

Domestic Abuse Services: Future delivery of support to victims and their children in accommodation-based domestic abuse services

Summary:

- A new statutory duty around the response to domestic abuse is much needed and should create:
 - more consistency in provision and support across different areas to help end the postcode lottery of responses to domestic abuse
 - improved accountability.
- The new duty needs to recognise that refuges provide a *specialist* provision which is equally recognised in funding arrangements:
 - sufficient and ring-fenced local funding needs to be delivered through the Local Partnership Board for specialist refuge provision which meets the needs of victims and survivors from all backgrounds; alongside
 - sufficient and ring-fenced national funding for refuge provision which is led with, by and for the communities that it serves such as refuge services led by and for BAME and LGBT+ communities.
- If Government is to meet its objective of supporting *all* victims and survivors, the new statutory duty must be extended to include all specialist services for victims and survivors of domestic abuse, with sufficient funding allocated to support this.
- The new duty should be based around meeting the full spectrum of needs surrounding domestic abuse, rather than only on a specific service. Needs should inform the scope of the service, with funding allocated in the most appropriate way to meet that need.
- Sufficient support must be available for a diverse range of groups, with statutory guidance and funding recognising the importance of with, by and for organisations.
- The new duty should apply to both Tier 1 and Tier 2 local authorities, with a duty on other relevant agencies to engage in Local Partnership Boards.
- The National Steering Group needs to have sufficient powers to hold areas to account and to ensure there is sufficient funding at both a local and national level. It should be chaired by the new Domestic Abuse Commissioner.
- Domestic abuse services are already facing major funding challenges and significant uncertainty over their future. Transitional funding should be put in place to ensure the sustainability of services until any new system is in place. This is particularly important given the uncertainty surrounding development of the Domestic Abuse Bill.

1.0 Introduction

This consultation response is submitted on behalf of Lloyds Bank Foundation for England and Wales which partners with small and local charities right across England and Wales who help people overcome complex social issues. Through long-term funding, developmental support and influencing policy and practice, the Foundation helps those charities make life-changing impact. The Foundation is an independent charitable trust funded by the profits of Lloyds Banking Group as part of their commitment to Helping Britain Prosper.

The Foundation has supported specialist local charities tackling domestic abuse for approximately 35 years. In 2018 we supported 101 specialist local domestic abuse charities across England and Wales. Since 2015 we have also run a strategic national programme to help the domestic abuse sector develop new approaches and respond to the challenges facing it, investing an additional £4million+ alongside our core funding and development support. This has included investing more than £1.3m to support specialist, local charities to survive in a tough commissioning environment, enabling Women's Aid, Imkaan and Welsh Women's Aid to work with charities and commissioners to support the sustainability of services. Alongside this we worked with these partners and SafeLives to develop violence against women and girls commissioning guidance, supported by Welsh Government in Wales and adopted by Home Office in England.

Our funding is focused on local, specialist charities which have an income under £1m. These charities, embedded in the communities they serve, provide vital services to people affected by domestic abuse yet they face extreme pressures in meeting rising and more complex demand as funding has become increasingly difficult for small and local charities to secure. It is critical that a new statutory duty is introduced to ensure that these services can continue to provide essential support to all those affected by domestic abuse and as such, the Foundation welcomes the opportunity to respond to this consultation. In particular, we are pleased that Government is seeking to address the long-running problem of refuge funding, recognising that local refuges form part of a national service and funding needs to reflect this. However, the Foundation believes the new duty both needs improving so that it more clearly supports the sustainability of refuges and extending so that it includes other services to fully meet the needs of all those affected by domestic abuse.

2.0 Scope of support

2.1 Statutory duty

The Foundation welcomes the development of a new statutory duty for domestic abuse services. A requirement on local areas to provide specialist support is very much needed, but we have **grave concerns about the impact of only including accommodation-based services within the remit of this duty**. It is critical that the statutory duty for local authorities to provide domestic abuse services extends to providing the full range of domestic abuse services victims, survivors and perpetrators require to escape, recover from and prevent abuse.

Local authorities are under extreme financial pressure. Research published for the Foundation by New Policy Institute in 2018 highlighted the difficult decisions councils are having to take when it comes to services for people most at risk, with huge shifts away from preventive work and towards crisis support. Perhaps most concerning is that 97% of the cuts to services for people most at risk have fallen in the most

deprived fifth of local authorities¹. When faced with such financial pressures, **there is a serious risk that local authorities will revert to only funding services where they have a statutory duty to provide support**. Even if the intention alongside this new duty is that Local Partnership Boards will consider all domestic abuse services as part of the needs assessment, local authorities facing huge gaps in funding may well revert only to funding accommodation-based-services they have a statutory duty to provide.

