedicated providers, with the remaining third run by Housing Associations, Local Authorities or other charities with a wider remit (*The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*). We don't believe this is the government's intention for a consultation on 'domestic abuse services', or is in the spirit of the announcement of a legal duty that would provide 'life-saving support' for those fleeing violence and abuse, but it could end up being the outcome if these definitions are not amended appropriately.

Refuge services

We recommend the definitions on Routes to Support, which MHCLG (*Routes to Support is the UK violence against women and girls directory of services and refuge vacancies, run in partnership by Scottish Women's Aid, Welsh Women's Aid, Women's Aid Federation of England and Women's Aid Federation of Northern Ireland*) part-fund Women's Aid to run, are used. The only defined accommodation-based domestic abuse service type currently listed on Routes to Support is a refuge service, the definition for which must be a starting point for this model:

"Accommodation and support only for women experiencing domestic abuse which is tied to that accommodation. The address will not be publicly available. It will have a set number of places. Residents will receive a planned programme of therapeutic and practical support from staff and access peer support from other residents. Support offered by refuge services will include access to support for children (where needed)."

The 'planned programme' is also clearly defined and sets out why refuges are a service, not only a form of accommodation, which are unique in the support they deliver to women - and, critically, their children - and are far more than 'a bed for the night'. In one of our refuges, a three year old entered refuge on a Child Protection Plan due to the woman's violent ex-partner. BSWA refuge workers gave mum and child lots of support and encouragement – she was struggling to cope with her son's behaviour. We helped her secure a nursery place for him and encouraged participation in play activities in refuge. His behaviour changed dramatically and as a consequence, he adapted well at nursery where he was being stimulated and enjoying socialising with the other children. During Core group meetings this young mum received very positive feedback from the staff manager at the nursery and the health visitor who described her child as a happy positive child who is meeting all his milestones checks despite having a very difficult start to life. This case study is a testament to the familiar nature of the support and nurturing environment found in refuge.

These definitions were based on consultation with services using Routes to Support to accurately reflect the work they do and to ensure users of the directory understand the type of support service they are searching for. These specialist services deliver holistic support in a safe and secure environment, either provide or work closely alongside community based services and deliver unique added value within a multi-agency response to domestic abuse within local areas (*Jo Linney, Lorraine Regan & Domini Gunn with Dominic Llewellyn and Roshni Assomull, Numbers for Good, Funding a National Network of Refuges (Women's Aid, 2018)*).

This definition encompasses shared houses, self-contained and dispersed accommodation and we disagree that these should be listed separately. Whilst refuge services are largely mostly shared accommodation, many also provide self-contained units with communal areas or dispersed accommodation within the community. This combination of accommodation types enable services to provide support to those women with additional support needs, or a larger family size, which can pose challenges in communal living. Dispersed accommodation can often be the only form of refuge provision in rural areas. An example of BSWA's dispersed housing which worked well would be our partnership with Midland Heart to deliver 15 "dispersed refuge" units. This is no longer happening but we are about to open three dispersed refuge houses, owned by a registered provider, which we will manage. It is something we would want to build on as

it provides useful accommodation for larger families and those with older boys, and another option if a family struggles with the communal nature of refuge life.

A previously largely consistent pathway from refuge into secure - often social - housing has been undermined by the lack of available social housing, unaffordable other forms of housing and the impact of welfare benefit changes. The result is that women and children will now commonly leave refuges into another form of temporary, move-on or second stage accommodation. For example, 87% of over 100 women leaving refuges provided by Solace Women's Aid in 2015 were moved into continued temporary accommodation (*Solace Women's Aid, The Price of Safety, 2016. Accessible online*). The lack of a secure move-on pathway only results in significant uncertainty and disruption for women and children affected by domestic abuse, but incurs significant costs in temporary accommodation.

As well as calling for a secure and consistent pathway into a safe, permanent home for women and children affected by domestic abuse as a core objective for MHCLG, we recommend that the following accommodation types are best delivered as part of an expanded definition of a refuge service, as they are essential to their work in supporting women and children affected by domestic abuse to independence:

- Move-on accommodation, which includes resettlement support, and enables women and children to move-on from refuge into a form of temporary accommodation with additional support. There are significant risks if move-on accommodation is delivered by generic providers, who can't provide the support women and children affected by domestic abuse need. Move-on accommodation should come under an expanded definition of a refuge service, as this is an acute need within specific areas in the country.
- Resettlement support - this can be provided without accommodation provided by the service, for example when a woman moves-on to independent living the refuge can provide a short term programme of support, which is more intensive than regular floating support.

Finally, it is essential that MHCLG adopt a clear definition of 'specialist' to ensure that the services funded through this model truly have the specialism and expertise to deliver the trauma-informed support women and children affected by domestic abuse need. We recommend that the model recently adopted by the Welsh Government in statutory commissioning guidance underpinning the VAWDASV Act is used as a basis for this (Welsh Government, Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV): *Statutory Guidance for the Commissioning of VAWDASV Services in Wales, March 2019*). The national federation's response will set proposals for a definition of specialist in further detail.

Accommodation-based services

Whilst we support the need to offer women and children affected by domestic abuse a full suite of housing options, through a 'whole housing' approach to domestic abuse which meets a spectrum of needs, this is not the purpose of a statutory duty for the provision of support services. The current list is confusing and unclear as it stands:

- 'Sanctuary Schemes or other enhanced security measures' are not in and of themselves a 'service'. They are a target hardening tool which need to be delivered as one element of a community based service - such as outreach or floating support. This model does not aim to cover community based services, however, so the approach is not currently clear.
- As currently defined, 'emergency/temporary/'respite' accommodation are not domestic abuse services and do not provide the level of safety and support required for women and children who are escaping from severe abuse and trauma and remain at high risk of murder. If this category is included in the definition, there is a real risk the services funded through this model are essentially housing services with no domestic abuse expertise. One example of a risk to women and children affected by domestic abuse going into these services would be that accommodation may not be single sex and not supported

by single sex workers. Recently, BSWA dealt with an incident of a woman and her children being placed into mixed-sex accommodation, who returned to our services looking for single-sex accommodation because she was sexually harassed by men in the same building and feared for her and her children's safety. We understand that MHCLG may intend this term to define very short term/emergency accommodation which women and children could go into for a few days or a week to establish their options in a safe environment. Some refuge services have properties such as this, but the level of provision of this type of accommodation is not clear and further consultation on this would be required if it is to be included.

