

Funding Supported Housing Consultation: Short-term supported accommodation

Response from Scottish Women's Aid January 2018

ABOUT

Scottish Women's Aid (SWA) is the lead organisation in Scotland working towards the prevention of domestic abuse and plays a vital role in campaigning and lobbying for effective responses to domestic abuse. SWA is the umbrella organisation for 36 local Women's Aid organisations across Scotland; they provide practical and emotional support to women, children and young people who experience domestic abuse. The services offered by our members include crisis intervention, advocacy, counselling, outreach and follow-on support and temporary refuge accommodation.

1. KEY POINTS

- We have serious concerns about the security of funding for short term supported accommodation, including refuges, proposed in the consultation. We believe that it will not provide long term, secure, sustainable funding for refuges.
- We do not agree with the definition of short term supported housing as an accurate or appropriate definition of refuge accommodation. We recommend that there is a separate and specific definition and funding stream for refuges.
- We welcome the extension of the implementation date to 2020 but believe this timescale is too short to develop and pilot any new funding model. We support the recommendation of the Short Term Accommodation Task and Finish Group that implementation of a new funding model should be delayed until 2022.
- We have particular concerns about devolving all funding and commissioning of refuge services to local authorities in England. This will have a serious impact on the UK network of refuge provision and create additional risks for women and children experiencing domestic abuse.
- We believe that proposal, as it relates to funding refuges, will not support the UK Government to meet its international treaty obligations to fund specialist women only, violence against women services.

2. BACKGROUND

Scottish Women's Aid (SWA) welcomes the opportunity to comment on the UK Government's proposals for funding short-term supported housing.¹ Developing a sustainable model of funding for refuges, and the wider supported housing sector is an issue successive governments have struggled to address over a number of years. SWA has received assurances over this period from successive government Ministers of their commitment to finding a long term solution for the funding of refuge provision.

The continuous uncertainty combined with piecemeal attempts to resolve funding issues brought about by changes in social security policy have had a considerable impact on our members. This has included an inability to attract investment in the rehabilitation or development of refuges in Scotland where almost a third of provision is in shared accommodation.

Our response has been developed in consultation with our members who have raised serious concerns about the proposals as outlined in the policy statement and consultation. We welcome the government's decision not to apply the Local Housing Allowance to supported housing. However we believe the current proposal does not provide the long term, secure, sustainable funding model for refuges that is urgently needed. The proposed model is far removed from meeting the commitment and assurances previously given by the government.

3. DEFINITION – Question 1

SWA does not agree with the definition of short term supported housing. It is not an accurate or appropriate definition of refuge accommodation. The definition relates to a generic form of supported housing provided for individuals following a point of crisis in their lives and/or who require supported accommodation to acquire life skills to be able to live independently.

We believe a definition of refuge is important as it contextualises the issue, develops understanding, validates women and children's experiences and determines future funding provision. The definition must be one in which refuges are clearly visible and understood.

While some women and their children will access refuge in a crisis, many will do so as part of a planned process following a period of engagement with Womens' Aid services. Women are not accessing refuges to develop life skills to live independently. There is also no time limit for women and children staying in refuge, this varies depending on need and availability of appropriate permanent housing to move onto.

A continuing issue for refuges and specialist domestic abuse services is that they have always been "shoehorned" into definitions or categories of generic provision that aren't a

¹ <https://www.gov.uk/government/publications/funding-for-supported-housing> (Section 3)

comfortable or appropriate fit. This has led either to a series of exceptions when unforeseen consequences have become apparent (SEA/specified accommodation) or to the loss of specialist domestic abuse provision when it is subsumed into generic support services.

Refuges represent a physical response to domestic abuse by providing a vital lifeline to women and children forced to leave their homes. They provide physical security through additional and considered safety measures. As importantly, refuges respond to domestic abuse by also providing emotional safety that relates to the impact of the trauma caused by domestic abuse. This emotional safety is reflected physically in how refuge accommodation is designed and provided. The emphasis is on providing an environment for women and children that provides comfort, a sense of control, safety and space for action that domestic abuse erodes.²

It is important to note that specialist domestic abuse services in Scotland are underpinned by a gendered analysis of domestic abuse, which highlights that domestic abuse is: ‘a function of gender inequality and an abuse of male power and privilege. It takes the form of actions that result in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life’ (Equally Safe, Scottish Government, 2016).

Specialist domestic abuse services recognise the risk to women and children who cannot access appropriate support. They understand the need for safe, women-only spaces, run by women and for women who have been affected by domestic abuse. They provide specialist support for women and for children, and support for mothers and children together to help them rebuild their lives.

Our recommendation is that there should be a separate and specific definition and funding stream for refuges. We believe that this provides a real opportunity for the UK and Scottish Governments to demonstrate their commitment to addressing domestic abuse and fulfilling their international treaty obligations.

