

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-13-17 Papur 3/ Paper 3
Carl Sargeant AM
Cabinet Secretary for Communities and Children

24 March 2017

Dear Cabinet Secretary

Post legislative scrutiny of Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

Following the recent plenary debate on the Committee's report, I am writing to seek clarification on a number of outstanding issues.

Additionally, it also provides an opportunity to ask how the Welsh Government will be involved in the development of the new Domestic Violence and Abuse Act announced by the Prime Minister on 17 February 2017. What involvement, if any, will the Welsh Government have in the development of this new legislation?

During the debate you stated that you were frustrated with the pace of 'introduction' of the 2015 Act and that you have made 'significant' changes to your team. Can you outline what impact these changes will have on the implementation of the legislation?

Recommendation 1: The Welsh Government should, as part of its forthcoming delivery plan to accompany the National Strategy, set out specific, individual delivery dates for:



- each piece of outstanding statutory guidance;
- the guidance to local authorities on the preparation of local strategies;
- the regulations to be made under section 29(6A) of the Education Act 1996 (as inserted by section 9 of the Act) relating to local authorities' reporting of how their educational institutions are implementing the Act; and
- the roll-out of the National Survivor Engagement Framework.

The written response was unclear on some of these points, in particular in relation to the statutory guidance. In responding to the debate, you helpfully clarified that guidance will be issued to local authorities and local health boards to assist with their local strategies in July. You also stated that the statutory commissioning guidance will be consulted on in July, however, it is still unclear if there are any further pieces of outstanding statutory guidance. Could you provide a list of the statutory guidance required by the legislation, with details of when they have been published, or when they will be published?

Recommendation 5: The Welsh Government should provide a timescale for when the Violence against Women, Domestic Abuse and Sexual Violence Advisory Board will complete its work into a sustainable funding model for the specialist sector (and when this will be communicated). It should also ensure that sufficient funding is available to the sector to cope with any increases in demand created as a result of the Act.

In the written response, you stated that the 2016–17 budget included an increase in the revenue component of the Domestic Abuse Services Grant of £400,000. During the debate it was unclear whether this increase will meet the likely increase in demand given that the funding is static for 2017–18. Could you clarify if this budgetary increase will cover the increase in likely demand resulting from the Act?

Recommendation 8: As a matter of urgency, the Welsh Government should:

- clarify the legal status of the forthcoming delivery plan, which should preferably be issued as statutory guidance to ensure that it can be enforced;



- outline when the delivery plan will be published, and how it will be consulted upon; and
- ensure that the ten survivor recommendations contained in the report, *Are you listening, am I being heard?*, are fully considered during the development of the national survivor engagement framework

In your written response, you stated that the legal status of the delivery plan would be considered by a Task and Finish Group, which was due to meet for the first time in February 2017. It remains unclear what the legal status of the statutory guidance will be; when it will be published or in the absence of this clarification, when these decisions will be made. Could you provide clarification as to whether the delivery plan will be issued as statutory guidance and when it is likely to be published?

Recommendation 9: The Welsh Government should commit to including teaching about healthy relationships in the new curriculum under the ‘Health and Well-being’ Area of Learning and Experience (AoLE), and should ensure this is delivered in all schools.

As you said during the debate, one of the strong messages both from the report and the debate was the importance of education in preventing abuse happening in the first place. We welcome the recent announcement made by your colleague, the Cabinet Secretary for Education establishing a Healthy Relationship Expert Panel chaired by Professor Emma Renold. We also note that the UK Government have announced that teaching on healthy relationships will be compulsory in all schools in England. This is a matter we will continue to have a keen interest in, and it would be useful to know from you or your Cabinet colleague when a final decision will be made on whether teaching on healthy relationships will be included in the curriculum.

Recommendation 11: The Welsh Government should expedite the preparation of regulations under section 29(6A) of the Education Act 1996 relating to the publication of information by local authorities on how they are exercising their



functions to promote the purpose of the Act. It should also commit to requiring local authorities to begin reporting by the start of the 2017/18 academic year.

It was unclear from the written response and the debate whether the Government would be taking forward this recommendation. Can you please clarify?

Recommendation 14: The Welsh Government should review the capacity of the National Adviser's role, and consider allocating additional resources to it for research and to support the development of local strategies.

During the debate, clarity was sought on these matters and the agreement to keep capacity under review. Could you provide an update?

Yours sincerely



John Griffiths AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.