It must be remembered that **there is a huge range of services that are provided to victims and survivors outside of accommodation-based support**, such as drop-in, re-settlement support, IDVAs, local helplines, outreach, group work, peer support and wider awareness-raising and prevention support. While many of the charities we support do provide accommodation-based services, a significant number do not. Even those who do provide accommodation-based services also typically provide a wide range of non-accommodation-based support as well. These other services are a core part of ensuring an effective response to domestic abuse. Indeed, more victims and survivors are helped out of accommodation than in – last year, refugees in England supported just over 12,000 victims and survivors of domestic abuse², while SafeLives estimate that IDVA services supported approximately 60,000 victims and survivors³. The new approach **cannot achieve its stated aim of ‘supporting all victims of domestic abuse’ if the new duty only applies to accommodation-based support** because there is a very real danger that excluding wider support from the new statutory duty could see local areas withdraw funding for these vital services.

Furthermore, despite the consultation document frequently referencing the need to support *all* victims, the wording of the proposed duty on local authorities reverts to ‘meet the support needs of victims and their children’. The **formal duty should be strengthened to reflect the ambition of the provision to support all victims and their children**. This includes supporting specialist provision for BAME, LGBT+, disabled and other communities of victims and survivors, those with no recourse to public funds and those who stay in their homes and/or family and do not want or cannot leave for a refuge. Also, while it is proposed that the statutory guidance will make clear the **need for all areas to provide support to victims and their children from outside of their local area** and to work with local authorities to allow victims easy movement from one area to another whilst ensuring their safety, this too **should be included within the wording of the new duty**.

It is **important that local authorities ensure sufficient support is available for a diverse range of groups**, including BAME, LGBT+, disabled, male, young (aged 16-18) and older victims, offenders, people of faith, those presenting with complex needs (including those with mental health and/or substance misuse needs), those with no recourse to public funds, insecure immigration status or from isolated and/or marginalised communities, as well as their children (including adolescent male children). While it is welcomed that this will be referenced within the guidance, **the Foundation recommends that this is also more clearly included within the new statutory duty and that local authorities more than ‘consider’ these groups** – stronger emphasis is needed on making sure these needs are met, rather than only having to ‘consider’ them. We have seen the consequences of such language in social value legislation, with social value not yet achieving the ambitions of government in part because the duty is only to ‘consider’ social value. **Reference also needs to be given to organisations which are led with, by and for these communities**. The Foundation supports the work Government is already undertaking with organisations such as Galop, Imkaan and Stay Safe East. This should be further developed, **supported by**

¹ [A Quiet Crisis: Local government spending on disadvantage](#), 2018, New Policy Institute

² [The Domestic Abuse Report 2019: The Annual Audit](#), 2019, Women’s Aid Federation of England

³ [Latest Marac National Dataset](#), 2019, SafeLives

new a statutory guidance that recognises that importance of ‘with by and for’ organisations.

2.2 Specific funding for accommodation-based services is needed

The Foundation believes that **ring-fenced funding is needed for refuges** – with 60% of referrals to refuge turned away⁴, it is clear that the level of need far outweighs resource and is likely to continue to rise as awareness of domestic abuse increases. The Foundation supports Women’s Aid’s call for **sufficient and ring-fenced local funding** delivered through the Local Partnership Board for specialist refuge provision which meets the needs of victims and survivors from all backgrounds **alongside sufficient and ring-fenced national funding for refuge provision which is led with, by and for the communities that it serves** such as refuge services led by and for BAME and LGBT+ communities.

Refuges provide a unique form of specialist accommodation-based support and this must be recognised in any new approach to domestic abuse. Refuges differ to many other forms of accommodation-based support in ways such as that their address is not publicly available, they are gender-specific, there are a set number of bed spaces available, and residents receive a planned programme of therapeutic and practical support from staff as well as accessing peer support from other residents. Refuges can include dispersed accommodation. Refuges can also include self-contained units with communal areas or dispersed accommodation in the community – indeed refuges often include more than one accommodation type to accommodate different needs.