4. NEW FUNDING MODEL – Question 2

The proposed model is a fundamental change to how emergency and short term supported housing is funded. It removes this type of accommodation from the social security system and into grant funding. There are some potential advantages to grant funding for refuges in enabling more women with no entitlement to housing benefit to access refuge; for example EEA nationals, students and women who are working. We are concerned that the proposal still does not appear to address that the the needs of women with no recourse to public funds.

² <http://solacewomensaid.org/wp-content/uploads/2014/06/SWA-Finding-Costs-of-Freedom-Report.pdf>

However ending women's individual entitlement to support with her housing costs creates considerable risks to the long term security of refuge provision. The robustness of ring fencing, funding conditions and restrictions on eligibility are all unknown, untested and subject to policy change and budget pressures.

The model proposed is a pragmatic solution to the inflexibility of Universal Credit which is unable to respond to the needs and circumstances of individuals living in supported accommodation. It is not a model co-designed with the sector to find a funding solution(s) for the differing types of supported accommodation services designed to meet the unique individual needs of service users.

For Scotland the proposal is to devolve funding for short term supported housing to the Scottish Government to decide how best to allocate funding. The Scottish Government has yet to decide how this funding will be allocated and we look forward to working with them on this process.

While the devolution of funding to Scotland would enable the Scottish Government to progress the strategic alignment of policy outcomes contained in Equally Safe³ and to meet its international treaty obligations by developing improved refuge provision for women and children. This does not address our profound concerns about moving to a short term grants based system which will put services at risk and does not provide secure, long term sustainable funding for essential refuge services.

We also have serious concerns about the accuracy of the assessment for determining the devolved budget for short term supported housing. It is important that the DWP assessment of housing benefit allocation spent on short term supported housing in Scotland accurately reflects the actual costs of this provision. Our members have raised concerns that the assessment may not include void properties, housing benefit claims not yet processed or refuge spaces in areas where women are in receipt of Universal Credit – which may not then be 'flagged' on the housing benefit system. A new funding model must be based on full cost recovery and an accurate assessment process

Our members also report that housing benefit often does not cover all the costs associated with refuge provision. Eligible service charges and enhanced housing management costs are based on generic supported housing costs and do not include all the additional costs of providing refuges.

5. STRATEGIC PLANS AND MEETING LOCAL NEEDS – Questions 3 - 6

SWA welcomes the commitment in the Ministerial Foreword to set the budget for short term supported housing on the basis of current projections of future need. However it isn't clear from the consultation paper how current projections of future need in Scotland will be

³ <http://www.gov.scot/Resource/0049/00498256.pdf>

determined for this exercise. We are concerned that the 'equivalent amount' of funding to be provided to the Scottish Government will not include an adequate assessment of future need. Scottish Women's Aid and our members should be able to contribute to this assessment of future need at a national and local level.

We welcome the acknowledgement in the policy statement that demand for supported housing is set to increase across the UK by 30% and that new supported housing will be needed to meet this demand. Demand for refuge space currently cannot be met. There are 477 refuge spaces in Scotland, failing to meet the Istanbul Convention recommended ratio of one refuge bed per 10,000 inhabitants.⁴ Our annual Census Day survey found that 30% of women and their children needing refuge were unable to be accommodated due to lack of safe or suitable space.⁵

Where women and children are unable to access refuges they are housed in temporary accommodation and bed and breakfasts provided by local authorities. This accommodation is often highly unsuitable particularly when it is mixed sex, women report experiencing sexual harassment and intimidation. It is largely unsupported leaving women further isolated and women report feeling re-traumatised by hearing and witnessing domestic abuse.⁶

The forthcoming Domestic Abuse (Scotland) Bill will create a new criminal offence that includes coercive and controlling behaviour in intimate relationships between partners and ex-partners as well as physical abuse. This will enable and encourage more women to recognise their experience as domestic abuse and to look for support, including refuge.

These proposals do not provide the long-term security our members need to be able to develop their services to meet existing let alone increased demand. While grant funding may provide guarantees for the length of the grant period it does not provide the assurance for boards or key partners that the necessary revenue funding will continue to be available to cover the costs of improving or developing refuges.

6. LOCAL CONNECTION AND COMMISSIONING – Questions 7 - 8

SWA believes that the funding model goes beyond the scope of the problem of managing short stays through the Universal Credit system. We are deeply concerned about the impact of the proposed funding model for refuges in England. This model gives local authorities total responsibility for the commissioning and funding of both refuges and support provision within a broad generic framework. We believe that this will have a fundamentally detrimental impact, creating further barriers to women leaving an abusive partner and putting women and children at greater risk of harm. It will have a consequent effect on

⁴ <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>

⁵ <http://womensaid.scot/wp-content/uploads/2017/12/SWA-Census-Leaflet-2017.pdf>

⁶ <http://womensaid.scot/wp-content/uploads/2017/07/Change-Justice-Fairness.pdf>

refuge services in Scotland. We have anecdotal evidence from our members of an increase in the numbers of women from England seeking refuge in Scotland.

