

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET
BOARD

Report of the Head of Corporate Strategy and Democratic Services
K. Jones

Matter for Decision

Wards Affected:All Wards

Local Authority New Duties and Responsibilities – Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

Purpose of Report

1. To present the final draft of the “Healthy Relationships for Stronger Communities Strategy (2016-2019) for approval.
2. To seek authority from the Cabinet Board to develop proposals for elements of the Strategy to be developed or delivered on a collaborative footing.

Executive Summary

- The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 aims to improve arrangements for the prevention of gender-based violence, domestic abuse and sexual violence; improve arrangements for the protection of victims of such abuse and violence; and requires the appointment of a National Adviser on gender-based violence, domestic abuse and sexual violence;
- The Act places a new general duty on local authorities to have regard (along with all other relevant matters) to the need to remove or minimise any factors which increase the risk of violence or, exacerbate the impact of such violence on victims;

- The Act also places a duty on local authorities and health boards to produce and publish a local strategy for the local authority area and then to take reasonable steps to achieve the objectives set out in the local strategy;
- Attached, at Appendix 1, is the final Strategy which has been coproduced by a strengthened multi-agency partnership, chaired by Councillor Alan Lockyer and which was subject to public consultation between 15th March 2017 and 19th June 2017.
- The draft Strategy and the consultation responses were considered at a meeting of the Community Safety and Public Protection Scrutiny Sub—Committee at the July meeting and the points made at that meeting have been built into the final Strategy before the Cabinet Board for approval.

Background

The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 aims to improve arrangements for the prevention of gender-based violence, domestic abuse and sexual violence; improve arrangements for the protection of victims of such abuse and violence; improve support for people affected by such abuse and violence; and requires the appointment of a National Adviser on gender-based violence, domestic abuse and sexual violence.

The Act creates a number of new responsibilities for local authorities in Wales including a duty to prepare and public a strategy for the local authority's area, jointly with the relevant health board.

Over the last eighteen months, and in accordance with requirements set out in statutory guidance, the Domestic Abuse Strategy Group has been disbanded and replaced by a new multi-agency Leadership Group. There has been sustained senior commitment to the Group over that period and there has been excellent co-operation in developing the attached draft Strategy.

The Strategy follows the structure of the Welsh Government's National Strategy for Violence Against Women, Domestic Abuse and Sexual Violence, enabling the local partnership to demonstrate its contribution to delivering the national policy objectives established by the Welsh

Government. It includes all of the areas of activity that are set out various statutory guidance but most importantly, it identifies the strengths and challenges for this area and sets out a series of achievable actions to help us to achieve our long term vision:

“to prevent and eradicate violence by promoting equality, safety, respect and independence to enable everyone to live free from abuse and the attitudes that perpetuate it.”

Key Objectives

There are seven objectives set out in the Strategy:

1. Increase awareness and challenge attitudes towards violence against women, domestic abuse and sexual violence
2. Increase awareness in children and young people of the importance of safe, equal and healthy relationships and that abusive behaviour is always wrong
3. Increased focus on holding perpetrators to account and provide opportunities to change their behaviour based on victim safety
4. Make early intervention and prevention a priority
5. Relevant professionals are trained to provide effective, timely and appropriate response to victims
6. Provide victims with equal access to appropriately resourced, high quality, needs led, strength based, gender responsive services across Neath Port Talbot
7. Increased focus on improving the recognition of and responses to violence against, women, domestic abuse and sexual violence in all criminal justice proceedings

Consultation

The Policy and Resources Cabinet Board authorised public consultation on the draft Strategy at its meeting on 15th February 2017.

The findings of the Consultation were presented to the Community Safety and Public Protection Scrutiny Sub-Committee in July 2017. The committee proposed that a series of amendments to the Strategy to reflect points raised in consultation responses should be made. In particular:

The title of the Strategy should be amended to demonstrate it is inclusive of people from all backgrounds. Members agreed with the views of consultees that its current title suggested that the Strategy was

designed to address impacts on women only. Consequently, the title of the Strategy has been changed to “ Healthy Relationships for Stronger Communities” but we have retained the reference to the Act also to make clear that it is linked to the Welsh Government’s legislation;

The Committee felt that consultees had made important points about the Strategy needing to provide for people with protected characteristics: people who are lesbian, gay, bi-sexual or transgender; older people were two particular groups discussed. The Strategy had been amended to acknowledge that more work is needed to identify the needs of different groups and to then ensure service responses are appropriate to different needs;

