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Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JH/0031/20

John Griffiths AM
Chair, Equality, Local Government and Communities Committee
National Assembly for Wales
Cardiff Bay
Cardiff
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29 January 2020

Dear John,

Thank you for inviting me to attend the Equality, Local Government and Communities Committee on Wednesday 12 February 2020 for a session about the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, following the recent report by the Wales Audit Office.

The evidence paper attached responds to the Wales Audit Office report and provides an update on the implementation of the Act.

Yours sincerely,

A handwritten signature in black ink that reads "Jane".

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Equality and Local Government Committee

Scrutiny Session on the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 Following Publication of the Wales Audit Office Review of the Act -

9:30 – 11:00, 12th February 2020

Evidence Paper

1. The evidence paper sent to you in advance of your scrutiny session in November 2018 on the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 laid out progress since the previous update in February 2018. You have also received quarterly updates from the National Advisers up until the end of December 2019. This paper provides a brief overview of the Wales Audit Office's recent report, and provides a further update on progress.

2. The Wales Audit Office Report

2.1. The Wales Audit Office (WAO) published its report on progress in implementing the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 on 21st November 2019. Publication was timed to coincide with the International Day for the Elimination of Violence Against Women and White Ribbon Day.

2.2. The WAO found that the Act is transforming services and training is raising awareness of violence against women, domestic abuse and sexual violence (VAWDASV). There was recognition that collaboration is working well in some areas of Wales, despite partnerships being relatively new and needing time to mature. Social housing landlords are supporting victims and taking action against perpetrators; and almost all respondents to the WAO's survey had mapped VAWDASV services when preparing their local strategies.

2.3. However, there is clearly more to be done and while the report contains no recommendations for Welsh Government, we are working with partners to address the findings. The review for this report began around 18 months ago; inevitably over the course of a review things move on, especially in an area such as this, where a lot of action has been taken and good progress made during this time. The Welsh Government has already put a range of measures in place which will provide further support to partners in implementing the Act. These are outlined below against the recommendations.

2.4. Wales Audit Office Recommendation R1

Part 1 of the report highlights that despite public bodies having an increasing understanding of, and demand for, VAWDASV services, significant gaps remain and engagement with survivors and victims in reviewing and developing services is inconsistent. To address this, we recommend that needs assessment and mapping of service provision by

public bodies should be revisited and involvement widened and enhanced to include all relevant stakeholders to build a more accurate picture of current service provision and identify gaps.

2.5. Response WG1

This is a requirement laid out in statutory guidance for Local Strategies (published February 2018) and also for Regional Commissioning of VAWDASV Services (published May 2019). Regional boards have been undertaking mapping in response to this requirement and Welsh Government provided additional funding to the regions at the beginning of the year 2019 to support this work.

2.6. Wales Audit Office Recommendation R2

Part 1 of the report describes how victims and survivors of VAWDASV often find it difficult to navigate a fragmented system of service delivery.

To support victims and survivors to access and use services we recommend that public bodies:

- produce comprehensive and relevant information in a variety of media on the full range of services available to protect and support victims and survivors; and
- create a joint pathway to access services and support for both victims and professionals and advertise access arrangements widely

Response WG2

The Live Fear Free helpline and website provide this information via multiple channels and the Welsh Government provides details of both the helpline number and the website in all its communications campaigns, at all training and information sharing events, through digital media, door stickers, information posters, pop-up banners, and hand-outs. All relevant authorities have been supplied with information materials and the police forces have been provided with business cards to give to victims and survivors.

We are developing a survivor engagement framework and have piloted a survivor panel which will enable us to consult in a consistent manner with survivors to inform work that will improve services through policy development and delivery.

2.7. Wales Audit Office Recommendation R3

Part 2 of the report notes that whilst it is important that organisations comply with relevant data protection legislation, they also need to share data with partners to better meet the needs of victims and survivors. We recommend that authorities:

- ensure all staff who are likely to come into contact with victims and survivors should have appropriate VAWDASV training
- Service managers should have refresher training to ensure they know when and what data they can share and cannot share; and
- Authorities should review and update data sharing protocols to ensure they support services to deliver their data sharing responsibilities.

Response WG3

The National Training Framework requires all staff in relevant authorities to undertake, as a minimum, the VAWDASV e-learning or its face-to-face equivalent, and front line staff undertake Ask and Act training to help them identify signs of abuse, ask sensitive questions, and know how to signpost victims and survivors to appropriate support. So far, 167,500 public sector workers have undertaken training through the National Training Framework since it was introduced in March 2016.

We agree that it is important that staff in all authorities understand what they are able to share.

