

Ensuring the Supporting Housing (Regulatory Oversight) Bill protects domestic abuse services: Briefing for MPs

Overview

Exempt accommodation refers to supported housing schemes which accommodate vulnerable members of society - such as domestic abuse survivors, rough sleepers, older people, and individuals with disabilities and additional health needs. The 'exempt' provisions of Housing Benefit were established in order to pay for higher costs of providing communal facilities, security and staffing in these types of accommodation, where providers are delivering care, support or supervision.

The lack of regulatory oversight of exempt accommodation, has led to an emergence of 'rogue providers' in the supported housing sector, whereby organisations are yielding higher rents from enhanced Housing Benefit, whilst providing a **minimal** level of care or support.

The Supported Housing (Regulatory Oversight) Bill,ⁱ brought forward by Bob Blackman MP, alongside Crisis, sets out a number of reforms to the exempt accommodation sector., Women's Aid supports the aim to 'regulate the rogues', whilst protecting specialist domestic abuse refuges, which rely on enhanced Housing Benefit to provide life-saving support to women and children fleeing domestic abuse.

Women's Aid are therefore calling for the Bill to ensure that specialist refuge services are subject to different standards than other forms of exempt accommodation, which reflect the life-saving work they do. Robust and thorough consultation with the specialist domestic abuse sector will be needed to ensure this works effectively.

If you have any questions or would like to discuss this further, please contact

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What is the issue?

There have long been concerns about poor quality exempt accommodation providers whose lack of expertise in delivering care, support and supervision threatens the safety of service users and undermines the integrity of housing benefit - paid for by the taxpayer. Some of the most concerning providers employ a 'business model' that relies on claiming higher levels of Housing Benefit, whilst they provide poor accommodation and unsuitable and unsafe support.

Since 2020 Women's Aid has been raising urgent concerns about the impact of this on women and children escaping domestic abuse. Frontline staff from across the Women's Aid federation have consistently reported concerns from survivors about their experiences in exempt accommodation. We've had reports of women being housed in highly unsafe locations, or in accommodation alongside individuals with a history of sexual assault. More recently, our members have become increasingly worried about very clear attempts by rogue providers to encroach into the specialist domestic abuse sector. This has included tactics such as seeking vulnerable women through sites such as Facebook and Gumtree.

Whilst not all providers are claiming to be 'for' women fleeing domestic abuse, the reality is that, owing to the fragmented and untracked referral pathways, as well as the huge demand for specialist refuge spaces,ⁱⁱ many women and children end up in supported accommodation with insufficient levels of support. In many cases, women further traumatised by other residents and therefore forced to begin rebuilding their lives from the start.ⁱⁱⁱ

Women's Aid's work to date on this issue

In a briefing Women's Aid published in 2020 alongside our sister organisation Imkaan – a national organisation led 'by and for' Black and minoritised women – we called for urgent reforms to the exempt accommodation model to ensure that any providers housing women and children fleeing domestic abuse, are equipped with the specialism and quality needed to ensure survivors can safely recover and transition into safe and settled independent lives. We also welcomed the invitation to give oral evidence to the Levelling Up Select Committee's Inquiry into Exempt Accommodation in April 2022,^{iv} following our written evidence submission in March. We have also continued to engage with the Levelling Up Committee to provide necessary evidence and data to inform their inquiry.

The Supported Housing (Regulatory Oversight) Bill

The Supported Housing Bill has been brought forward by Bob Blackman MP to strengthen the regulation of supported exempt housing in England. The Bill gives local authorities new powers to drive out poor practice in supported exempt housing and creates new strategic duties for national and local government to improve wider oversight of

supported housing provision. Women's Aid welcomes the spirit and ambition of Bob Blackman MP's Private Members' Bill. However, it is important to recognise that the *specialist*^v refuges have not been the focus of the Levelling Up Committee's inquiry into exempt accommodation, nor the target of the Private Members' Bill.

Ensuring the Supported Housing Bill works for *specialist* refuges

Refuges provide far more than a 'roof' – they provide holistic package of support, delivered by expert staff, to meet the full range of women and children's support needs in a safe and supportive environment. It is well evidenced that these specialist services are best delivered by women's organisations, and by experienced staff who have in-depth knowledge of domestic abuse and other forms of violence against women and girls (VAWG). Services led 'by and for' Black and minoritised women, migrant women, women with disabilities and LGBT survivors, are also essential for meeting the specific support needs of these marginalised groups.

In sharp contrast to specialist services, some of the most worrying exempt accommodation providers lack a basic understanding of domestic abuse and the needs of survivors.

