

TITLE OF REPORT: Domestic Abuse Statutory Duty funding and commissioning recommendations DRAFT

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1.0 PURPOSE OF THE REPORT:

To outline the proposal for spend against the national MHCLG allocation of £871,229 in Nottingham City to meet the Statutory Duty for accommodation based DVA services.

The proposal is to spend the allocated MHCLG funding in April 2021, which is critical for those services which are currently MHCLG funded and due to end in March 2021 and which we would like to continue.

The proposal also includes a pilot process, to enable needs assessment and commissioning processes to be completed during 2021 and to assess whether services are effective in time for a commissioning process to be completed for April 2022.

The proposal to proceed with immediate spend and pilots is supported by the recent announcement by MHCLG that this funding is allocated for 2021 /22 only at this time.

Val Lunn is appointed as a consultant to support our preparation for delivery of the Statutory Duty will be continuing to establish the below and will submit a final report at the end of March 2021. Initial recommendations are included as supporting information for the proposals in this report.

- what needs data partners have and don't have, and preparation for the Needs Assessment which will be submitted by the CDP in June 2021
- consultation with partner agencies and colleagues on need and how to meet the demand
- recommendations for service commissioning based on the services identified in the Statutory Duty

2.0 PROPOSAL

1. To immediately commission the following through variation of existing contracts in line with the Statutory Duty and Val's interim findings for 1 year in line with the allocation criteria of national funds.
 - a. Central Complex Needs Refuge 4 units (this has been funded for the last 4 years from MHCLG funding and the service specification is in line with all the refuges).
 - b. Childrens Workers in 4 refuges (including support to 12 Move On accommodation houses)
 - c. Flexible Housing Fund for refuges (translation and interpretation funds, no recourse to public funds, costs to enable access to safe accom and resettlement)
 - d. Additional support costs for the Move On accommodation topping up the Homes England allowance for 2021/ 2022 and then fully fund the Move On support costs from 2022, should the funding allow.
 - e. Survivor Engagement/ Peer Support role to assist with the commissioning process and ensure survivor voices are heard as part of that process and to ensure the survivor

voice is heard in the new governance structure going forward. This is a key expectation in the Stat Duty and will be modelled on the successful role in the SVA sector.

2. To employ or second an officer into the Community Safety Team responsible for delivery of responsibilities set out in the new Statutory Duty. Consideration will be given to this proposal in line with the national funding.
3. To pilot the following services for a year, establishing what works, gather outcomes and learning, and undertake the needs assessment. To continue consultation with survivors and partners to develop service specs for commissioning and awarding contracts in March 2022 in the event of future MHCLG funding.
 - a. Childrens Therapeutic Service (Expressions of Interest)
 - b. Adults therapeutic Service (continuation of and expansion of R2C project)
 - c. LGBT safe accom / prevention outreach worker (based with Equation)
 - d. Men's service safe accom / prevention outreach worker (based with Equation Men's Service)
 - e. BMER safe accom / prevention outreach worker (based with Juno BMER service)
 - f. Complex needs workers x 2 (continuation and expansion of R2C)
 - g. Disability safe accom / prevention outreach worker (based with Juno)
 - h. Women's Aid safe accom role to be dual based with Housing Aid to support with Sanctuary Scheme and provide support to Housing colleagues on homelessness and refuge referrals (based with Juno). A previous bid in partnership with Women's Aid and Housing Aid was unsuccessful, but this has been recognised for some time as a gap in provision. The role would be in line with existing Dual Base Women's Aid roles (Courts, Emergency Dept, Police, Probation, Social Care etc).
4. To directly award where possible or ask for Expressions of Interest during the pilot phase.
5. To work with county colleagues who have substantially greater budgets to support the 24 hour DSVAs helpline, Equations information resources and the Men's Service and put them on a more secure financial footing
6. To work with county colleagues to explore the development of a county wide men's counselling service.
7. For CDP commissioning, strategy and analysis teams to work together with procurement to initially direct award, receive expressions of interest and then focus on developing longer terms commissioning for the following year.
8. By April 2022 to be prepared for newly commissioned services or extended contracts dependant on the national funding available.

3.0 EVIDENCE BASE TO SUPPORT PROPOSAL

This section outlines the content of the Statutory Duty and also findings from Val's initial consultation with the wider partnership on needs and demand for DSVAs services. The proposals have been developed in line with and are supported by the Statutory Duty and these findings.

The JCG has received previous reports which include an analysis of our current provision against the Statutory Duty. These proposals aim to meet the gaps in current service.