A 'whole housing' approach, which includes safe housing options for women and children affected by domestic abuse across the private rented sector, social housing and alternative models of delivery - such as 'Housing First' - to meet the needs of women and children affected by domestic abuse experiencing multiple disadvantage - is essential to deliver in parallel to the duty. The full suite of housing options that must be available to women and children affected by domestic abuse at local level is not the same, however, as a definition for 'domestic abuse services' that are based in accommodation.

Q2 - Are there any other services, other than those listed, that you would define as an accommodation-based service?

No

We do not propose that additional services are added, but we recommend the changes to the definitions outlined in our response to question one are made.

Q3 - Do you agree with our definition of support?

Disagree

'On the definition for support, we support the current list provided and in particular the focus on 'specialist' staff. We recommend that a number of changes are made, however, to ensure this list is clear and accurately reflects the nature of service provision:

- An expanded definition of 'children's support workers' is needed to recognise the centrality of children with a refuge service and the comprehensive package of support that's provided - not only children's support workers and play therapists, but the essential safeguarding and child protection function and the practical measures to ensure that refuges provide a safe and supportive environment for children to recover from trauma. This includes BSWA refuge workers delivering support work with children and their mothers, significant engagement with children's social services and our Think Family team and BSWA's specialist court IDVA's supporting women and children affected by domestic abuse with contact arrangements in the family courts.
- Advocacy services should be added alongside advice, as staff not only provide information and advice but significant levels of support to women and children affected by domestic abuse. Significant amounts of work to represent, and advocate on behalf of, women and children affected by domestic abuse with multi-agency partners is also undertaken.
- We also disagree with the inclusion of outreach in this list. Outreach is not an 'accommodation-based' service as no accommodation is provided. It is not clear whether the government is proposing that outreach is funded through this model and, if so, why other community based support services, such as floating support, are not included. Whilst the local partnership boards should have oversight and a 'whole picture' of all domestic abuse service provision - not least because a refuge itself provides holistic support that is interconnected with a range of other domestic abuse and violence against women and girls services in the community - it is inaccurate to define these as 'accommodation-based services' and they should not be included in the definitions underpinning this new model of funding.

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

Suggested answer: yes

A clear definition of the specialist support that is provided 'by and for' groups of women and children affected by domestic abuse with protected characteristics including black and minority ethnic (BME) women, disabled and deaf women and lesbian, bi-sexual and trans (LBT) women, is required. Services run 'by and for' the communities they serve recognise the multiple forms of discrimination that women face and provide specialist support tailored to their specific needs and experiences. There are currently 36 refuges in England which provide dedicated spaces specifically for a particular group of women, 30 of which are run specifically for BME women (*Women's Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*). These are centres of excellence on the specific forms of violence which have a disproportionate impact on BME women and girls, who deliver specialist support workers that meet needs around language and immigration status, and have a critical understanding of discrimination, racism, and gender dynamics within family and community structures that shape BME women's experiences of domestic abuse (*Imkaan (2015) State of the Sector: Contextualising the current experiences of BME ending violence against women and girls organisations. London: Imkaan*).

As at May 2018, half of the specialist BME refuges in England are based in London and account for 65.5% of specialist refuge spaces (*Women's Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*). The very limited provision for BME women, which is mirrored in poor levels of provision for disabled, deaf and LBT women, is of serious concern and is a critical priority for this future funding model. 'By and for' services face significant challenges in a fully localised funding system, as whilst generally operating in one local authority area, they often provide regional or even national services for a specific population. 'By and for' BME refuge services have been severely impacted by local authority funding cuts and poor local commissioning practices, and will require additional safeguards under the proposed new statutory funding system if they are to be sustainable in the future. We support Imkaan's call for ring-fenced national funding for services led 'by and for' the communities they support, including refuge services led by and for BME women. We recommend that 'by and for' provision is listed as a specific category of support, and that MHCLG work with organisations including Imkaan, Galop, HOPE and Stay Safe East to define this accurately and ensure sufficient funding is delivered.

**Q5 - Do you agree with our approach of introducing a statutory duty underpinned by statutory guidance?
Suggested answer: agree**

BSWA warmly welcomes the government's commitment to a secure future for our national network of refuges. We believe that the proposed statutory duty could help to end the postcode lottery that women and children affected by domestic abuse currently face when trying to access support, improve accountability, and create more consistency in provision. We particularly welcome that the duty framing the provision of support is focused on accountability, and not specific service requirements, which could have led to statutory provision and not the delivery of independent, specialist services women and children need.

We are concerned, however, that without restricting the duty to deliver a clear definition of a refuge services, and establishing the safeguards set out below, the proposed duty could do harm. Without these measures in place, and in a context of restricted local authority budgets, we are concerned that the duty could incentivise generic provision that can be provided at lower cost but which do not have tackling domestic abuse and VAWG as their core strategic aim and do not have the expertise to deliver the specialist trauma-informed support that women and children affected by domestic abuse need. Since the devolution and removal of the ring fence on 'Supporting People' funding, local authority funding reductions and poor local commissioning practices that do not recognise the value of specialist services, have led to many refuges closing and many others being taken over by larger, generic service providers.

Women's Aid has presented clear evidence to government of poor commissioning practices that have resulted in the loss of, and/or a reduction in, the quality of refuge provision and the deterioration of services provided to women and children affected by domestic abuse. Research by the Lloyds Bank Foundation has shown clearly that current commissioning processes tend to favour larger organisations and contracts, and have a number of adverse impacts on smaller charities (*Lloyds Bank Foundation, 'Commissioning in Crisis:*

How current contracting and procurement processes threaten the survival of small charities', 2016). The impact has been acute within the specialist refuge sector and can be particularly harmful for 'by and for' providers - who don't have the resources to challenge decisions and are unable to reduce costs that large organisations can absorb within their overall budgets. Whilst MHCLG's welcome emergency funding since 2014 has helped to stem the flow of refuge closures in recent years, the funds have been extremely short-term and were based on a competitive application process which have not delivered sustainability. Our sector is still facing competitive tendering processes where costs have been driven down to the point where a safe, specialist refuge service with a planned programme of support is simply not deliverable.