2.8. Wales Audit Office Recommendation R4

Part 2 of the report highlights that while some good progress has been made with regional working, there are not always appropriate levers in place to support service transformation in line with VAWDASV legislation. To ensure the benefits of regionalisation are realised, delivery agencies (local authorities, health bodies, the police, fire and rescue authorities and the third sector) should review their approach to regional working to better integrate services and maximise the positive impact they can make on victims and survivors.

Response WG4

Guidance on this is provided in the statutory regional commissioning guidance published in May 2019.

The Local Government and Elections (Wales) Bill, introduced on the 18th November, proposes the development of a framework and powers to facilitate more consistent and coherent regional working mechanisms for the delivery of local authority functions. In addition, the Welsh Government is working with the WLGA to develop an Improvement and Support function which would be able to support and encourage service transformation within local authorities to include regionalisation and regional delivery with partners.

2.9. Wales Audit Office Recommendation R5

Part 3 of the report highlights that the complex and short-term funding mechanisms, lack of data and insufficient consultation with stakeholders, are not supporting sustainable commissioning of VAWDASV services. Local authorities should review their commissioning arrangements to:

- remove duplication and overlap between different approaches within the authority and with partners;
- rationalise administration arrangements to improve efficiency and value for money;
- streamline and standardise commissioning arrangements to reduce the burden of administration on all parties; and

- set appropriate performance measures, targets and benchmarks to judge the impact and outcome of commissioned services.

Response WG5

The Welsh Government has streamlined ten of its own grants into just two grants, these being the Housing Support Grant and the Children and Communities grant; both of which are accessed by local authorities to tackle VAWDASV. Work to streamline the grants has included efforts to reduce bureaucracy and local authorities have also been granted greater flexibility to use these grants to meet local needs and specified outcomes. Key stakeholders are part of the group developing an outcomes framework for the grants.

The Welsh Government is working with stakeholders to develop a sustainable funding model which includes mapping funding and services and supporting service providers to access the full range of funding available. The statutory regional commissioning guidance resulted from this work and when fully implemented by local authorities will help to meet this recommendation.

Cardiff Council has shared with stakeholders its approach to funding and commissioning. North Wales region has also adopted a more collaborative approach to funding, with the PCC acting as banker for the region.

The Welsh Government published its National Indicators in the summer of 2019 to facilitate measurement of progress in implementing the Act. A series of workshops based on each of the key objectives in the National Strategy are underway to further refine and augment these indicators and these will also inform development of the next five year national strategy due in 2021.

2.10. Other findings

There was criticism of the timeliness of Welsh Government's guidance. This is fair in terms of guidance for developing local strategies, but should inform action plans and delivery. There have, however, been a wide range of statutory and good practice guidance and toolkits published in the four years since the Act, including a whole education approach to preventing and tackling VAWDASV; working with perpetrators in the public sector; safeguarding older people from domestic abuse; guidance on female genital mutilation; forced marriage; and honour-based violence; guidance for CAF/CASS practitioners on domestic abuse.

2.11. There has also been concern that once guidance is issued, it is not followed up. This has been reported to Welsh Government in particular in relation to the statutory commissioning guidance. A monitoring framework will be developed for implementation of the guidance and will support reporting against the National Indicators.

2.12. The report highlighted the time taken to develop the National Indicators. This has been challenging as comprehensive, robust national data sources are limited. This has resulted in the indicators having a heavier emphasis on

criminal justice than other areas. The National Indicators were published in June 2019 and Welsh Government is undertaking further work with stakeholders to refine and extend them. This work is proving very fruitful.

- 2.13. While roll out of training was generally received positively, there were a number of shortcomings identified by the WAO. The report does not refer specifically to Ask and Act, but we recognise the feedback based consultation with the regional training partnerships, so in re-letting the contract for Ask and Act in December 2018 we revised the specification to address those shortcomings.
- 2.14. The report states that work with perpetrators remains the most challenging and weakest area of prevention activity. This is mostly accurate and Welsh Government has increased its own activity to support delivery of perpetrator services in the last two years, including: a rapid review of what works with perpetrators; the introduction of national standards for working with perpetrators; piloting promising approaches; funding a Masters in Research to study stalking and harassment; holding practice-sharing events; and publishing guidance for local authorities in working with perpetrators.

3. Progress in Implementing the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

- 3.1. The purpose of this Act is to improve:
 - arrangements for the prevention of gender-based violence, domestic abuse and sexual violence;
 - arrangements for the protection of victims of gender-based violence, domestic abuse and sexual violence; and
 - support for people affected by gender-based violence, domestic abuse and sexual violence.

