

Cabinet Office Consultation

Modernising Commissioning; Increasing the role of charities, social enterprises, mutuals and cooperatives in public service delivery

Response from Women's Aid, England January 2011

About Women's Aid

Women's Aid has been established since 1974 and is the national charity which coordinates and supports a network of over 370 local specialist domestic and sexual violence organisations, providing over 500 refuges, helplines, outreach services and advice centres, as well as national helpline services. Last year, these services supported over 330,000 adults and children by providing advocacy, shelter, and safety, and over 1 million people used our online help services.

Women's Aid aims to end domestic and sexual violence through:

- Protection - by influencing policy change and key decision makers;
- Prevention - through raising awareness and education;
- Provision of the services needed to help abused women and children.

We have over 35 years experience in delivering a wide range of projects and services to support victims, practitioners, and the public (full details available on request) and have built up a strong reputation as national experts on domestic violence. As well as direct services, Women's Aid has a long track record in providing second-tier support services to voluntary and statutory agencies, delivering capacity building and training services both nationally and internationally, including developing national good practice models and guidance across health, housing and criminal justice interventions.

General comments:

Women's Aid is concerned that although the Cabinet Office states:

'The Cabinet Office acknowledges that this is a regrettably short consultation period. This falls outside of the Compact but the shorter timeframe will be mitigated by more targeted engagement. This consultation is intended to ensure engagement with key public service stakeholders during the short window of opportunity between the Spending Review 2010 and the beginning of the 2011-14 Spending Period'.

- a) this is far too little time for meaningful consultation with services in the national network, particularly as it is over a national holiday period;

- b) these questions could have been issued anytime after 20th October as many areas will not have agreed their budgets by 5th January and so does not allow for the impact of the 2010 Comprehensive Spending Review (CSR) on all of the services in the national network. This also fails to acknowledge the numbers of areas that have been making cuts irrespective of the CSR.

It would be useful to know which key public stakeholders the Cabinet wishes to engage with during this period and which organisations will have the opportunity to participate in the mitigating offer of 'more targeted engagement' and how this will be carried out.

Women's Aid response to relevant consultation questions:

1. In which public service areas could Government create new opportunities for civil society organisations to deliver?

The national coordinating organisation and independent services in the national network are experts in the provision of domestic and sexual violence services and provide institutional and individual advocacy for victims of domestic violence and their children with a wide range of statutory and voluntary sector agencies.

Women's Aid is concerned that government may seeking alternative providers to deliver welfare state provision that domestic and sexual violence victims and their children depend on for protection, often at times when their lives are at risk. Much work has gone into developing national and local frameworks for the delivery of appropriate services and the monitoring of the quality of statutory service responses to domestic and sexual violence. We are concerned that, if vital services are removed from a statutory framework, they are likely to become fragmented, augmenting inconsistency and reducing quality.

Women's Aid is concerned that public services are not subject to further competitive tendering processes, as our experience is that outsourcing contracts leads to a decline in the quality of provision. Lowering the quality is dangerous for victims of domestic and sexual violence and, because it is often a cross-boundary issue, consistent, safe responses are needed in every local area. Women's Aid is concerned that the impact of these proposals may well further fragment effective cross-boundary working.

Sub- Question: What are the implications of payment by results for civil society organisations?

Women's Aid is concerned that payment-by-results that is based on payment in arrears following successful achievement of targets will carry too much risk for civil society organisations. For example, the Home Office provides funding (via the Sojourner Project) for specialist domestic violence services that support domestic violence victims on spousal visas to make a fast-track application for Indefinite Leave to Remain. This funding is claimed in arrears subject to the outcome being successful and a significant number of services do not take this up because budgets are so tight that they cannot afford to carry the risk of financial loss associated with a negative outcome.

Women's Aid recommends that, without a standardised outcomes framework that is underpinned by the National Service Standards for Domestic and Sexual Violence, small specialist services will not want or be able to carry the financial risk as described in your example.

2. How could Government make existing public service markets more accessible to civil society organisations?

Women's Aid is concerned that existing public service areas need to be delivered by public service professionals with expertise in their service areas and that tendering for public service contracts will not improve the quality of delivery.

Women's Aid recommends that commissioners refer to the following strategy and guidance:

- The government strategy to End Violence against Women and the commissioning guidance that is included;
- Women's Aid's Quick Guide for Commissioners of Domestic and Sexual Violence Services;
- The guidance for commissioners that is to be published by the Department of Health in early 2011;
- The Map of Needs that is to be published by the Equalities and Human Rights Commission that provides information for commissioners on how to identify local needs of victims of violence against women and then commission appropriately.

Government must consider the guidance referred to above and avoid open competitive procurement processes that are likely to result in larger generic providers taking over across areas and result in the closure of small independent specialist services. This has already happened in some areas and this has either resulted in lower quality provision, or in some areas, no provision for domestic and sexual violence victims and their children.

Furthermore, the provision of support for national infrastructure organisations to collaborate at national and local levels will ensure that there is a national network of independent specialist domestic and sexual violence providers that meet the needs of the most excluded and least powerful members of the Big Society.

These measures will reduce bureaucratic burden, cut costs and ensure that services are delivered by organisations with the relevant skills, knowledge and experience to enable victims to address domestic and sexual violence and have the opportunity to recover and develop a new life free from violence.

Sub- Question: What are the key issues civil society organisations face when dealing with TUPE regulations and what could government do, within existing legislation, to resolve these problems?

Women's Aid services have effectively managed TUPE processes where and when required. Women's Aid is more concerned about the quality of provision delivered by the organisations/employers that staff have been transferred to. Women's Aid is also

aware that there may be some instances where staff are transferred from a generic organisation to work within a specialist domestic/sexual violence service where the service contract has been transferred. In order to ensure that a safe, good quality service is provided, it is essential that staff undergo recognised training to support them in their role and in line with the National Occupational Standards for Domestic and Sexual Violence.