To support the statutory duty, we firstly require the definitions of a 'refuge' and 'specialist' services to be clear and then for the following elements to be in place through statutory guidance:

Quality standards

MHCLG should use the established standards within the sector - including the VAWG Sector Shared Standards (*The Violence Against Women and Girls Sector Shared Core Standards have been developed by the Violence Against Women and Girls (VAWG) Sector Sustainability Working Group, formed in 2013 by Imkaan, Rape Crisis England & Wales, Respect, SafeLives and Women's Aid.*), our National Quality Standards and Imkaan's Safe Minimum Practice Standards - as requirements for provision within the statutory guidance. Quality standards, supported by national and monitoring oversight, are essential to ensure that women and children affected by domestic abuse are getting a good service and public money is spent cost-effectively.

Principles and safeguards

The guidance must also set out the core principles local authorities must deliver in order to provide women and children affected by domestic abuse with holistic, needs-led, women-only services that meet quality standards. The statutory guidance must clearly state that statutory provision of refuge is not a means of ensuring high quality and cost efficient services that meet the needs of women and children affected by domestic abuse. It must also clarify that statutory provision must never be based on a risk assessment framework, a gender-neutral understanding of domestic abuse, 'minimum standards' of provision or requirements for independent services to share personally identifiable data or information on their service users with local authorities or other public bodies.

Funding

Specialist refuges do not only save lives, they save the public sector money. We are calling for: sufficient and ring-fenced local funding, delivered through the proposed multi-agency partnership board, for specialist refuge provision which meet the needs of women and children affected by domestic abuse from all backgrounds; and sufficient and ring-fenced national funding for refuge provision which is led 'by and for' those it supports, such as refuge services led by and for BME women. Secure and long-term funding is needed to ensure that all women and children affected by domestic abuse can access specialist services who are sufficiently resourced to meet their needs - including through an equitable salary structure and staffing levels which enable safe caseloads.

Commissioning

This new funding framework must tackle long-standing and increasing challenges with commissioning which are increasingly complex and onerous, negatively impacting the specialist sector and therefore women and children affected by domestic abuse. We want to see the government end competitive tendering for domestic abuse services where it is not required, replaced with an approach based on quality and expertise. As the VAWG Commissioning Toolkit makes clear, grant-based funding, co-production and preferred provider partnerships should be used. The statutory guidance must compel local authorities to deliver the model through this approach.

Access

Ensuring fair access to services - including for women and children affected by domestic abuse from different local authorities and those with no recourse to public funds - is a priority. This will require additional

legislative reforms to bar local authorities from imposing 'residency requirements on those accessing refuge services, and changes to the Domestic Violence Rule (DVR) and Destitute and Domestic Violence Concession (DDVC) to ensure women with NRPF can access a refuge space in reality. Without these reforms, which we are calling for through the Domestic Abuse Bill, women and children will continue to face barriers to safety. Fair access also requires specialist refuge provision for women and children affected by domestic abuse facing intersecting forms of discrimination (including race and ethnicity, sexual orientation or disability) and multiple and severe disadvantage (including mental health and substance use needs, offending history and experience of prostitution) which can meet specific support needs.

National oversight

Local authorities must be held accountable for delivering the duty in accordance with statutory guidance. The 'national steering group' proposed should be replaced with a real accountability mechanism which has the powers and resources to ensure guidance is being implemented, and can ensure that the national network of refuges can operate safely and sustainably.

BSWA is clear that the safeguards above are essential for our support of the MHCLG's proposals.

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'?

Suggested answer - agree

We agree that this duty will best be delivered at this level. However, without the safeguards above, we are particularly concerned that placing this duty on upper-tier authorities could result in larger scale contracts across district or borough boundaries, which risk further incentivising generic provision. It will be challenging to ensure that commissioning decisions made by upper-tier local authorities are made on the basis of a collaborative, evidence-based understanding on need, and the nature and value of specialist refuge provision. The safeguards set out in our response to question five are therefore essential for our support for this approach.

Q7 - Do you agree that a duty to co-operate should be placed on Tier 2 Authorities and London Boroughs?

Suggested answer - agree

Whilst we support this approach, it is important to recognise that in many parts of the country, tier two local authorities not only hold the experience and expertise in funding and commissioning services, but have the responsibilities for homelessness too. It will be essential to ensure their expertise and intelligence informs strategic, joined-up commissioning for refuge services, and to establish safeguards which mean that the statutory duty does not further incentivise large-scale contracts which favour generic provision.

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

Suggested answer - agree

BSWA agrees with the proposed representation but call for guarantees that specialist services will be meaningfully represented, and supported to engage effectively, on these boards. Attending and providing expert input into governance structures can be resource intensive and services already undertake significant consultancy/advisory roles within local areas, providing knowledge and expertise to statutory agencies, which are often unfunded. BSWA is represented among a number of local boards and steering groups as a specialist domestic abuse and violence service provider. This is part of BSWA's four strategic priorities as it enables us to influence local and national violence against women and girls and domestic abuse and violence policy, strategy and support infrastructure. However, many staff members who attend these meetings are doing so on top of running a service with limited resource, thus amounting to further pressure.

We agree that local authorities should chair the board to ensure effective and coordinated decision making, but it needs to be recognised that local authorities do not hold the unique expertise that specialist services

have on provision and meeting need. We recommend that the government explore what mechanism (such as provider reference group) would be most effective to ensure that our expertise is utilised, and require local authorities to resource and administer this adequately as part of the duty. It is essential that those leading services 'by and for' groups with protected characteristics - including BME, LBT and disabled and deaf women and children affected by domestic abuse - who often face significant capacity constraints to engaging in multi-agency partnerships are represented, with appropriate resourcing to enable them to do so. Similarly, we recommend that women, as experts by experience, are represented on the board, with adequate support and reimbursement to engage meaningfully. For example, this could include:

- a requirement for the board to be co-chaired by a specialist service provider, with requirements for adequate resourcing and a mechanism to ensure the co-chair represents the views of other service providers in the local area; or
- a duty on the board to ensure service provider and women and children affected by domestic abuse views are reported on, and included in, the board's decision making with an explanation for reasons these are not accepted.

