



HM Government
**Mainstreaming the Commissioning of Local Services to
Address Violence Against Women and Girls**

March 2010

About Refuge

Since establishing the world's first refuge in Chiswick in 1971, Refuge has grown to become the single largest provider of specialist domestic violence services in the country. On any one day, Refuge supports around 1,000 women and children across our domestic violence services which now include:

- **Freephone 24 Hour National Domestic Violence Helpline (0808 2000 247):** Run in partnership between Refuge and Women's Aid, the Helpline provides support to 400 women on a daily basis and acts as the national gateway to accessing domestic violence services across the country
- **Refuge accommodation:** Refuge runs 45 refuges across 18 local authority areas. In total these refuges support almost 600 women and children. They include culturally specific refuges for South Asian and African-Caribbean women
- **Floating support:** Refuge supports over 200 women and children through this service which works with women who are either still living with the abuser and/or those who have left the abuser and who require support
- **Community outreach scheme:** Refuge reaches out and provides support to women from ethnic minority groups through this scheme, including Vietnamese and East European women from Bulgaria, Poland and Romania
- **Psychological services:** Refuge's specialist psychologists and social workers work with women and children to help them address the immediate, short and long-term impacts that domestic violence has had on their lives and their relationship with each other
- **Independent advocacy:** Refuge's independent domestic violence advocates operate across London, Kent and Warwickshire. At any given time, each Independent Domestic Violence Advocate (IDVA) has the capacity to support a caseload of 25 women for an average of three months each
- **Prevention and education:** Refuge works to influence the Government's response to domestic violence and raises public awareness about domestic violence through award-winning campaigns

Introduction

Refuge welcomes the draft commissioning guidance to address violence against women and girls (VAWG). Given that nearly one in three local authorities still does not provide specialist domestic violence services, Refuge particularly welcomes recognition within the guidance that overall levels of violence against women are not sensitive to changes in demographics and space and that every local authority area needs to make provision.

Refuge has long advocated for a national strategy on domestic violence service provision and remains disappointed that the UK has still not achieved the Select Committee recommended refuge space per 10,000 of the population which was set in 1975. Indeed Governments across Europe have been urged by the Council of Europe to be mindful of minimum standards on the geographic availability of third sector specialised support services.

Refuge further welcomes that the draft commissioning guidance states careful consideration should be given to the benefits of small dedicated specialist service providers versus larger, generic organisations, and the different options for funding these. This guidance is very timely since the tendering process as it currently operates is having a negative impact on small specialist service providers. Organisations that have developed considerable expertise and innovation in this area over the past forty years are increasingly losing their services to generic organisations that often have had no previous experience in this area at all.

Whilst Refuge agrees that it is very important to mainstream VAWG into the work of all statutory agencies, there will always be a requirement for specialised services. Yet, in addition to the commissioning process, specialist providers of domestic violence services have also been negatively impacted by: the removal of ring-fenced Supporting People funding for domestic violence services; the devolution of power to local authorities through Local Area Agreements; new National Performance Indicators related to domestic violence which focus on a criminal justice response; and the current recession.

Refuge and others in the VAWG sector have raised these concerns with the Government on a number of occasions and Refuge is disappointed that the consultation paper does not explicitly acknowledge the challenges that the sector has raised. Nor does it set out what the benefits of small dedicated specialist service providers vis-à-vis the larger generic organisations. This is very disappointing when we know that specialist services are the services that women and children prefer to use and value so highly.

The benefits of specialist domestic violence services include:

- Women-only services: one of the key findings of focus groups undertaken with 300 women as part of the VAWG strategy consultation was that women most value women-only specialist support services
- The ability of specialist domestic violence providers to reach the most marginalised women and children: women prefer to access specialist services outside of the statutory sector because of their independence - this is crucial for women who have fears in relation to social services and contact with agencies interested in their immigration status
- The provision of 'holistic' services: many specialist service providers undertake fundraising activities to provide additional services that are not funded through statutory sources – for example, services for children who make up two-thirds of those staying in refuge accommodation and psychological services for women and children

- Institutional advocacy: many specialist service providers undertake awareness raising activities including free training to statutory agencies, teaching young people about violence against women in schools and working alone and in coalition to influence legislation and policy in this area
- Added value: by providing the holistic services outlined above and responding to women and children at the point of crisis., specialist responses to violence against women have a positive impact on long term costs in relation to education, employment, social cohesion, health and housing

Thus, although the consultation paper begins by recognising the vital role played by the women's voluntary sector in providing high quality services for women and children who experience violence, Refuge believes that it does not go far enough.