Ein cyf/Our ref MA (L) CS -0278-17

John Griffiths AM
Chair
National Assembly for Wales
Equality, Local Government and Communities Committee
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20th April 2017

Dear John

Thank you for your letter of 24 March following the recent plenary debate on the Equality, Local Government and Communities Committee report on the Post legislative scrutiny of Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

The Welsh Government continues to work closely with the UK Government and will do so during the development of an UK Domestic Violence and Abuse Bill.

I will respond to each of the specific points raised as requested below:

- During the debate you stated that you were frustrated with the pace of 'introduction' of the 2015 Act and that you have made 'significant' changes to your team. Can you outline what impact these changes will have on the implementation of the legislation?

A secondee has been introduced into the Department to assist the Team and National Adviser. In addition to the new secondee, Sustainable Funding and Delivery Framework Task & Finish Groups has been established and that both will help in increasing the pace of implementation.

- The written response was unclear on some of these points, in particular in relation to the statutory guidance. In responding to the debate, you helpfully clarified that guidance will be issued to local authorities and local health boards to assist with their local strategies in July. You also stated that the statutory commissioning guidance will be consulted on in July, however, it is still unclear if there are any further pieces of outstanding statutory guidance. Could you provide a list of the statutory guidance required by the legislation, with details of when they have been published, or when they will be published?

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynir 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 responding in Welsh will not lead to a delay in responding.

Section 15 of the Act is a discretionary power to issue guidance. The Act does not require the publication of guidance. However, the Welsh Government is committed to publish guidance where it is beneficial for achieving the aims of the Act. The delivery framework will list all the guidance we intend to publish to assist in achieving the aims of the Act.

Multi-Agency Collaboration Guidance

Part of the work of the Sustainable Funding Model Task & Group and will report to me at the Advisory Group in November 2017.

Ask and Act

The plan for rollout of Ask and Act will be developed from July 2017 in consultation with stakeholders and Welsh Women's Aid.

Commissioning Services

Commissioning services has been part of the work of the Sustainable Funding Model Task & Group. A draft set of statutory commissioning guidance will be presented at the Advisory Group in November 2017.

Local Strategies

The national strategy will provide guidance and direction to local authorities and Local Health Boards in the preparation of their local strategies. However, it remains the intention to publish guidance in the Summer 2017 to further assist the preparation of local strategies. .

- In the written response, you stated that the 2016-17 budget included an increase in the revenue component of the Domestic Abuse Services Grant of £400,000. During the debate it was unclear whether this increase will meet the likely increase in demand given that the funding is static for 2017-18. Could you clarify if this budgetary increase will cover the increase in likely demand resulting from the Act?

The 2017-18 budget of £4.5 million includes the increase of £400,000. The work of the Sustainable Funding Model Task & Finish Group will report progress to me at the next Advisory Group in May 2017.

- In your written response, you stated that the legal status of the delivery plan would be considered by a Task and Finish Group, which was due to meet for the first time in February 2017. It remains unclear what the legal status of the statutory guidance will be; when it will be published or in the absence of this clarification, when these decisions will be made. Could you provide clarification as to whether the delivery plan will be issued as statutory guidance and when it is likely to be published?

The exact contents of the plan is still under development and only when finalised will a decision be made on the legal status. Progress is ongoing with the Delivery Framework Task & Finish Group with a workshop planned at the end of April 2017 and will update me on progress at the next Advisory Group in May 2017.

- As you said during the debate, one of the strong messages both from the report and the debate was the importance of education in preventing abuse happening in the first place. We welcome the recent announcement made by your colleague, the Cabinet Secretary for Education establishing a Healthy Relationship Expert Panel chaired by Professor Emma Renold. We also note that the UK Government have announced that teaching on healthy relationships will be compulsory in all schools in England. This is a matter we will continue to have a keen interest in, and it would be useful to know from you or your Cabinet colleague when a final decision will be made on whether teaching on healthy relationships will be included in the curriculum.

Education officials are still developing the curriculum reforms. Work on the Health and Wellbeing Areas of Learning and Experience (AoLE) began earlier this year. The details will be further developed in 2017 with a view to the new curriculum being available in 2018 and taught in schools by 2021.

- Recommendation 11: It was unclear from the written response and the debate whether the Government would be taking forward this recommendation. Can you please clarify?

We will not proceed with developing regulations or statutory guidance at this time. We will consider the Estyn report on the thematic review of healthy relationship education and the final recommendations from the Expert Panel once they have been published. This will inform what further steps will be taken in this regard.

- Recommendation 14: During the debate, clarity was sought on these matters and the agreement to keep capacity under review. Could you provide an update?

The role of the National Adviser continues to be kept under review.

Yours sincerely



Carl Sargeant AC/AM
Ysgrifennydd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children