The **Statutory Duty** to provide safe, accommodation-based support services is outlined in the Part 4 statutory guidance (see Appendix 1 for the full draft guidance). The aim of the Duty and guidance is to ensure that all victims/survivors have access to the right support when they need it. This includes victims/survivors with protected characteristics. Safe accommodation is defined as:

- Refuge accommodation
- Specialist safe accommodation (which provides dedicated specialist support to victims with relevant protected characteristics and/or complex needs)

- Dispersed accommodation (safe and secure self-contained accommodation with expert support)
- Sanctuary
- Move on accommodation (for families who no longer need the intensive level of support provided in a refuge, but would still benefit from a lower level of domestic abuse specific support for a period)
- Other forms of domestic abuse emergency accommodation (defined as a safe place with specialist wrap around support)

Domestic abuse support is defined as the 'expert help provided to victims/survivors and their children by the specialist staff in domestic abuse support services'. This includes:

- Advice and advocacy including housing-related support
- Domestic abuse prevention advice
- Specialist support for victims/survivors with relevant protected characteristics and or unique / complex needs
- Children's support
- Counselling and therapy
- Management and day to day administrative support of the service

In line with the government's general position, the funding is not ringfenced. However, Authorities will be under a legal obligation to provide support within safe accommodation to meet the needs in the area, and report back to government that those obligations have been met. Future years funding has been committed to by MHCLG under the new burdens doctrine but the amounts are dependent on the future Spending Review. This is more reason to pilot services for 12 months while we wait to see what future funding looks like.

Val Lunn consulted with **local specialist refuge providers, Equation men's service, Housing Aid and other Housing Providers, National Services and the LGA** throughout February.

Val's consultation confirmed that refuges are constantly full with women and children staying for longer periods of time because of the shortage of suitable accommodation to move on to. This has been exacerbated during the pandemic. They identified the following groups of survivors who face significant challenges accessing refuge and whose need is therefore difficult to meet:

- Women with larger families
- Women with older boy children or adult children
- Black and Minoritised women particularly African, Caribbean, Roma and Eastern European women
Zola is the local BME specialist refuge but also reports a low level of referrals from these communities of survivors.
- Women with language support needs
Only Zola BME refuge has a dedicated budget for interpretation and translation and a team of bilingual Refuge Support workers. Refuges try to meet the costs as best they can but lack of funding to meet the costs of interpretation was cited by three refuges as a barrier to access for this cohort of women. This puts additional pressures on Zola and Housing Aid.
- Women with No Recourse to Public Funds (NRPF)

This group of survivors was described as facing the greatest barriers to access to safe emergency accommodation as well as the greatest risk and vulnerability, particularly survivors on student or work visas who are not covered by the Destitute Domestic Violence Concession.

The DDVC is available to women on a spousal visa and provides access to public funds such as Housing Benefit. All refuges accept women on a spousal visa with NRPF but frequently have to negotiate with Adult or Children's Social Care to fund the period between presentation/referral and award of the DDVC which can take up to two weeks. If statutory services will not fund the period, refuges either fund this from donations or will not accommodate the survivor until the DDVC is in place, putting them and their children at risk.

- Disabled women or women with disabled children

Only Umuada and Zola have accessible units for women and/or children with a mobility impairment but are unable to reserve the units. Further exploration is required to identify the barriers to and needs of women with other disabilities e.g. who are deaf or learning disabled. All refuges routinely accommodate women with mental health support needs.

The Sanctuary Scheme is our key response to survivors with disabilities, but it is not always appropriate or safe.

- Women with multiple disadvantage (MD) and complex needs in relation to mental health and substance misuse, particularly women with chaotic behaviour or who are rough sleepers

Women with multiple disadvantage and complex needs require a higher level of support and although Nottingham has 4 dedicated complex needs bed spaces at Central refuge and the remaining refuges accommodate women with complex needs, all partners stated that they are seeing an increase in demand including for women with diagnoses of personality disorder and PTSD.

The three non-complex needs refuges stated that they have to balance the needs of current residents and children against the needs of women being referred. This can result in referrals of women with MD and complex needs being declined and placed in unsuitable, generic temporary accommodation. Many of the single women with pets seeking refuge are reported to have complex needs and families with pets often struggle to make the decision to leave without knowing their animal is safe and will be returned to them. This particularly impacts on children who have strong emotional ties with their pets, as protective factors within the abuse.

- Lesbian, Gay Men and bisexual women and men (LGB)

Very low demand from these groups of survivors was reported by all partners. However it is recognised that this group will experience similar levels of need as heterosexual survivors. This low demand locally is reflected in the 2019-2020 performance data for three of the refuges with all women residents identifying as heterosexual (demographic data for one refuge is missing) and is consistent with the under representation of LGBT survivors at MARAC. The DSVVA JSNA (2018) recommends that work is undertaken to work with LGBT survivors to ensure that they are adequately supported by specialist services.