The Foundation supports Women’s Aid call that the definition of refuge includes **move-on and second stage accommodation** which enables survivors to move into temporary accommodation while still accessing additional support. The critical point is that this is delivered by a specialist service. As Women’s Aid identify, there have been significant difficulties in London and Nottingham where move-on accommodation has been considered separately to refuges, with different funds for each stage. Resettlement support is also a vital part of survivors moving through refuge provision. This can be delivered without accommodation provided by the service, but it remains a key part of a refuge’s service and more intensive than regular floating support. Not only does this help survivors to move out of refuge and free up space for others, but it also helps to ensure survivors have the support to rebuild their lives in the community.

The critical point here is recognising **that refuges provide specialist accommodation-based support** and duties to ensure this support is available and funded effectively should recognise the importance of this *specialist* provision. Specialist provision helps to ensure the needs of victims and survivors are fully supported. Such support cannot be considered an equivalent of more generic accommodation-based support which may not provide domestic abuse-specialist services. For example, emergency / temporary / respite accommodation cannot be considered as an alternative to refuge provision. Such accommodation is primarily a housing service that has a minor element of domestic abuse support – for example, it could be a support worker who spends a limited number of hours with victims and survivors each week.

However, refuges and other accommodation-based support should not be considered in isolation. **Alongside calling for greater recognition of the specialist services that refuges provide, this response makes the case for widening the statutory duty and ensuring funding is available for specialist domestic abuse services covering a range of different interventions.**

⁴ [Nowhere to Turn](#), 2018, Women’s Aid Federation of England

2.3 Total support must be wider than just accommodation-based support

Domestic abuse support takes many forms. While recognising that refuges provide a specialist support service that differs from other accommodation-based support and that ring-fenced funding for refuges is critical, government cannot overlook the need for wider support alongside refuge provision and there should be a duty that reflects this and the funding to provide it. The duty and funding should be built around meeting these needs. The Foundation is concerned that limiting the statutory duty and guidance to accommodation-based support could lead to a reduction in the availability of all other domestic abuse services.

Refuges offer a lifeline to many victims, but many others want to stay in their own homes, don't feel safe to leave or have needs which may not be met through accommodation-based support. Recognising that many victims do not want to leave, where possible they should be supported to stay safe in their own home. This is particularly pertinent given that victims are at the highest risk within the first six months of leaving the perpetrator. If a focus is only given to accommodation-based services, at the expense of other services, government could inadvertently force people to leave in order to access any support – this could have the unintended consequence of placing victims at increased risk. Furthermore, forcing people to flee in order to access support is likely to increase the total cost of support.

Viewing domestic abuse support only through specified accommodation-based services further risks stymying innovation in responses to domestic abuse – innovation that is particularly important given the lack of affordable housing and move-on accommodation that is available. For example, the approach could impede the development of Shared Lives models where survivors are supported in adult fostering placements. Similarly, the DAHA whole housing approach (which MHCLG has already invested more than £1m in developing) emphasises the need for pathways to support for people in the private rented sector or who own their own home. Under the proposed approach, funding for these services could no longer be available. It is important to remember that, while refuges are critical for those fleeing, most survivors live in the private rented sector or their own homes.

It is for these reasons that **the Foundation recommends that the duty is based on meeting needs around domestic abuse and ensuring services are built out from this**, rather than focusing a statutory duty on a form of intervention. A needs-based approach ensures the full range of needs are identified and services are commissioned which meet these needs in a form proportionate to the service, rather than starting with processes.

2.4 Needs assessments

The quality of needs assessments is critical in ensuring all victims and survivors can access the support they need. **Needs assessments should be undertaken both locally and nationally – indeed a national needs assessment is essential to standardise local needs assessments.** The national needs assessment is particularly important given that many victims and survivors seek help outside of their local authority. It is imperative that these assessments draw data and insight from the full range of available resources. Many victims do not report domestic abuse so prevalence data alone cannot accurately represent needs. Furthermore, many victims are hidden in local needs assessments due to gaps in protected characteristics and equalities data. Engaging with specialist services to understand needs is a core part of developing a needs assessment. The new statutory duty and guidance is an opportunity to drive up the standards of needs assessments by requiring areas to undertake needs assessments following the process set out in the Home Office's existing

commissioning toolkit⁵. **The needs assessment should then be used to design processes**, ensuring the approach taken is proportionate to the services and those who are best placed to deliver.