The Police and Crime Commissioner proposed that the document should be re-worded in parts to make clear that the Strategy has been developed by the Partnership. The Committee felt that this was already clear in the document but it has been amended where appropriate to strengthen reference to the partnership work;

The Police and Crime Commissioner also commented that elements of the Strategy could be addressed on a regional basis. Since the Strategy was developed, Welsh Government have decided to pool the Welsh Government grant on a regional basis from April next year. Consequently, it will be necessary for discussions to take place with Western Bay partners to agree the elements of the Plan that can be progressed on a regional basis. The local Partnership had already identified these elements so, provided the Cabinet Board is content to authorise this work to progress, this should be a relatively straightforward piece of work to complete;

A number of respondents commented upon the need for the Strategy to have good measures and performance management in place to support its delivery. The Scrutiny Committee agreed with those views but it was noted that the work to this had in fact already been identified in the Strategy;

The final version of the Strategy which incorporates the changes proposed by the Scrutiny Committee is attached for Members of the Cabinet Board to approve.

Financial Impact

There are no new recurring revenue resources identified to support the new duties and responsibilities summarised in this report.

The Welsh Government are currently developing a number of “national products” - for example a national training product, that will be made available to local authorities to support implementation of the Act. The commencement date for most of the new duties has not yet been announced.

Additionally, the Welsh Government has notified the Council that its grant funding will be organised regionally from 2018/19 and that a plan of regional activities will need to be submitted in order to secure a share of the regional funding pot by end October 2017. This move to Western Bay funding is now uncertain given the Welsh Government’s announcements regarding the future structure of the ABMU Health Board.

Equality Impact Assessment

The Equality Act 2010 requires public bodies to “pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristics and persons who do not share it.”

The earlier Equality Impact Assessment advised that the subject of this report is legislation that is aimed at gender-based violence and consequently the impact should be positive as far as the protected characteristic of gender is concerned. The feedback from Families Need Fathers highlighted a gap in the evidence base and this has now been addressed in the strategy.

The earlier Equality Impact Assessment also advised that local research identifies children as being affected by domestic abuse and consequently the impact of the legislation is likely to be positive for the protected characteristic of age, however, the response of the Older

Persons Council suggests that there is a need for further work to ensure service responses are better tailored to the needs of older people in some cases.

Finally, the consultation has identified the need for a more detailed breakdown of need and service user by protected characteristics and this can be factored into the developing performance management framework.

Actions to address these points have been included in the Strategy.

Workforce Impact

The full workforce impacts of the legislation have not yet been identified however, there is an expectation that all Members of staff will receive training in line with a national training framework. The training requirements have not been fully funded by the Welsh Government.

The Strategy will require changes in service delivery which in turn will impact on workforce arrangements. Those changes will be managed in accordance with the Council's Management of Change in Partnership Policy.

Legal Impact

This report discharges the duty in the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 to publish a local strategy, jointly with the Local Health Board for the county borough.

Crime and Disorder Impact

The Council has a legal duty under Section 17 of the Crime and Disorder Act 1998 to carry out all its various functions with "due regard to the need to prevent Crime and Disorder in its area".

The duties introduced by the legislation subject of this report will assist the Council in discharging its duty to prevent gender-based crime and disorder in its area.

Risk Management

There is a risk of non-compliance with the duties introduced by the Act if sufficient resources are not provided to local authorities to cover the

costs of the associated activities. This risk has been mitigated by ensuring proposed actions can be delivered within existing resource, albeit there may need to be a refocusing of how those resources are best used.

Recommendations

1. It is recommended that the Cabinet Board approve the content of the final strategy and its publication
2. It is recommended that the Head of Corporate Strategy & Democratic Services is authorised to progress the development of regional working with Western Bay partners.

Reason for Proposed Decision

To secure compliance by the Council with the new duties under Section 5 (1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. To also ensure the Council will be able to benefit from the Welsh Government grant that supports this legislation from 2018/19 when the grant will be pooled on a regional basis.

Implementation of Decision

The decision is proposed for implementation after the three day call in period.

Appendices

1. Neath Port Talbot Healthy Relationships For Stronger Communities Strategy (2016-2019)
2. Equality Impact Assessment

List of Background Papers

1. Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

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