Refuges make up around 1% of the supported housing sector^{vi} and differ significantly from other parts of the sector in the type of accommodation and support they provide. The landmark Domestic Abuse Act introduced a new statutory duty on local authorities to fund support in safe accommodation in 2020. Statutory guidance for this duty^{vii} makes clear that support funded under this duty should meet quality standards – including Women's Aid's National Quality Standards and Imkaan's Safe Accredited Quality Standards.^{viii}

It is important to note that these guidance and standards now set out a very different definition of appropriate support for survivors of domestic abuse than is established for wider forms of exempt accommodation. The chasm in quality between specialist and rogue providers was recognised by the Levelling Up, Housing and Communities Committee in their report, recommending that where "a survivor of domestic abuse, there must be a requirement that housing benefit is only paid to providers that have recognised expertise and meet the standards in Part 4 of the Act."^{ix}

Despite the introduction of this duty, specialist refuge services continue to face severe funding and commissioning challenges. 17.8% of refuges were not commissioned by their local authority in 2021. This sharply increases to 50% for services led 'by and for' Black and minoritised women.^x This is not an indication of their quality or expertise in delivering life-saving services to women and children, and many of these non-commissioned refuges meet established quality standards in the sector. It is therefore critical that any new regulation or oversight of exempt accommodation is not overly burdensome on smaller

specialist services including 'by and for' services for Black and minoritised women, who are disproportionately impacted by local commissioning challenges. Research conducted by the Domestic Abuse Commissioner demonstrated that 'by and for' services were 5 times less likely to receive statutory funding than mainstream domestic abuse or violence against women and girls organisations, and almost half of all 'by and for' services are based in London and the South East of England. ^{xi}

Whilst the Bill proposes new local authority powers to effectively stop poor practice through the creation of 'local licensing schemes', Women's Aid are concerned this could lead to biased decisions on which providers are licensed in areas where relationships where historically there are tensions between statutory agencies and local refuges. Women's Aid know through our work on best practice commissioning and engagement with local authorities that local relationships can often heavily influence the outcome of tenders.

Women's Aid are therefore calling for the Bill to ensure that specialist refuges are subject to different standards and oversight as other forms of exempt accommodation, to reflect the specific and life-saving work they do and the provisions already established in the Domestic Abuse Act. We could consider a number of mechanisms to ensure that exempt accommodation which is housing survivors of domestic abuse is safe and suitable – for example, by requiring providers to hold membership with a national domestic abuse organisation, be accredited with recognised quality standards in the domestic abuse sector or be listed on the directory of VAWG services, Routes to Support.

A robust and thorough consultation with the specialist refuge services, and the second tier organisations that represent them, will be needed to establish the mechanism of oversight in the future. In the meantime, we would like to see recognition on the face of the Bill that standards for care, support and supervision for survivors of domestic abuse in exempt accommodation will be treated differently.

Why this is important for domestic abuse services

The Levelling Up Committee's recent report on exempt accommodation highlighted that survivors of domestic abuse are often forced to stay in generic forms of supported housing, or exempt accommodation, which are unfit to safely support them to cope, recover and transition into safe and settled lives. The expansion of the exempt accommodation sector in recent years, as well as the 'goldrush' of rogue providers, has occurred in the context of severe challenges in the funding and commissioning of specialist women's refuges. Despite the recent Domestic Abuse Act, specialist refuges routinely have to turn away women and children from safety due to resource and capacity constraints. ^{xii}

Continued annual funding to accompany the statutory duty for domestic abuse support, alongside mechanisms to ensure local authorities are funding specialist refuge providers, are absolutely critical to increasing the capacity of safe and secure supported housing for domestic abuse survivors, whilst preventing the expansion of unscrupulous and poor providers. This has been rightly recognised in the Levelling Up Committee’s Report on Exempt Accommodation, which assert that regulatory reforms “must be implemented alongside increased supply of relevant specialist services.”^{xiii}

Whilst the duty has been accompanied with funding of £125 million in its first year, Women’s Aid estimates that at least £409 million is needed to run the specialist domestic abuse services across England this year. Therefore, this funding still leaves a significant shortfall in the funding needed to run domestic abuse services across the country, particularly in the context of rising energy prices.

Endnotes

ⁱ <https://bills.parliament.uk/bills/3195>

ⁱⁱ Whilst number of spaces in refuge services increased by 354 (from May 2020 to May 2021) and this is the highest annual increase seen in recent years, demand for support remains high and the number of refuge spaces still falls far short of what is recommended by the Council of Europe (a 24.2% shortfall).

ⁱⁱⁱ Women’s Aid. (2020) *The Domestic Abuse Report 2020: The Hidden Housing Crisis*. Bristol: Women’s Aid.

^{iv} [Available Here](#)

^v Women’s Aid adopt the definition provided in the Welsh VAWG and Domestic Abuse Commissioning Statutory Guidance: [Available Here](#).

^{vi} https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/572454/rr927-supported-accommodation-review.pdf

^{vii} [Available here](#)

^{viii} The [Women’s Aid National Quality Standards](#) support dedicated specialist domestic abuse services by providing a set of criteria against which they can evidence their quality. Organisations applying for the quality mark must prove themselves against criteria that promote positive survivor outcomes. The Violence Against Women and Girls Sector Shared Core Standards are also well-established quality standards within the domestic abuse and VAWG sector and were co-developed by Imkaan, Rape Crisis England & Wales, Respect, SafeLives and Women’s Aid.

^{ix} [Available Here](#)

^x Women’s Aid. (2022) *The Domestic Abuse Report 2022: The Annual Audit*, Bristol: Women’s Aid.

^{xi} <https://domesticabusecommissioner.uk/wp-content/uploads/2022/07/DAC-Mapping-briefing-paper-final.pdf>

^{xii} As noted in our [2022 Annual Audit](#), 61.9% of all the referrals received in refuge services using On Track were rejected. The main reason why referrals to refuge services were rejected was a lack of space or capacity; with 26.5% of rejected referrals being for this reason. This also equates to 15.6% of all referrals received being rejected due to lack of space or capacity.

^{xiii} [Available Here](#)