3.0 Funding

3.1 The quantum of funding

Lloyds Bank Foundation for England and Wales **supports SafeLives' #invest2endabuse campaign**. As has been made clear in the Foundation's submission to the Domestic Abuse Bill consultation and in written and oral evidence to the Joint Committee⁶, government has to provide sufficient funding for domestic abuse services if it is going to have the impact it strives for on domestic abuse.

While we recognise that this consultation is centred within MHCLG whose funding is focused on accommodation-based support, government cannot tackle domestic abuse in silos. It is critical that not only is sufficient funding allocated to refuges and other accommodation-based support, but that sufficient funding is also allocated to other services for victims, survivors and perpetrators. **Our calls to extend the duty on local authorities to provide all forms of domestic abuse services should not be read as calls to spread existing funds allocated to accommodation-based support even more thinly. More resources need to be allocated to ensure a range of different services can be provided.** The Foundation recommends that government refer to forthcoming data on the true cost of refuge provision from Women's Aid to inform funding levels.

It is **critical that the new funding model provides sustainable, long-term funding for domestic abuse services**. Too often funding is provided on a short-term basis which makes it difficult for specialist services to plan for the future and retain staff. Recognising that there will be an ongoing need for domestic abuse support, longer term funding needs to be secured.

This **funding must be available to ensure victims with no recourse to public funds can access support**. Government will not be able to ensure *all* victims access support unless it can be guaranteed that those with no recourse to public funds will be supported – and this must be implemented alongside the call of the **#StepUpMigrantWomen campaign** to ensure a firewall between reporting domestic abuse and immigration within the new Domestic Abuse Bill⁷.

It is also important for Government to consider prevention as part of a new approach to domestic abuse. In order to reduce the number of domestic abuse victims, and ultimately bring down the cost of responding to domestic abuse (social, economic and emotional costs), **more focus is needed on prevention**. Evidence shows that local authority funding for preventive services across the board have been diminished alongside the need for more crisis support.⁸ We must invest in prevention if we want to stop people becoming victims. This includes **ensuring perpetrators are challenged**.

As the core philanthropic funder for the development of Drive⁹, we have long called for the conversation around domestic abuse to be shifted away from 'why doesn't she

⁵ [Violence Against Women and Girls: Supporting Local Commissioning](#), 2016, Home Office

⁶ [Consultation responses to Domestic Violence and Abuse Bill, Select Committee and Joint Committee on the Domestic Violence and Abuse Bill](#), 2018 and 2019, Lloyds Bank Foundation for England and Wales

⁷ [StepUpMigrantWomen](#) campaign

⁸ [A Quiet Crisis: Local government spending on disadvantage](#), 2018, New Policy Institute

⁹ [Drive perpetrator project](#)

leave' to 'why doesn't he stop'. Only placing a statutory duty on local authorities to fund accommodation-based support feeds the old rhetoric which removes the perpetrator from taking responsibility and forces the victim to remove themselves from the perpetrator's ongoing behaviour. There is no mention of perpetrators within the consultation. Yet the impact of introducing a statutory duty aimed at improving the response to domestic abuse will be self-limiting if it only considers a narrow range of domestic abuse services.

3.2 The distribution of funding

Too often local and specialist services have been disadvantaged by commissioning and procurement processes which are not proportionate to the services required to meet needs. The Foundation has witnessed countless examples of local specialist services unable to access funding because unnecessary competitive tendering processes have failed to recognise the importance of specialist, locally embedded domestic abuse services. In many cases such competitive tendering could be avoided if, like a number of EU member states, government encouraged local areas not to adopt procurement processes for the distribution of funding for domestic abuse services. Existing EU procurement rules already include a provision for alternative funding mechanisms below 750,000 euros¹⁰. This provision is intended to make it easier for smaller charities and independent providers to access funding but too often commissioners across England and Wales fail to implement these provisions fully. **Long term grant funding offers a much more appropriate approach to funding local, specialist services**, reducing unnecessary bureaucracy and providing some stability to local services.

The consultation document recognises that pooling budgets can be a helpful approach to ensuring victims' and survivors' needs can be met holistically. Yet **recognition of the role of pooling budgets to meet needs holistically does not align with a statutory duty that is only focused on general accommodation-based support** which could see a proliferation of big contracts for housing alongside some floating support. Refuges are well aligned to receive pooled funding because they do provide holistic, specialist services which meet a range of needs.