It is also critical that the other public bodies and commissioners - including PCCs, CCGs and representatives from public health, adults and children's services - engage meaningfully on the partnership boards. Currently there is only a statutory duty on the local authority to convene the partnership and tier two local authorities to cooperate - and not on the other crucial partners to attend and also deliver funding. There is of course a risk that these partners may withdraw from investing in refuge services because this new funding model is seen as the responsibility of local authorities and MHCLG.

Many services actively seek diverse ways to keep their services sustainable and a significant proportion of refuge services operate with no local authority funding at all. Nearly one in ten (9.1%) of respondents to the WAFE annual survey in 2018 stated that they received no local authority funding for their refuge service(s) for women (*Women's Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*). Whilst the statutory duty may help to resolve this, it is also essential to ensure that it does not lead to unintended consequences for the funding of the refuge sector, with other funders withdrawing their commitment to these life-saving services.

The government must consider whether additional duties - and financial responsibilities - on other partners such as PCCs and CCGs are required to ensure they are represented at sufficiently senior level on the partnership board and invest in the domestic abuse services that they accrue significant financial benefits from.

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

No

Whilst some local areas may have existing governance structures able to undertake these functions, we would be concerned if this significant new statutory duty becomes just one agenda item for a Community Safety Partnership or Health and Wellbeing Board. It would be unlikely that these governance structures will have the time or capacity to undertake the work required. The new partnership board could, however, sit underneath and report to a larger statutory structure - and we would recommend that this was the Health and Wellbeing Board to ensure that needs assessment for refuge provision is aligned with the Joint Strategic Needs Assessment (see response to question 13).

Q10. If you believe your local authority has an existing governance structure in place which could meet the proposed role of the Board?

No

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

Agree

We support the proposed duty but highlight that whilst in some areas strong multi-agency partnership arrangements between specialist services, commissioners and multi-agency partners are well established, in others there may be significant challenges in setting up collaborative boards that meet the needs of women and children affected by domestic abuse.

Since 2014 MHCLG have required local authorities and specialist services to work in partnership to access funding for accommodation based domestic abuse services. During this time the sector has seen examples of extremely poor partnership working, including the exclusion of specialist services in planning and delivering services, and failures to collaboratively assess local need and provision, resulting in service duplication and overlap. It is essential that the new local multi-agency boards learn from these lessons and deliver equitable, effective partnerships which are truly effective in delivering person-centred services that meet the needs of users and secure value for money. Measures to ensure meaningful representation of women and children affected by domestic abuse and service users, as set out in the response to question eight, will be essential.

In addition, the government must consider whether additional duties - and financial responsibilities - on other partners such as PCCs and CCGs are required to ensure they are represented at sufficiently senior level on the partnership board and invest in the domestic abuse services that they accrue significant financial benefits from.

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

Agree

We support the role of partnership boards in overseeing service provision with a clear governance and accountability framework, and through undertaking needs assessments, developing local area strategies, commissioning services and reporting on outcomes. As made clear in the government's VAWG Commissioning Toolkit, however, we recommend that there is also a focus on the co-production of service provision. Best practice commissioning for domestic abuse and VAWG is based on an understanding that 'women and children affected by domestic abuse are experts in their own lives and are integral to the design of services' and that 'specialist service providers have a breadth of expert knowledge and experience to draw on' (*Home Office, Violence Against Women and Girls Services: Supporting Local Commissioning, December 2016. Accessible online*). Overseeing co-production that involves women and children affected by domestic abuse and specialist service providers in the whole commissioning process - including needs assessment, strategy development, monitoring and reporting - should be established as essential role for the partnership board.

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

Agree

Robust needs assessments are essential for the planning, commissioning and delivery of quality service provision. The individual and often multiple needs of women and children affected by domestic abuse need to be understood to ensure they receive the 'right response', not generic services that fail to respond to their experiences of trauma and often multiple forms of discrimination and disadvantage and therefore do not deliver positive outcomes for service users or value for money. The specific needs, issues and barriers that are experienced by people with protected characteristics under the Equality Act 2010 are also essential to consider.

However, we are clear that an assessment of demand at national, as well as local, level will be essential to underpin this new model. Local needs assessment cannot be based on local data alone - as around two thirds of women escaping into refuge are from a different local area. Whilst local partnership boards assessing need for women and children affected by domestic abuse is essential, it will only be effective if it

includes an assessment of demand at a national level too. Given the inextricable links between domestic abuse and homelessness, it is important to ensure that needs assessments for domestic abuse and VAWG are aligned to - and inform - local needs assessments for homelessness and rough sleeping, in which women's needs are often missing. In Birmingham, domestic abuse accounted for 15% of all reasons to homelessness and remains the second most common reason to homelessness in the city (*Sample of 200 from case load 2018/2019, Birmingham City Council, Housing Department*). BSWA's Housing Options Hub helps to tackle the problem of disjointed housing and domestic abuse agencies working in silos. The Hub has enabled women affected by domestic abuse to explore their housing options with the added wraparound of it being delivered by a specialist domestic abuse organisation. Further detail on effective needs assessment is provided in our response to question 18.

In addition to needs assessment, the partnership board should be responsible for delivering gap analysis - which maps service provision and spend and identifies gaps in provision, and is essential for developing effective local strategies and commissioning priorities.

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

Agree

A strategy setting out a clear vision, aims and priorities - with established funding and lines of accountability - is essential for a robust response to keeping women and children affected by domestic abuse safe and providing quality support. It is currently not clear, however, whether the intention for the partnership would lead a strategy on all service provision for domestic abuse and VAWG at tier one local authority level, or whether this would be restricted to accommodation based services alone. Further clarity is needed on this.

Refuge services are a critical component of support provision for women and children affected by domestic abuse within a community, which should include, but is not limited to: advocacy; outreach; drop in services; group work and peer support; training for a range of professionals; multi-agency work including co-location; prevention, education and awareness-raising activities; local helplines; and perpetrator management. Many refuge providers provide many of these services alongside their 'accommodation-based' service. Refuges are also an integral component to a 'whole housing' approach to domestic abuse which ensures that women and children affected by domestic abuse can access a range of safe housing options based on their needs.