3. How could commissioners use assessments of full social, environmental and economic value to inform their commissioning decisions?

Women's Aid recommends that commissioners should work closely with civil society organisations to develop and utilise appropriate assessments of full social, environmental and economic value to inform their commissioning decisions. Added value of closer engagement and softer outcomes that have a longer term positive impact with client groups, beyond the limit of specification of the contract for delivery, are gained by many small specialist services but often not recognised. Many services are developing ways of evidencing the social, environmental and economic value of the services they provide. Women's Aid England is coordinating national work to provide a consistent outcome based model demonstrating service value to society, and this work should be built upon. However, many small civil society organisations need capacity to develop this method of evidencing their work.

Women's Aid recommends that the inclusion of social value into a contract is beneficial to voluntary and community sector organisations because, although our sector often delivers this added value, it is not recognised or scored appropriately in tender processes. It could improve opportunities for voluntary sector organisations, such as specialist domestic and sexual violence services, being successful when bidding for contracts and ensure that all public services deliver wider benefits to local communities.

4. How could civil society organisations support greater citizen and community involvement in all stages of commissioning?

Civil society organisations have experience of providing individual and institutional advocacy at national and local levels and can assist and inform all stages of commissioning. Women's Aid services work with government at national and local levels as well as health, housing, police, Crown Prosecution Service and advocates for victims and their children. This has resulted in improved service responses and increased the safety of victims. Both nationally and locally, Women's Aid has a long history of direct engagement with survivors within their communities and would welcome opportunities to assist with this.

Women's Aid recommends that:

- government works with civil society organisations to ensure that the needs of the most vulnerable and socially excluded are identified and met through appropriate community involvement to inform the commissioning of appropriate services
- a secure funding framework is provided to enable national umbrella organisations to strengthen national and local partnerships and increase

collaboration, and so ensure participation of more vulnerable citizens and communities in all stages of commissioning.

Increased collaboration with and between civil society organisations would:

- increase capacity through maximising use of resources by frontline services and umbrella organisations;
- develop improved service user pathways and increase seamless delivery
- avoid duplication of resources when client gets improved response from several services working together;
- provide a more informed analysis of local need (by addressing the complexity of individual needs).

Sub-question: What role and contributions could civil society organisations place, through Local HealthWatch, in informing the local consumer voice about commissioning?

Women's Aid works with health at national and local levels and could provide Local HealthWatch with information about relevant issues impacting on victims of domestic and sexual violence. Although there is now an expectation that particular health professionals must routinely screen for, and respond to, domestic violence, in many cases this does not happen and so the victim (and their children) continue to experience domestic violence costing the public purse even more money. The Department of Health is to publish Commissioning Guidance in early 2011 and this will provide key information about commissioning services for victims of violence against women (including domestic and sexual violence, rape, forced marriage and honour-based violence, female genital mutilation and sexual harassment).

Sub-question: What issues relating to civil society organisations should the Government consider when refreshing the Joint Strategic Needs Assessment Guidance?

Women's Aid recommends that refreshment of the Joint Strategic Needs Assessment considers and addresses the needs of the most marginalised and vulnerable victims of domestic and sexual violence. This can be achieved by ensuring meaningful engagement and consultation with local civil society organisations to ensure that local needs are identified and addressed appropriately.

Sub-Question: How could civil society organisations facilitate, encourage and support community and citizen involvement in decision making about local priorities and services commissioned?

Civil society organisations such as Women's Aid services work with client groups from very diverse backgrounds and communities. They provide individual and institutional advocacy on behalf of their client groups, which is beneficial for victims and the statutory partners. They also enable victims to develop new lives, free from domestic and sexual violence and so encourage their clients to participate in appropriate activities as well as helping them to address their immediate practical needs. Women's Aid services can provide a wealth of insight and engagement with women from diverse communities and economic backgrounds.

Sub-Question: What forms of support will best enable statutory partners and civil society organisations to improve their working relationships?

Women's Aid recommends that:

- secure funding frameworks that includes capacity for increased engagement with statutory organisations and client groups would help civil society and statutory organisations improve their working relationships;
- mandatory guidance that is binding – unlike the Compact – would ensure that statutory agencies work appropriately with civil society organisations;
- statutory partners implement the government strategy End Violence against Women that provides information and guidance for statutory agencies on how to meet the needs of victims of domestic and sexual violence victims, hold perpetrators to account and work in partnership with civil society organisations.

Sub-Question: What issues should the government consider in the development of the future programme of training public service commissioners?

The government should consider the promotion of good practice policies and procedures for domestic and sexual violence, including the provision of training to ensure that commissioners understand violence against women. This must include knowledge and understanding of the nature and prevalence of domestic and sexual violence, how it affects victims and communities, and how to ensure that there is appropriate prevention, provision and protection for victims and their children in all local areas, in line with the government strategy to End Violence against Women.

Sub- Questions: What can civil society organisations contribute to the roll out of community budgets? What barriers exist to realising this contribution? How can these barriers be removed?

When consulting communities about local budgets it is vital that they can make properly informed decisions and are fully briefed, and provided with training as appropriate (as part of any consultation process on community budgets). Civil society organisations can provide information to enable the local community to make informed decisions about community budgets. Furthermore, with resources to support them in doing so, civil society organisations can facilitate inclusion of some of the most marginalised members of the community within consultation processes. Women's Aid England, as a national umbrella body, can also assist with facilitating the dissemination of information and consultation through its network of local service providers.

For further information about this response, please contact