However, it is **critical that pooling budgets does not result in larger contracts**. This issue is addressed within existing Home Office guidance for commissioners, the development of which was heavily supported by the Foundation and the sector, as set out below. The new approach needs to ensure that this guidance is followed so that small and specialist providers are a core part of provision:

"There is a trend towards larger geographical areas as commissioning groups come together to look for greater consistency of provision and to make the most of pooled budgets. While these are desirable outcomes, commissioners need to make sure that a larger tender hasn't accidentally skewed the playing field for bidders by indirectly (or indeed directly) favouring bids from large, generic providers. For example, tenders where there is a specific request for a single, large provider, insufficient time for the delicate work of consortia/partnership forming, or a small number of extremely high-value lots requiring bidders to be in a very strong financial position will limit the ability of local specialist services to put in a bid.

These local services will likely have developed as a response to the particular needs of the area and contain within them years of specialist knowledge and expertise relevant to the communities they serve. This issue is particularly relevant for specialist organisations (e.g. for BME, adult survivors of child sexual abuse, people who define themselves as lesbian, gay, bisexual and/or transgender, queer,

¹⁰ [EU Public Procurement information](#), European Commission

questioning or intersex - LGBT) embedded in marginalised communities, which can engage with survivors who may be reluctant to make contact with statutory services/non-specialist organisations and are often at highest risk of domestic homicide.

Consistency and value does not have to come at the price of accessibility, however. Simple steps to prevent this from happening include:

- *Levelling the playing field by cutting down the lot sizes*
- *Slowing the pace of the process*
- *Weighting scoring to favour consortia and/or local experience and social value*
- *Setting a suitable cost/quality ratio that prioritises excellence of practice*

This will provide all suitable bidders with an opportunity to compete on a more equal footing, widening the number of good quality bids and increasing the odds of identifying best value locally.”¹¹

Furthermore, while the proposed approach enables Local Partnership Boards to decide at which level support should be commissioned, there is no mention that this should reflect the size of the providers in the area. **More emphasis must be placed on starting from the need and understanding which services can best meet these needs to then design funding opportunities around them**, rather than starting with how the local authority would like to design the tender.

The statutory guidance should place more onus on local commissioners to use the Home Office’s VAWG commissioning toolkit for the distribution of funding and in particular promoting the use of grants. As noted within the toolkit:

“Grant regimes are typically more responsive and allow greater flexibility in meeting complex outcomes¹²”

3.3 Reporting on Outcomes

The Foundation welcomes a standardised approach to reporting but it is important that this reporting is proportionate, particularly in terms of what is asked of specialist local charities - this should not create an extra burden, ensuring that charities are not asked for additional reporting on top of that already required for commissioned services. National quality standards and outcomes monitoring systems are already established for domestic abuse services. It is essential that government builds on what’s been established and embedded across the sector to minimise duplication and ensure that local areas report to the national oversight mechanism on the outcomes and priorities that actually matter to survivors. This is essential for delivering accountability and value for public money.

As such, reporting needs to include survivors’ experiences as well as feedback from local providers. Too often we see larger, generic services being awarded contracts who do not effectively meet the needs of victims and survivors. Consequently, victims and survivors continue to seek support from the unfunded service. In the worst examples, poorer quality commissioned services refer victims and survivors to the local specialist without any funding following referrals. The reporting structure must be able to identify poor practice in both commissioning and delivery such as highlighting when a specialist provider has lost contracts to larger, generic providers and service standards have dropped.

¹¹ [Violence Against Women and Girls: Supporting Local Commissioning](#), 2016, Home Office

¹² [Violence Against Women and Girls: Supporting Local Commissioning](#), 2016, Home Office

4.0 Accountability and oversight

4.1 Local Partnership Boards

We welcome the focus on bringing together different agencies through the Local Partnership Boards but are concerned about how they will fit with other multi-agency working if they are only focused on commissioning accommodation-based support. Many of the charities we fund work with clients discussed at MARACs and other existing multi-agency forums. More clarity is needed about how existing multi-agency forums would link in with Local Partnership Boards. Similarly, how would these Boards work / align with proposed new multi-agency approaches to preventing and tackling serious violence? **If existing multi-agency groups are used to meet the new domestic abuse duties, it is critical that membership of these groups is expanded as necessary to ensure local specialist domestic abuse services, second tier specialists and survivors are included.**