Women's Aid England has highlighted the impact of cuts on the provision of their services. With local authority funding for refuges across England cut from £31.2m in 2010/11 to just £23.9m in 2016/17 - a reduction of 24%.⁷ In their annual funding survey for 2017, Women's Aid England found that 15% of responding refuge services received no local authority funding at all.⁸ Local commissioning practices and budget constraints have led to contracts being awarded to cheaper, generic accommodation providers and the the closure of specialist domestic abuse services.

The United Nations Special Rapporteur on Violence against Women in her UK mission report raised concerns about a number of regressive measures that have been adopted in the UK. "These include the shift from gender specificity to gender neutrality, including gender-neutral services being increasingly favoured; power being devolved to local authorities on such issues as service provision, including changes to commissioning models which are detrimental to experienced community based service providers."⁹

The funding model proposed for refuges in England reinforces these regressive measures and increases the risks to services and the women and children who use them.

Refuges function as a national UK network managed through Routes to Support¹⁰ this enables women to access refuge in different areas of the UK for safety reasons and/or to access support from friends or family in another area. It is essential that there is adequate, widespread geographic distribution of refuges across the UK to meet the needs of women and children.

7. IMPLEMENTATION – Questions 9 - 10

SWA took part in the Supported Housing Task and Finish Group on Short Term Accommodation. The Short Term Accommodation Task and Finish Group recommended that implementation of a new funding model should be delayed until 2022. This was necessary to ensure the new model could be appropriately tested and to allow devolved administrations in Scotland and Wales to consult on the options they developed.¹¹

⁷ The Bureau of Investigative Journalism, 16th October 2017. [Accessible online.](#)

⁸ Women's Aid Annual Funding Survey 2017

⁹ <http://www.ohchr.org/Documents/Issues/Women/SR/A.HRC.29.27.Add.2.pdf>

¹⁰ Routes to Support is the UK violence against women and girls database of service and refuge vacancies run in partnership by

Scottish Women's Aid, Welsh Women's Aid, Women's Aid Federation of England and Women's Aid Federation of Northern Ireland.

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/655954/Supported_Housing_Task_and_Finish_Group_Final_Reports.pdf

After a considerable period of uncertainty, what is proposed is a fundamental change in funding. It is important to ensure we are moving to a more suitable model that provides funding certainty for refugees and that this transition is planned and delivered without impacting on services that operate within very tight financial margins.

It will also be important to test how any new model interacts with the Universal Credit system to eliminate any issues for women in receipt of Universal Credit when they moving into/out of refuge. It is unclear in the consultation document what entitlement people will continue to have to housing benefit/Universal Credit and whether the housing component of Universal Credit will contribute to their housing costs. People in supported housing must continue to be exempt from the bedroom tax and benefit cap, as well as continuing to have entitlement to Discretionary Housing Payments.

8. FURTHER COMMENTS – Question 11

The UK is required through a range of international legal obligations to provide protection and specialist support services, including refuges, for women experiencing domestic abuse.

Article 23 of the Council of Europe Convention on preventing and combating all forms of violence against women (the Istanbul Convention) requires states “to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children.”¹²

The EU Victims’ Directive adopted by the UK in 2012 requires the state to ensure victim’s rights to specialist support services that cover a sufficient geographical network which includes rural and remote areas.¹³

Concerns have been raised about the UK’s compliance with these obligations. The CEDAW Committee (Convention on the Elimination of All Forms of Discrimination against Women) in their concluding observations on the UK raised specific concerns about the impact of austerity measures on the funding of specialist women-only services. The Committee recommended that the UK Government make sure that the way it funds services is the best way forward especially in relation to specialist services for women.¹⁴

The UN Special Rapporteur on Violence against Women in her report in 2015,¹⁵ following her mission to the UK, also raised concerns and recommended that the government, “urgently address the funding crisis faced by the specialist violence against women and girls sector” This included:

¹² <https://rm.coe.int/168008482e>

¹³ <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32012L0029&from=EN>

¹⁴ <https://www.equalityhumanrights.com/en/publication-download/concluding-observations-committee-elimination-discrimination-against-women>

¹⁵ <http://www.ohchr.org/Documents/Issues/Women/SR/A.HRC.29.27.Add.2.pdf>

- Evaluating the funding policy for specialist services to address violence against women and making the necessary changes to ensure long-term and sustainable funding from the central Government and/or the local authorities.
- Creating and maintaining a strong and sustained network of specialist women-centred services that provide prevention, protection and support services.

The Joint Report of the Communities and Local Government and Work and Pensions Committees on the future of supported housing,¹⁶ recognised, “the unique challenges of refuges within the supported housing sector” and that “this should be reflected in a distinct model of funding.” We would urge the Government to work with Women’s Aid Federations across the UK and the devolved administrations to respond to these specific challenges and develop a long term sustainable funding solution for refuges for women and children.

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¹⁶ <https://publications.parliament.uk/pa/cm201617/cmselect/cmcomloc/867/867.pdf>