There are numerous interconnections between accommodation based and community services that need to be considered when setting up a new multi-agency board for domestic abuse at local level. It will be a missed opportunity if this new local accountability structure does not oversee wider domestic abuse and VAWG support provision, and it may be appropriate for the board to develop and lead a wider local strategy in this regard. We are clear, however, that the focus of the duty and the funding commitment that underpins it must be on delivering a sustainable future for specialist refuge services. Without this robust focus, we will continue to see women and children turned away daily at their point of highest need, and unable to access the safety and life-saving support they need to begin recovery and independence.

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

Agree

Whilst we support this approach, it is important to recognise that in many parts of the country, tier two local authorities not only hold the experience and expertise in funding and commissioning services, but have the responsibilities for homelessness too. It will be essential to ensure their expertise and intelligence informs strategic, joined-up commissioning for refuge services, and to establish safeguards which mean that the statutory duty does not further incentivise large-scale contracts which favour generic provision. This also reiterates why embedding specialist service providers into Local Partnership Boards is so important. The Housing Options Hub set up in Birmingham between BSWA and the local Tier 2 authority, Birmingham City Council, is an example of this model of partnership working well. The positive feedback received from

women who have used this service is a testament to the collaboration between a local specialist domestic abuse service partnering with a Tier 2 authority to influence service provision and full understanding of needs, to provide a service which is effective and efficient. One of the women said: “I was amazed that I got a support worker who speaks my language (Bengali) and understood my experience without needing to explain in-depth over and over again. This made it so much easier for me and I felt listened to and understood. I am so grateful for all the support received by several staff who made my day comfortable and is very much appreciated. I have not received support in this way before so was very pleased”.

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

The national network of refuges continues to face a funding crisis, with an uncertain funding landscape, short-term contracts and poor commissioning practices continuing to provide a major barrier to services meeting demand from women and children affected by domestic abuse seeking safety.

The Council of Europe recommend that, at a minimum, one family place in a refuge should be provided per 10,000 head of population (*Kelly and Dubois, Combating violence against women: minimum standards for support services, Council of Europe, 2008. Accessible online.*). While this is only an estimate, and may no longer be sufficient to fully meet women’s and children’s needs, it is a recognised benchmark for measuring adequate levels of supply. Data from Routes to Support shows that, according to the Council of Europe recommendation, as at May 2018 there was a shortfall of 1,715 bed spaces in England (*Women’s Aid (2019) The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women’s Aid*).

Almost 60% of all referrals to refuge services in 2017–18 were declined (for any reason). Over one in six of these referrals were declined due to a lack of space or capacity to support the women and children affected by domestic abuse. BSWA receives on average over 88 requests for refuge space in a month, with an average of 18 allocated. This number fluctuates dependent on the time of year, with a peak usually during or after big holidays or during the summer. BSWA has a very limited number of refuge spaces available at any time, with pressure mounting due to the lack of move-on accommodation available in the city. This is especially true of accommodation for large families, with only 13 houses with six bedrooms or more owned by the local authority (Housing Options in Birmingham, Birmingham City Council, February 2019). However, due to the service available through the Housing Options Hub, most women who present or book appointments are able to receive tailored domestic abuse and homelessness support for a variety of housing related issues. This service enables BSWA to support women in finding alternative suitable accommodation and advocating for their rights to receive that.

Demand figures also mask the significant barriers facing certain groups of women and children affected by domestic abuse from accessing safety: fewer than one in five refuge vacancies in 2017–18 could accommodate a woman with two children, and only 1.0% of vacancies were in rooms fully accessible for wheelchairs (*Women’s Aid (2019), The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women’s Aid*). Urgent, secure and long-term funding is needed to ensure that all women and children affected by domestic abuse can access specialist services who are sufficiently resourced to meet their needs.

The scale of unmet demand remains unrelenting. It cannot be forgotten that behind these statistics are the experiences of women and children who are at serious risk of harm and murder. Women’s Aid’s Nowhere to Turn Project, funded by MHCLG, has shown clearly that women and children affected by domestic abuse unable to access a refuge space are faced with the ‘choice’ of rough sleeping, sofa surfing or returning to the perpetrator. During this time, women were subject to further injury and harm, others spent time in hospital, and the police were required to respond to further incidents (*Women’s Aid (2018), Nowhere to Turn: Findings from the Second Year of the No Woman Turned Away Project, Bristol: Women’s Aid.*). Specialist refuges do not only save lives, but they save the public sector money. As members of Women’s Aid Federation of England, we are calling for the proposed statutory duty to be underpinned with:

- sufficient and ring-fenced local funding, delivered through the multi-agency partnership board, for specialist refuge provision which meet the needs of women and children affected by domestic abuse from all backgrounds;
- sufficient and ring-fenced national funding for refuge provision which is led 'by and for' the communities that it supports, such as refuge services led by and for BME women.

Women's Aid's national response will provide an estimate of the national funding that will required to deliver a safe, sustainable national network of refuges.

It is highly unlikely that this model will be fully established and embedded across England by April 2020. In the interim, there remains significant uncertainty about the security of funding for refuge services across the country. In some areas, the end of the 2018-2020 funding round carries significant risk that refuge services will have to close if there is no other funding stream in place. We recommend that MHCLG look at repeating the transitional funding arrangements that preceded Supported People Funding to ensure the refuge sector is in a stable state for the implementation of the proposed duty. It would be hugely concerning if any further refuge services were forced to close before the new statutory system is in place.

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

Answer: N/A

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?

Suggested answer: yes

A standardised approach may help to improve consistency and quality of local needs assessment. However it is essential that a national needs assessment for refuge service is also regularly undertaken to underpin this new model. Local needs assessment cannot be based on local data alone - as refuges are a national network of services in which around two thirds of women and children resident are from a different local area.

We recommend that the national oversight mechanism should hold responsibility for developing a national needs assessment - which would include the national need for services led 'by and for' groups with protected characteristics, the need for which is unlikely to be identified in local needs assessments at all. Women's Aid currently holds extensive data on the need for specialist support services, including the severe current gaps in provision for BME, LBT and disabled and deaf women and children affected by domestic abuse and data on service provision for males affected by domestic abuse. Data from the national oversight mechanism should then be reflected in the standardised local assessments. As well as informing the partnership board's strategy and commissioning decisions, and aligning with other processes - such as homelessness and rough sleeping strategies - the outcome of this should sit within a high profile public document - - such as the JSNA - to ensure that is effectively prioritised and scrutinised.