Response to the consultation document

The questions asked within the consultation document are mostly directed at local authorities and public bodies. Refuge has therefore chosen to share its experience of operating within the competitive tendering environment as the largest single provider of specialist domestic violence services. In doing so we hope to outline to Government two key concerns about commissioning:

1. The competitive tendering *process*
2. The *criteria* used by commissioners to select service providers

By taking this approach, Refuge addresses many of the questions posed by the consultation paper and makes specific recommendations in relation to how the commissioning of violence against women services should operate.

The competitive tendering process

Refuge strongly believes that women and children experiencing domestic violence deserve the best support possible and we appreciate that the tendering process has been designed to achieve this. Yet the 'typical' tendering process is incredibly resource and time intensive and involves:

- Completing an Expression of Interest
- Completing a Pre-Qualification Questionnaire (PQQ)
- Responding to an Invitation to Tender (ITT)
- Post Tender Award Clarification
- Implementation

In order to ensure that Refuge staff members are able to fully concentrate on providing support to the women and children using Refuge's services, Refuge has had to secure core funding to employ a Development Team to oversee the tendering process. This team is made up of three individuals who work full-time on re-tendering for existing services as well as tendering for new services. But few other specialist domestic violence providers have the resources to do this.

However, commissioners of services do not typically follow a standard or common format for each of the stages outlined above. For example, the background information and instructions for the most intensive stage, responding to an ITT, can range from 80-150 pages. There are also varying timescales for completing ITTs which are often unrealistic. An ITT for domestic

violence accommodation that Refuge recently responded to only gave bidders 28 days to source 30 units of accommodation, complete extremely complicated staff TUPE¹ information², undertake financial modeling and assess the financial risk of taking on the project. The same local authority also required 69 pages of additional information relating to every area of Refuge's practice.

Furthermore, because commissioners are still relatively new to commissioning domestic violence services they do not always have sufficient expertise and understanding to design appropriate service specifications. Refuge has been invited to bid for a range of services where it has been clear that the commissioners did not understand the nature of the service. Examples include: being asked to run refuge accommodation where there would be unpaid male role models on the site; being required to supervise women in refuge accommodation during their evening meal; and providing an advocacy service that was essentially the provision of long term counselling.

Sometimes it is not even clear what the service out for tender is (refuge accommodation or floating support), or where it is based. Similarly staff members that would be transferred over to the successful provider do not always have job roles. When this information is requested the commissioners often respond that they do not know the answer. This exposes providers who do go for the tender to unknown risk.

Very few local authorities are flexible about the service specification or allow specialist providers such as Refuge to provide feedback or submit a qualified tender through which new ideas can be put forward. This stunts innovation in the delivery of domestic violence services and ultimately means that ineffective and sometimes dangerous services are commissioned. Because of this, Refuge has decided not to tender for domestic violence services on a number of occasions since the specialist needs of women and children have been subsumed within generic service provision.

Another area where commissioners lack understanding is around the Gender Equality Duty which is often interpreted to mean gender neutral services. This means that local authorities have been increasingly asking specialist organisations such as Refuge to provide the same services for women and men. This does not take into consideration: the different experiences that women and men have in relation to experiencing violence; the different needs that women and men have as a consequence of experiencing violence; and the different services that are needed to respond appropriately to women and men. For instance, particular screening processes need to be out in place when male victims of domestic violence present to professionals since a significant percentage of male victims are also perpetrators of domestic violence.

As the consultation paper acknowledges, some commissioners may also look to reduce the number of specialist agencies they fund in order to gain cash savings. Refuge's experience suggests that this is already happening. Some local authorities are coming together to commission and award block contracts and this process means that existing specialist providers of VAWG are having to 'compete' against each other to make the 'preferred provider' list which enables them to bid for tenders.

The Map of Gaps 2 report produced by the End Violence Against Women (EVAW) coalition and the Equality and Human Rights Commission (EHRC) has further highlighted that investment in VAWG services has mainly been focused on statutory services and criminal justice responses.

In contrast, funding to specialist services has remained static or diminished. Indeed Government figures suggest that only 1.2 per cent of central Government funding for the voluntary sector goes to women's organisations.

Refuge is the largest single provider of specialist domestic violence services and has secured funding for a dedicated Development Team. Yet even we struggle to operate within the commissioning context outlined above. With any number of Refuge's services up for re-tender at any one time, the organisation's income and the job security of staff members is always uncertain.

The impact of commissioning on smaller specialist service providers cannot, therefore, be underestimated. A piece of forthcoming research by New Philanthropy Capital found that there were fewer micro and small charities in the VAWG sector compared to the wider voluntary sector, indicating to Refuge that the demands of the Supporting People programme, and now the commissioning process, are too resource intensive for organisations of that size.