- Trans survivors

None of the refuges have received any referrals for trans survivors although trans women survivors have accessed Juno's community services. The Men's service has not identified demand for support with trans survivors either.

Work was done in partnership with the CDP and the sector in 2019/20 with GALOP the national LGBT DVA organisation to examine what could be done locally to support trans survivors.

Nottingham was identified as having a gap for services for LGBT survivors by GALOP and as being unusual in this regard as a Core City.

- Women in employment
Refuge rents are unaffordable for most women in employment. Housing Benefit is a core part of our funding structure for refuges. This is a risk factor for survivors who need safe accommodation in crisis and who are not able to utilise the Sanctuary Scheme.
- Male survivors
Evidence of the need for refuge accommodation for male survivors is inconclusive. Our current offer to male survivors is the Sanctuary Scheme and Homeless Accom supported by the Equation Men's service. This is in line with the offer for female survivors for whom refuge is not available and who are required to remain local due to child contact or mental health or substance misuse support.

Children's Refuge Worker posts were established and grant funded in 1995 but after a long history of patchwork funding, the funding for the roles from the CCG ended in 2017. The CDP flexed its funding to enable refuges to utilise budgets for Childrens Workers, but that has put pressure on support worker roles for women.

Currently Central and Zola fundraise to meet the costs of their Children's Refuge Workers. Refuge Workers in Umuada support both women and children. Amber House did not replace their Children's Worker when she left in 2020 because of a lack of funding. Under the Domestic Abuse Act and in the new Statutory Duty children are recognised as victims in their own right and it is recognised that a specialist role is critical to supporting children and young people effectively.

The only commissioned specialist therapeutic DVA service for adult female survivors is funded by the MHCLG for survivors with complex needs as part of the R2C project. The service is provided by Nottingham Women's Centre with the funding due to end in March 2020. Central Women's Aid is the only refuge to provide a therapeutic service to women and children in refuge which they fundraise to provide. All refuges reported that they are accommodating more women and children who are traumatised and who they consider would benefit from specialist therapeutic support in addition to the advocacy and support they receive from the Refuge Support Workers.

The CDP has worked for the last few years with the CCG to establish specialist support to both DVA and SVA survivors primarily through IAPT. In 2020 this led to a specialist therapeutic service being commissioned for SVA survivors by the OPCC. It is acknowledged that IAPT and other non-specialist therapeutic services are not meeting the therapeutic needs of survivors of DVA.

National best practice

The types of support required by victims/survivors and their children in safe accommodation are outlined in the draft Statutory Guidance (see above). The Guidance goes on to state that support services should meet national best practice which is defined in MHCLG Quality Standards, Women's Aid National Quality Standards and / or Imkaan Accredited Quality Standards.

Examples of national best practice are outlined below:

Women's Aid England and the Domestic Abuse Housing Alliance include dedicated and specialist support to children and therapeutic support to women and children as essential components of refuge services.

Whole Housing Approach Toolkit (2020) Domestic Abuse Housing Alliance and Women's Aid England

Move on accommodation and linked support provides an important route to independence for women and children ready to leave refuge while at the same time freeing up refuge space for women and children in crisis.

Improving the move-on pathway for survivors in refuge services: A recommendations report (2020) Women's Aid England and Domestic Abuse Housing Alliance

The Whole Housing Approach model being piloted nationally by the Domestic Abuse Housing Alliance (DAHA) includes a Flexible Fund as one of the three core elements required to improve accommodation options and outcomes for survivors.

4.0 RECOMMENDATIONS FOR NEXT STEPS

To accept the supporting evidence outlined from the Statutory Duty and the consultation with partners and to accept the recommendations for services outlined above as meeting the needs of local survivors and the requirements of the Statutory Duty and therefore:

- To directly award where we have existing contracts and we are able to do so.
- To directly award where we wish to establish pilot projects
- To ask for Expressions of Interest to deliver the therapeutic support to children pilot
- To develop a job description, person specification and recruit to the Community Safety Team Statutory Duty role

- To ensure that the Needs Assessment supports longer term commissioning
- To ensure that the pilot projects provide monitoring and evaluation to ensure the commissioning process is robust going forward. This includes recognition and analysis of unsuccessful pilots.
- To begin the commissioning process for March 2022 to enable a swift response to future MHCLG funding.

5.0 RECOMMENDATION FOR DECISION MAKERS

To accept the recommendations set out in the report and resource the teams to deliver them.

6.0 BUDGET SUMMARY

See attached budget as supporting information