In addition to the inherent challenge of assessing local need for a national service, there are further challenges in robustly assessing local need for domestic abuse support which the standardised assessment will need to resolve. As many women affected by domestic abuse do not report, prevalence data alone are not enough for an assessment of need because this data tell us nothing about the impact of the abuse and the sort of support required. Many women affected by domestic abuse are also "hidden" in local needs assessments, due to gaps in protected characteristics, equalities data and the significant numbers of women who are experiencing homelessness - including rough sleeping and sofa surfing - whose experience is not captured. Utilising the expert advice of specialist services is therefore critical for developing a full and accurate understanding of local need. Current guidance makes clear that VAWG commissioners should conduct effective assessments of the local client group and service provision in partnership with specialist services (*Home Office, Violence Against Women and Girls Services: Supporting Local Commissioning*,

December 2016. Accessible online). As the government recognise, however, local funding decisions are not consistently made on the basis of robust data on need and provision (*HM Government, Ending Violence Against Women and Girls Strategy 2016-2010. Accessible online*) and significant challenges in how commissioners work in partnership to assess need remain.

It is essential that a local standardised assessment works to tackle these challenges, and that it is underpinned by a robust assessment of need and demand at national level to ensure that the demand for refuge spaces can be met by specialist services resourced to meet women and children's needs.

Q19 How often should the needs assessment be conducted?

We recommend that a local needs assessments should be completed every three to five years, depending on commissioning cycles. The national needs assessment should be updated a minimum of once a year.

Q20. Do you agree with Local Partnership Boards making commissioning decisions in partnership with Tier 2 Authorities?

Agree

We recognise that it may not be appropriate for all members of the partnership board to make commissioning decisions, as there may be conflicts of interest. However, we restate that there must be a strong focus on co-production and recognition that commissioning for domestic abuse and other forms of VAWG is only effective when done in partnership with women and children affected by domestic abuse and specialist services who should be involved at each stage of the process - from needs assessment to planning, delivery and evaluating.

BSWA want to see this new funding model end competitive tendering for domestic abuse services where it is not required, replaced with an approach based on commissioning and procurement for quality and expertise. As the Scottish Government recognise, competitive tendering processes for domestic abuse and VAWG services are also associated with significant, and often wasteful, resource implications. The resources required can bar well-established, local specialist services from participating equally in the procurement process, ruling them out by the design of the tender. When resource implications are accounted for, the value of tendering as a means of securing cost-savings can be undermined too (*COSLA and Scottish Women's Aid, Good Practice in Commissioning Specialist Domestic Abuse Services, accessible online*). The chief executive of one Women's Aid member service was required to bid within a competitive tendering processes where she worked 70 hours of overtime in one month, and then came first out of one bid. BSWA has come to recognise, over a number of tender cycles, that often generic services win tenders based on their quoted price of service. However, pricing is not always a reflection of the quality of the service on offer; which has been the case in a number of tenders where BSWA has not won the bid, even though we have scored higher on quality.

We call for clarity from national government that European Union (EU) procurement laws only apply to tenders and contracts above a certain amount – currently 750,000 EURO (https://ec.europa.eu/growth/single-market/public-procurement_en) – and are not required for services identified to be of social benefit, such as refuges. The EU has introduced reforms designed to make it easier for charities and independent providers to compete in procurement processes. However, the complexity of EU legislation has meant that many commissioners often fail to implement these provisions fully. We are aware of some commissioners who have been unaware that they do not need to establish a procurement process when commissioning a domestic abuse service of a value under 750,000 EURO, and others who fail to implement their own policies in this regard. Furthermore, a number of Member States have taken the decision to exempt domestic abuse services from EU procurement rules altogether, which the UK Government should consider.

The statutory guidance underpinning this model must end competitive tendering for domestic abuse services where it is not required, replaced with other options - such as long-term grant funding - where possible. The focus of commissioning and procurement should be on quality and expertise, including recognition of the value of continuity of service, well-established local providers who are part of a multi-agency response to domestic abuse, and the views of women and children affected by domestic abuse.

Q21. Do you agree that standardised reporting would promote accountability and transparency for the provision of support for victims and their children?

Agree

BSWA agrees that reporting should be standardised. Currently, specialist services face huge amount of differing and contradictory monitoring requirements for the range of different funders we report to - yet conversely there is no clear oversight, monitoring or accountability at national level. A standardised approach is important for transparency, monitoring funding and local commissioning, and ensuring that services are meeting agreed standards and providing value for money. It would also help to identify best practice in different local areas, and highlight gaps in service provision. It is essential that the monitoring framework works to identify both high and poor quality services, and the impact that changes to provision have on service quality.

Standardised reporting must be developed from established frameworks for standards and outcomes monitoring within the sector - including Women's Aid's Quality Standards and On Track case management and outcomes management system, and Imkaan's Safe Minimum Practice Standards and Synthesis system. A monitoring framework must streamline the multiple reporting requirements services are currently required to complete, and must not introduce onerous new requirements. In particular, when a service has been quality assured and assessed to meet established quality standards, a light touch monitoring process is suitable.

National, as well as local, monitoring and reporting, will be required to evidence that there is adequate provision for all women affected by domestic abuse, including for BME, LBT and disabled and disabled women and children affected by domestic abuse, as well as ensuring that those escaping to refuge from a different local authority are able to access services. This should be the responsibility of the national oversight mechanism.

Q22. Do you agree with the reporting themes suggested?

Agree

Although we agree with the themes suggested, far more detail on how monitoring and reporting on the effectiveness of local needs assessment, strategies and commissioning decisions will work, as well as the government's proposals for outcomes and impact monitoring, is required before we are able to comment. For example: which partners and stakeholders will be included to provide evidence of how effectively a local partnership is working; how will data analysis, assumptions and conclusions on these reporting themes be quality assured; and how will the views and experiences of women and children affected by domestic abuse be captured in this regard.