The Act introduces a number of duties as outlined below:

- 3.2. Duties placed on Welsh Ministers:
Welsh Ministers must publish and implement a National Strategy. The Welsh Government published its five-year National Strategy in November 2016. This has six key objectives and is supported by a delivery framework.
- 3.3. Welsh Ministers must publish annual reports on progress in implementing the Strategy. Three annual reports have been published and a fourth will be published in the summer.
- 3.4. Welsh Ministers must publish and may revise National Indicators to measure progress towards implementing the purposes of the Act. These were published in June 2019 in collaboration with key stakeholders. Work has continued this year through a series of workshops with stakeholders to further refine the indicators.
- 3.5. Welsh Ministers must appoint a National Adviser for VAWDASV. Rhian Bowen Davies was appointed as the first National Adviser in September

2015. Following her departure the post was extended to full time and filled on a job share basis by the current post holders, Yasmin Khan and Nazir Afzal in January 2018.

- 3.6. The National Advisers have a duty to submit to Welsh Ministers an annual plan and an annual report. Welsh Ministers have a duty to publish these. The National Advisers' annual plan for 2018-19 was published in September 2019 and their annual report for 2020-21 was published in November 2019. The National Advisers also provide you with quarterly reports on actions the Welsh Government has taken to implement the strategy and you received the most recent report on 24th January 2020.
 - 3.7. Powers granted to the Welsh Ministers
Welsh Ministers may introduce regulations requiring local authorities to publish information about how they are exercising their education functions to promote the purpose of the Act. Ministers have not exercised this power to date to avoid imposing unnecessary bureaucratic burdens on local authorities and because they anticipate the introduction of provisions in the new curriculum will have a more effective impact.
 - 3.8. Welsh Ministers may issue guidance to higher education institutions on how they may contribute to the pursuit of the purposes of the Act. Welsh Government officials have worked with HEFCW to develop guidance which is currently being revised following consultation.
 - 3.9. Welsh Ministers may issue statutory guidance to relevant authorities on how they must exercise their functions in respect of the Act. Relevant authorities are local authorities, local health boards, fire and rescue services and a National Health Service trusts. The Welsh Government has issued statutory guidance on implementation of the National Training Framework; Local Strategies; and Regional Commissioning of VAWDASV Services.
 - 3.10. Duties placed on Relevant Authorities
Local authorities and local health boards must publish a local VAWDASV strategy. Since the local authorities are brought together on the same footprint as Health for the purpose of delivering strategies for preventing and tackling VAWDASV, they have chosen published joint regional strategies with the local health boards. The first strategies were published in April 2018.
 - 3.11. Local authorities and local health boards must also publish annual reports on how they are implementing their strategies. These were received in the summer of 2019.
- 4. Other Work to Implement the National Strategy**
- 4.1. The Welsh Government's annual reports, the National Advisers' annual reports and the National Advisers' periodic reports to you lay out the actions Welsh Government has taken to implement the Act and the National Strategy. These include:
 - 24 hour support, seven days a week through the Live Fear Free helpline and website;

- the Dyn project and helpline for male victims and survivors who prefer a male only helpline or support; and
 - statutory guidance on the National Training Framework, local strategies and regional commissioning.
- 4.2. .We have published a range of guidance and toolkits and delivered training through our National Training Framework. Our Ask and Act training to help professionals recognise VAWDASV and signpost to support has received widespread recognition and several regions of the UK have approached us to ask if they may deliver something similar.
- 4.3. The Committee scrutinising the UK Government’s Domestic Abuse Bill has recommended that the Bill should introduce a requirement for training to follow Wales’s lead and Welsh Women’s Aid reports that they attribute increased referrals to services to greater awareness resulting from training.
- 4.4. We have run a number of successful communications campaigns, the most recent focussing on coercive control, building on the initial burst which raised awareness of coercive control and where to get help, moving on to coercive control in diverse groups such as BME, LGBTQ, and the elderly. A campaign targeted at young people aged 16-25 and was launched during Freshers’ Week and supports other work to teach children and young people about healthy relationships through the Welsh Government-funded Spectrum project.
- 4.5. Our newest campaign, launching during Sexual Violence Week on 6th February, is focussed on control and sexual violence. We have seen an increase in calls to our Live Fear Free helpline following the launch of each burst, with callers frequently referring to the campaign.
- 4.6. Our awareness raising work has most recently included a letter from the Deputy Minister and Chief Whip to all local authorities in Wales encouraging them to follow the Welsh Government and Neath Port Talbot Council’s lead and offer their staff paid leave to deal with issues relating to domestic abuse. At the same time the Minister for Local Government and Housing wrote to all public services in Wales highlighting the Wales Partnership Council’s joint statement on paid leave for domestic abuse.

5. Looking to the Future

In view of the fact that 2020 will be the fifth anniversary of the Act, we have asked the National Advisers to invite partner agencies to a conference to celebrate progress in implementing the Act and to look to the next five years, beginning the process of developing the new National Strategy.