It is certainly the case that block contracts which require an organisation to bid for a range of services at the same time are outside the scope of small specialists. And it means that those specialist providers who are in a position to bid for blocks of services, but who are only awarded parts of a contract, are left with smaller projects which are financially unviable.

In recognition of these challenges some local providers have merged together and others, for example Tower Hamlet's Women's Aid (now part of Refuge), have approached Refuge asking to be taken over by the organisation. Such action is motivated specifically to protect specialist domestic violence services from being subsumed by generic service providers.

Criteria used to select service providers

Refuge understands that the commissioning process is still relatively new to local authorities and that it can take time to develop the knowledge and skills needed to develop appropriate criteria for selecting service providers. However, the nature of violence against women means that a lack of knowledge about the issue can translate into potentially dangerous outcomes for women and children.

For instance, the provision of services at **low unit cost** does not always equate to providing an effective service. Indeed, research undertaken by the Women's Resource Centre (2007) found that victims of domestic violence were more likely to return to their perpetrator if they were supported by a service with lower than average unit costs.

Yet Refuge is aware of organisations which have been awarded contracts on this basis. The successful bidders in these cases are often large providers such as housing associations who are able to spread their management costs across their services. In addition, housing associations often have their own properties and so are at an advantage when the service provider also has to source a property within the time scale given.

The outcome of this is that it is now common for large housing associations with **no experience of supporting victims of domestic violence** to be awarded contracts. Refuge is not saying that housing associations should be excluded from the tendering process, but we do have serious concerns about the **quality of support** that the current commissioning process is producing. In fact Refuge has been approached by housing associations desperately seeking

help and advice on the key principles for safe delivery of domestic violence services *after* they have been awarded a contract.

In addition to the concerns that Refuge has already raised about inappropriate service specifications, in some cases it also appears that the service specification has been written with a **specific service provider** in mind. Refuge's experience suggests that service specifications are becoming **increasingly prescriptive** so that, to be in a position to bid, the service provider must be able to provide a certain number of properties, a certain number of bed spaces and certain types of facilities, such as en suite bathrooms.

Again, it is Refuge's view that specifications like this immediately put specialist domestic violence providers at a disadvantage since they are unlikely to have an asset base which includes properties. In order to bid for tenders it means that organisations such as Refuge then have to spend time and resources 'sourcing' properties.³

Recommendations

Whilst there are some parts of the country which demonstrate good practice in commissioning quality services for women and children who have experienced domestic violence, Refuge's experience suggests that this is an exception to the rule.

Refuge has identified the following recommendations to help ensure that the final commissioning guidance takes on board these shortcomings and is sufficiently strong enough to ensure that best practice is actually implemented on the ground.

1. Explicitly address the pivotal role played by specialist providers of VAWG services

Refuge's **overarching recommendation** is that the commissioning guidance is strengthened to explicitly address the pivotal role played by specialist providers of VAWG services. Refuge believes that this could be done by adding an additional principle of effective service provision to the twelve already outlined in the draft guidance, Refuge suggests:

Specialist providers of violence against women and girls services are an essential part of the Government's work to end violence against women and girls. It is vital that commissioners recognise the benefits of specialist providers and work on the basis that they are part of the solution.

2. Provide education on VAWG for commissioners

As Refuge's experience indicates, there is a lack of understanding about the different forms of violence that women and girls experience and the services which they require. This translates into a lack of gendered analysis of women's needs so that they are not correctly identified and, as a result, inappropriate services are commissioned.⁴

Refuge believes that the final guidance must explicitly state the need for commissioners to undergo comprehensive training in this area so that they can recognise good practice when they see it.

If commissioners intend to undertake joint commissioning, then an understanding of domestic violence is especially important for commissioners who have not traditionally commissioned domestic violence services – for example, health and education. Such training needs to demonstrate how domestic violence is a cross-cutting issue.

Indeed in order to demonstrate this, Refuge has recently undertaken a piece of work which maps the service outcomes it achieves across to the National Indicator set that Local Strategic Partnerships are seeking to meet. This is because we believe that the best way to encourage agencies such as adult social services, children and young people's services, housing, community safety, health and crime to build a joint commissioning platform is for them to all clearly understand the benefits of marshalling their resources to create a coherent response to violence against women and girls.

Refuge would also welcome expanding the national indicator set to expand those indicators which are specifically linked to domestic violence but which currently only focus on women at high risk of domestic violence (repeat victimisation via MARAC and domestic homicide). In this respect, Refuge believes that it is vital to set a specific target that would ensure national coverage and diversity of service provision for women and children experiencing violence.