It is noted that a statutory duty to participate in Local Partnership Boards is placed on local authorities. However, the engagement of other agencies will be critical to effective multi-agency working. For this reason, **the Foundation recommends extending the statutory duty to include other agencies such as PCCs and health bodies.**

The consultation document rightly includes specialist services as core members of Local Partnership Boards. **It is essential that engagement with these specialist services is meaningful** and, as stated in the Home Office Violence Against Women and Girls commissioning toolkit, includes those organisations with a thorough understanding of domestic abuse within an equalities context¹³. **It is also of utmost importance that both the Local Partnership Boards and National Steering Groups include survivors.** Survivors have the best understanding about what services are needed so it is critical that their voices are included in decisions about services. The consultation document is notably lacking on survivor engagement.

Meaningful engagement of specialist services and survivors includes resourcing this engagement effectively. Attending and providing expert input into partnership boards can be resource-intensive for services which are already overstretched and under-funded. **Boards need to be managed so that they make the best use of members' time and ensure that the expertise of those involved does guide decision making.** This could be supported by placing a duty on Boards to ensure service providers' and survivors' views are reported on and feed into decision-making, with clear reasons where their recommendations are not implemented.

To inform the Local Partnership Board in this way and ensure engagement from a higher number of services, **government should build in a mechanism for engagement with specialist providers more broadly**, such as through a provider reference group. This could help to overcome challenges around which organisations are seen to represent the sector on the Board itself, by ensuring all local specialist services can input into the Board.

While local authority engagement in the Boards will be critical, the Foundation is concerned that Boards solely chaired by local authorities will limit the group's accountability. For example, if the Board recommends particular services are commissioned in a specific way, yet the local authority is unable to or does not follow this, how will the local authority be held to account if they are responsible for chairing the Board and commissioning the service? For this reason, **the Board may be**

¹³ [Violence Against Women and Girls: Supporting Local Commissioning](#), 2016, Home Office

better served by introducing a co-chair arrangement that includes the local authority and someone independent of the local authority with a domestic abuse specialism.

Widening the statutory duty to include all forms of domestic abuse services would help to improve clarity around the role of the Local Partnership Board. The consultation document identifies that “commissioners and service providers would value stronger requirements and clearer expectations on how the need for support is assessed and met” but again, the approach will not provide this if there remains a lack of clarity around what should be supported. Currently, the document sets out a confusing approach that references Local Partnership Boards developing a strategy for all victims and survivors, yet goes on to solely focus on commissioning accommodation-based support. As identified above, accommodation-based support alone will not meet the needs of all victims.

4.2 Local authorities

The Foundation supports SafeLives’ recommendation that any new duty applies to both Tier 1 and Tier 2 local authorities. This follows the approach of the Homelessness Prevention Act which would already indicate Tier 2 local authorities’ role in preventing survivors from becoming homeless. Following the approach of the Homelessness Reduction Act would help ensure that needs can be met in a more holistic way. Both tiers of local authority need to be fully involved and working together to ensure needs are effectively met.

4.3 The National Steering Group

A national oversight mechanism will be critical to effectively implementing a new system to ensure all those affected by domestic abuse can access the services they need. **The National Steering Group needs to have sufficient powers to hold areas to account and to ensure there is sufficient funding at both a local and national level.**

While the Foundation recognises the value of Ministerial engagement in the National Steering Group, **we recommend that this group is chaired by the new Domestic Abuse Commissioner.** It is important that this group can be independent of government but with the ability to make recommendations to local areas, as is intended for the new Commissioner role. The National Steering Group should be able to hold local authorities to account, with measures to ensure local authorities improve practice for example if they continue to apply local connections restrictions.

The National Steering Group should have a role in scrutinising the effectiveness of Local Partnership Boards and specifically in monitoring engagement of specialist services within them. This could be supported by a member of the Domestic Abuse Commissioner’s Office attending Local Partnership Boards and reporting back to the National Steering Group. The National Steering Group should also have the ability to commission independent evaluations of local areas’ approaches.

The National Steering Group should be responsible for undertaking a national needs assessment alongside local authorities’ own local needs assessments. This is particularly important given the need for a national overview of services for specific needs such as disability, LGBT+ and BAME which may not be available in every locality. The national needs assessment should be considered alongside local needs assessments, and importantly, is a measure that helps to standardise local needs assessments.

Given the Foundation’s experience in supporting specialist local domestic abuse provision, **we would be happy to work with government and the National Steering Group to share the insight garnered from the relationships we hold with the 100**

domestic abuse charities we fund across England and Wales and how grant programmes can be best designed to support these charities.