The outcomes and impact of service delivery and local decision making requires far more definition, in line with the data that providers already collect and report on. This must not introduce onerous new requirements on providers, and must operate in line with existing frameworks, as set out above. In addition, the funding underpinning the new statutory duty must include the costs of monitoring, reporting and evaluation for both service providers and local authorities, as these can incur significant management and staffing costs which are far too often not resourced through current funding arrangements.

Q 23 Do you agree with the role and remit of the National Steering Group?

Agree

BSWA is concerned that the national steering group proposed will not be able to deliver the significant reforms required to deliver a sustainable funding system that ensures the national demand for support is met in services resourced to meet the needs of women and children affected by domestic abuse. We recommend that the government adopts a 'national oversight mechanism', as set out Women's Aid's proposed 'hybrid' funding model for refuges published in 2018. This model is essential to ensure that a largely local system of funding and commissioning is underpinned by national oversight that provides assurance no women and children affected by domestic abuse are turned away from the support they need. We are not assured that a 'steering group' alone will plug the significant gap in national accountability for the commissioning, funding and provision of refuge services.

This national oversight mechanism would: hold the responsibility for undertaking a national needs assessment to feed into a standardised local needs assessment; have the ability to effectively hold local partnerships to account for delivery (with ability to sanction where required in cases of dangerous or inadequate practice or provision); have oversight of funding allocation, including ring-fenced national funding for 'by and for' services; have rigorous oversight of the monitoring framework for effectiveness of local partnership arrangements, service provision, standards and outcomes, including the quality of accommodation; and be responsible for securing value for money.

We note the proposal for a standing agenda item for the national steering group to consider whether the support needs of all women and children affected by domestic abuse are being met through the provision of support services that serve both a national and local need, including for BME, LBT or people of faith, and their children. We agree with Women's Aid that this will not be enough to safeguard the specialist 'by and for' led BME services which continue to be disproportionately impacted by local cuts and poor commissioning decisions. The national oversight mechanism should deliver a national needs assessment and national ring-fenced funding for 'by and for' led BME services and others with protected characteristics.

Q 24 Do you agree with the proposed representation on the National Steering Group?

Disagree

As set out above, BSWA would like to see a national oversight mechanism established. In addition to representatives from local government, Police and Crime Commissioners (PCCs), health bodies, specialist domestic abuse service providers, and housing associations, membership of this mechanism should include women and children affected by domestic abuse, and national specialist bodies for those with protected characteristics such as Imkaan, Galop, Deaf Hope, Stay Safe East and Shaping Our Lives. The mechanism should also include the expertise of grant funders like Lloyds Bank Foundation, the Big Lottery Fund and BBC Children in Needs, who already invest hugely in the sector, have significant expertise in grant scrutiny processes, and can be involved in overseeing an effective funding process.

In addition, all government departments who have a responsibility for ensuring a sustainable future of the refuge sector - including the Department for Education, the Department for Health and Social Care, DWP, Ministry of Justice and the Home Office - should be required to attend. We call for MHCLG to consider both how to ensure these departments are represented at sufficiently senior level, and how they can be incentivised to provide funding to the services that they accrue financial benefits from.

Finally, while MHCLG will be crucial in setting and monitoring the delivery of standards and provision, it is important that the mechanism has a level of independent oversight. The government should consider the links between this mechanism and the proposed new Domestic Abuse Commissioner, and whether the Domestic Abuse Commissioner could be an appropriate, independent chair for a national oversight mechanism.

Q 25 Do you agree with the overall approach of the statutory guidance?

Agree

We agree with the introduction of statutory guidance, which could be a powerful tool for improving the consistency and quality of provision. However, BSWA agrees with Women's Aid that the guidance must be informed by learning from the implementation of previous guidance delivered by MHCLG and the Home Office on service provision in our sector - including the National Statement of Expectations for VAWG Services and the 'priorities' for domestic abuse services. Unfortunately, without robust requirements and national oversight, guidance does not equate to consistent delivery across the country. Statutory guidance must set out clear requirements - and not only 'priorities' or 'expectations' - for standards and service provision that are then monitored and assessed by the national oversight mechanism with powers to hold local authorities accountable for inadequate and unsafe provision.

Q 26 What else would you like to have set out within the guidance?

We recommend that the statutory guidance includes requirements for:

- Standards for local delivery and service quality, including the provision of services that meet recognised quality standards and deliver positive outcomes for women and children affected by domestic abuse. Without appropriate safeguards around service quality and standards the proposed statutory duty could further incentivise generic services which can be provided at lower cost but which do not have the expertise to deliver the specialist support services that women and children affected by domestic abuse. The VAWG Sector Shared Standards, Women's Aid's National Quality Standards and Imkaan's Safe Minimum Practice Standards should be used as the basis for this, but should be established as 'requirements' with a clear monitoring and accountability framework, rather than 'priorities' or 'expectations'.
- How the partnership board should exercise their functions as outlined in the statutory duty, should include: clarity that competitive tendering should end where it is not required; a prohibition on inadequate practices - such as 'local connection' restrictions on women and children accessing refuges, gender-neutral service provision, a risk assessment framework for access to services, statutory service provision and requirements to share data or information on service users; and the need for the partnership board to lead co-production with women and children affected by domestic abuse and specialist services.

The statutory guidance should also set out essential elements of best practice - as outlined in the VAWG Commissioning Toolkit and recently published statutory guidance on commissioning for Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) services in Wales - for the partnership boards to deliver. Both these documents set out best practice in: co-production; collaboration, partnership and governance; needs assessment; mapping current provision and spend; equality impact assessments; delivering a plan and strategy; procurement and commissioning (including grant funding); and monitoring and measuring outcomes.

Q 27 What support would you find most useful to meet the requirements of the statutory duty and guidance?

If the proposed new statutory system is to deliver the government's aim of 'providing support to all women and children affected by domestic abuse', it will be essential that the following measures are implemented alongside the guidance:

- Adequate levels of sustainable, long-term funding: meeting the support needs of diverse groups of women and children affected by domestic abuse will only be possible if the government commits to additional funding to ensure that the needs of those facing multiple barriers to accessing services and multiple forms of disadvantage can be met in adequately resources services at a local level, and ring-

fenced national funding for the 'by and for' sector to ensure women and children affected by domestic abuse have choice in the service provision they access.