3. Consult with specialist domestic violence services when investigating VAWG in the local area and when developing service specifications

Refuge recognises the value of the Ready Reckoner tool that has been developed to help establish local need for VAWG services. Yet it is important to note that this tool does not include the needs of children who are also affected by the domestic violence that their mothers experience.

Commissioners should also seek to collect information from a variety of sources, including specialist domestic violence providers themselves. Refuge, for example, has developed a casework database which manages outcomes across all the domestic violence services it provides. This means that it is possible to provide data broken down across numerous categories such as age, ethnicity, disability, level of risk, type of violence experienced etc.

Refuge further recognises that women and children who have experienced domestic violence can make a valuable contribution to informing the development of service provision. Indeed Refuge has established a system for ensuring systemic feedback on its services and the organisation is in the process of setting up a Women's Advisory Panel. Refuge's experience within the Supporting People Framework has alerted us to the dangers that can exist when non-specialists undertake consultation activities such as these, so Refuge would always advise commissioners to work with specialist providers such as Refuge when they seek feedback from women and children who have experienced violence.

Central Government maintains that the provision of appropriate support services is a local responsibility based on local need. Yet it is Refuge's view that domestic violence is a national problem. Research undertaken across Refuge's services has demonstrated that, in order to achieve safety, women frequently have to flee across local authority boundaries.⁵ This means that reciprocal arrangements need to be put in place. The fact that the Government provides funding to the National Domestic Violence Helpline, which provides a national gateway to domestic violence services, signifies implicit recognition of this situation. Therefore Refuge further believes that commissioners need to be mindful of the national picture.

4. Select service providers on the basis of outcomes and not outputs

Refuge believes that service specifications should focus on achieving positive outcomes for women and children who have been abused, rather than focus on narrow outputs. As Refuge's experience of the commissioning process has indicated, commissioners often fail to recognise

the benefits of specialist providers and this is particularly important if the Government wishes to prevent domestic violence from happening in the first place.

Refuge is unique as a service provider in that it undertakes award-winning national awareness-raising campaigns on recognising domestic violence. Refuge also works to influence Government policy based on what the women and children using Refuge's services tell it through consultation. This has led to innovative service developments including for example, integrated work with women and children.

It is of continuing concern to Refuge that there is no statutory funding for work like this. The failure to provide appropriate support at the point of need means that problems are likely to develop and become more entrenched, thereby requiring additional and more resource-intensive responses later on.

5. Integrate the needs of children into the commissioning guidance

Refuge's response to the commissioning guidance has already touched upon the need to provide services to children as well as women and girls experiencing violence. Refuge believes that integral to understanding VAWG is recognising that there is a high level of overlap between domestic violence and child abuse. Research suggests that between 30-66 per cent of men who are violent towards their female partners are also likely to be violent towards their children. In addition, Section 120 of the Adoption and Children Act (2002) extended the definition of harm within the meaning of the Children Act (1989) to include 'the impairment suffered due to seeing or hearing ill treatment of another' such as harm caused by domestic violence.

The consultation document acknowledges: the damage that VAWG has on children's physical and mental health; that Children's Trusts Boards have a role to play in the commissioning process; and that a wide range of services, including specialist children's services is essential. But it does not integrate the needs of children across the principles of service provision.

Indeed the joint commissioning of services, which is often necessary to create services to meet children's needs or to address the over-lapping needs of abused women and children, is particularly rare. In addition to finding funds for a Development Team which concentrates on securing statutory income, Refuge has also had to secure core funding for a Fundraising Team to raise the money necessary to fund specialist psychologists and social workers who work with women and children separately and together as needed, particularly on reducing the impact of abuse on the mother-child relationship.

6. Streamline and simplify the commissioning process and consider alternative forms of funding

Refuge appreciates that each local area will require a different mix of VAWG services. However, Refuge also believes that in order to ensure consistency in the commissioning process, current systems need to be reviewed, simplified and standardised wherever possible. Time should also be taken to consider whether the commissioning of services is always the best solution and that a mix of funding including consideration of grant funding may be more suitable.

¹ Transfers of Undertaking (Protection of Employment)

² In many instances the legal time to do this is longer than the deadline given by the commissioners

³ Refuge has even been involved in a scenario where we were told that we had won a tender but were then told that this was not the case after the housing association which owned the refuge accommodation but had been unsuccessful refused to given it up.

⁴ Refuge rarely receives a copy of a gender impact assessment to demonstrate the basis on which an invitation to tender has been developed

⁵ Bowstead, J (2008) The extent and implications of forced migration/relocation for women fleeing domestic violence, MA dissertation