5.0 Implementation

5.1 Accompanying guidance

The Foundation welcomes the introduction of statutory guidance. As has been evidenced by the National Statement of Expectations and Home Office VAWG commissioning toolkit, guidance is too often overlooked where it is not official statutory guidance. **Within the statutory guidance it will be important that government promotes specialist services** as has statutory guidance by Welsh Government in this area. **This guidance is also an opportunity to strengthen the existing commissioning toolkit**, again as Welsh Government have set a precedent in doing:

“There is an expectation that commissioners will take into account the Toolkit. The two documents should therefore, be read together.”¹⁴

The toolkit referenced here, is that developed by Lloyds Bank Foundation for England and Wales with specialist domestic abuse partners¹⁵, the equivalent for which in England was published by Home Office¹⁶.

The new statutory guidance should also emphasise the importance of supporting specialist services. The Foundation recommends that Government look to Welsh Government’s statutory guidance for a definition of specialist, recognising that domestic abuse can happen to anyone, but that it remains a gendered crime. Most importantly, this definition recognises that

“specialist services differ from ‘general support’ services in that the organisations/ services have a gender and culturally responsive and holistic service delivery model, in accordance with the UK quality standards frameworks for such services, and are run by and for the communities they serve.”¹⁷

The statutory guidance to accompany the duty **needs to include an emphasis on working with local, specialist organisations.** There is a danger that focusing the duty on Tier 1 authorities could lead to large scale commissioning that forces out small and local provision – provision that is embedded in communities, benefiting from high levels of trust and often having been developed with, by and for the community it serves. Too often, small and local charities funded by the Foundation are unable to secure vital statutory funds, despite having a strong track record of delivery for the local authority, because the local authority is consolidating a number of services / refuges into one contract covering large geographical areas. It is critical that the new approach, particularly if it remains led by Tier 1 local authorities, does not lead to further proliferation of more generic services and exclusion of small and local specialist provision.

Including such provisions would help to ensure that commissioning approaches do not disadvantage smaller providers and practices help to avoid ‘bid candy’ whereby bigger providers include local charities in their bids to add legitimacy yet fail to ensure

¹⁴ [Statutory Guidance for the Commissioning of VAWDASV Services in Wales](#), 2019, Welsh Government

¹⁵ [Tackling Violence Against Women, Domestic Abuse and Sexual Violence: A collaborative commissioning toolkit for services in Wales](#), 2016, Lloyds Bank Foundation for England and Wales

¹⁶ [Violence Against Women and Girls: Commissioning toolkit](#), 2016, Home Office

¹⁷ [Statutory Guidance for the Commissioning of VAWDASV Services in Wales](#), 2019, Welsh Government

funding reaches these organisations. As evidenced in our research, Commissioning in Crisis, local and specialist charities have been consistently disadvantaged by problematic commissioning practices¹⁸. **It is critical that the statutory guidance emphasises the importance of specialist, independent services and should seek to avoid competitive tendering**, and adopting an approach which reflects the ambitions of Government's Civil Society Strategy of a return to grant making. Grant making offers many advantages to funding services for people with complex needs. **The Foundation would be happy to support Government in developing grant making guidance for local areas**, building on the Grants for Good Principles of Good Grant Making¹⁹.

The accompanying guidance also provides an opportunity to **ensure domestic abuse services are of high quality**. A number of specialist quality standards exist and these should be used to assess quality – the Shared Service Standards offer a helpful approach that identifies common themes across these standards.

5.2 Timing of the new duties

It is proposed that the new duties would form part of the Domestic Abuse Bill and would not come into effect until after the Bill becomes an Act of Parliament. While the Foundation recognises the rationale for this, specialist domestic abuse services are already facing serious funding concerns. Given the current instability in government in light of a new Prime Minister and Brexit uncertainty, the **new duties cannot be at risk of delay / non-implementation**. Victims, survivors and specialist services do not have the luxury of time. Funding needs to be secured to ensure all victims, survivors and their children have access to the support they need. In the meantime, **the Foundation recommends that transitional funding is put in place to ensure the sustainability of services until any new system is in place**.

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¹⁸ [Commissioning in Crisis](#), 2016, Lloyds Bank Foundation for England and Wales

¹⁹ [Principles of Good Grant Making](#), 2016, Grants for Good