- Further measures to deliver real accountability and oversight: the national oversight mechanism requires powers to be able to respond to, and sanction, local partnership boards where they are failing to deliver the statutory guidance - for example a mechanism through which they can intervene until compliance with the requirements in guidance is demonstrated.

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

No

Whilst BSWA strongly support the aim to ensure the needs of all women and children affected by domestic abuse it is not clear what the government are proposing in terms of actual changes or reforms, or what 'helping ensure' provision of support means. Access to support for certain groups of women and children affected by domestic abuse remains a severe challenge given the current demand and capacity constraints within the national network of refuges. It can be extremely difficult for a woman to access a refuge space if she is disabled or deaf, or if she has support needs around mental health or substance use. Women with no recourse to public funds face insurmountable challenges in accessing a refuge space. Statistics from Women's Aid's Annual Audit report show this starkly. In 2017-18:

- 17.3% of all refuge services have a specialist mental health support worker(s);
- 8.9% of all refuge vacancies have a specialist drug or alcohol worker;
- just 1.0% of vacancies were in rooms fully accessible for wheelchairs and a further 1.2% were suitable for someone with limited mobility;
- and only 5.8% of refuge vacancies would even consider a woman who had no recourse to public funds. (*Women's Aid (2019), The Domestic Abuse Report 2019: The Annual Audit, Bristol: Women's Aid*)

Meeting the support needs of diverse groups of women and children affected by domestic abuse - including BME women, LBT women, disabled and deaf, young and older, those with offending history, people of faith, those with mental health or substance use used, those with no recourse to public funds, women and children from the Gypsy, Roma and Traveller community, males, and those forced to flee their local area - will only be possible if the government:

- commits to additional funding for refuge services to ensure that the needs of those facing multiple and severe forms of disadvantage can be met in adequately resourced specialist services, and delivers ring-fenced national funding for the 'by and for' sector to ensure women and children affected by domestic abuse facing multiple forms of discrimination have choice in the service provision they access;
- establishes a national oversight mechanism with responsibility for undertaking a national needs assessment, which is essential for ensuring that the needs of women and children affected by domestic abuse facing multiple forms of disadvantage and discrimination are captured and can inform provision;
- delivers urgent legislative reforms to protect women and children affected by domestic abuse through the Domestic Abuse Bill - including changes to the eligibility of the DDVC and DVR, a ban on local authorities imposing local connection restrictions on refuge services, and automatic entitlement to priority need for housing - as set out below.

We are particularly concerned by the government's assertion that this approach will 'respond to the needs of' women and children affected by domestic abuse with no recourse to public funds. Without legislative changes to ensure that women with NRPF can access the welfare benefits required to fund their housing costs within refuges, and to enable local authorities to spend public funds, this will not be possible. Due to their continued funding constraints, very few refuges are able to provide the funding required to pay for a woman with NRPF's stay within a refuge. BSWA welcomes the new Home Office amendments of the Domestic Abuse Guidance for women seeking asylum in the UK (*published 16 July 2019*) and encourage this to be extended to all women deemed NRPF. BSWA urges the Home Office and Police to set down clear boundaries which prioritise the protection of women and children experiencing domestic abuse, above their immigration status. The No

Woman Turned Away project run by Women's Aid has shown starkly that the majority of women with NRPF searching for a safety for themselves (and their children) are not able to access the DDVC - which provides time limited access to benefits whilst a woman affected by domestic abuse applies for indefinite leave to remain under the Domestic Violence Rule. 67% of the women supported by Women's Aid's No Woman Turned Away project in 2016 who had no recourse to public funds were not eligible for the DDVC because they were not on a spousal visa (*Women's Aid, Nowhere to Turn: Findings from the First Year of the No Woman Turned Away Project, 2017. Accessible online*). We are calling for the Domestic Abuse Bill to deliver urgent changes to the eligibility and time limit for the DDVC and DVR.

It is a well-established fact that women escaping to refuge will often need to flee from their local area in order to be safe from a perpetrator of domestic abuse. Refuges are a national network which by necessity support women and children affected by domestic abuse from outside of their local area, but we remain highly concerned that local authorities continue to impose local connection restrictions on refuges through funding and commissioning processes. Current government guidance (*Home Office, Violence Against Women and Girls Services: Supporting Local Commissioning, December 2016. Accessible online*) has not prevented this from continuing, so we are concerned that statutory guidance will not deliver the assurance we need. We are calling for a statutory bar on local authorities imposing local connection on refuges within the Domestic Abuse Bill. This is essential to ensure that women and children affected by domestic abuse who have to escape from their local area to stay safe can do so.

In addition, it is also critical to ensure that women and children affected by domestic abuse moving-on from refuges - and those who do not access a refuge space - are automatically categorised as in priority need for housing. Domestic abuse frequently leads to homelessness - but not everyone is guaranteed access to safe and secure housing after they've escaped from a perpetrator. Although fleeing domestic abuse is classified as a 'vulnerability' under Part VII of the Housing Act 1996 and the Homelessness Act 2002, in reality domestic abuse in isolation is rarely considered to qualify someone as in priority need if they do have an additional vulnerability. It is essential that the Domestic Abuse Bill ensures individuals fleeing domestic abuse are automatically considered in priority need for housing, as is already the case in Wales and Scotland.

Q29. What more could the Government do to ensure the needs of victims and their children with protected characteristics are supported?

Suggested answer:

Alongside sufficient and ring-fenced local funding, delivered through the multi-agency partnership board, for specialist refuge provision which meet the needs of women and children affected by domestic abuse from all backgrounds, it is essential that the government recognise that the proposed duty will not secure the future of specialist services led 'by and for' BME, LBT, disabled and deaf women, who lead services of significant national importance. The 'led by and for' model is unique; it offers choice to women from marginalised communities to receive tailored support from services that reflect their identities and have developed particular expertise in tackling the barriers they face.

These services face significant challenges in a fully localised funding and commissioning structure. As well as defining 'by and for' support clearly within this model, further measures are required to safeguard their future. We recommend that the government establish a national oversight mechanism to oversee the delivery of sufficient and ring-fenced national funding for refuge provision which is led 'by and for' the communities that it supports.