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SUPPLEMENTARY PAPERS

Committee	COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE
Date and Time of Meeting	MONDAY, 15 MAY 2023, 2.00 PM
Venue	CR 4, COUNTY HALL - MULTI LOCATION MEETING
Membership	Councillor Molik (Chair) Councillors Ahmed, Ahmed, Ash-Edwards, Boes, Lent, Lewis, Littlechild and McGarry

The following papers were marked 'to follow' on the agenda circulated previously

4 **Revised Cardiff & Vale Violence Against Women, Domestic Abuse & Sexual Violence Strategy** (Pages 3 - 12)

Appendix A

Davina Fiore

Director Governance & Legal Services

Date: Tuesday, 9 May 2023

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BY SUBMITTING THIS REPORT TO THE CABINET OFFICE, I, JANE THOMAS DIRECTOR – ADULTS HOUSING & COMMUNITIES AM CONFIRMING THAT THE RELEVANT CABINET MEMBER(S) ARE BRIEFED ON THIS REPORT

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

CABINET MEETING: May 2023

CARDIFF AND VALE OF GLAMORGAN VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE STRATEGY 2023-2028

HOUSING AND COMMUNITIES

AGENDA ITEM:

Reason for this Report

1. To seek approval of the draft Cardiff and Vale of Glamorgan Violence against Women, Domestic Abuse and Sexual Violence Strategy 2023-2028 attached at Appendix 1.
2. To delegate finalisation of the Strategy for publication to the Director of Adults, Housing and Communities in consultation with the Cabinet Member for Housing and Communities.

Background

3. Violence against women, domestic abuse and sexual violence (VAWDASV) is a fundamental violation of human rights, and both a cause and consequence of inequality. Tackling violence against women, domestic abuse and sexual violence has far-reaching consequences for women, men, children, families, communities and society as a whole. Tackling these enduring social problems requires a distinct and proportionate approach to all victims and perpetrators in order that everyone can live fear free in safe, equal and violence-free communities.
4. The Violence against Women, Domestic Abuse and Sexual Violence Act (Wales) 2015 laid out a requirement for local authorities and health boards to jointly prepare regional strategies to tackle this issue.

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5. On 14th June 2018 Cabinet approved the inaugural Cardiff and Vale of Glamorgan Violence against Women, Domestic Abuse and Sexual Violence Strategy 2018-2023. It was also required that this local strategy responded to the requirements in the national Violence Against Women, Domestic Abuse and Sexual Violence Strategy 2016-2021, specifically to:
 - Embed a move to regional working.
 - Agree that Cardiff acts as regional ‘banker’ for managing Welsh Government funding for specialist services.
 - Consider joint commissioning opportunities across the region.
 - Have regard to the national objectives, namely:
 - i. Arrangements for the prevention of violence against women, domestic abuse and sexual violence.
 - ii. Arrangements for the protection of victims of violence against women, domestic abuse and sexual violence.
 - iii. Support for people affected by violence against women, domestic abuse and sexual violence.
6. The action plan attached to the previous strategy was monitored closely, with annual reports submitted to the Welsh Government and National Advisors and published on the Council’s website each May.
7. The revised national Violence against Women, Domestic Abuse and Sexual Violence Strategy 2022-2026 was published on 24th May 22. This new national strategy outlines a proposed blueprint approach to delivery of the commitments and objectives, drawing together different organisations to jointly deliver a whole system approach to address an issue; this will be undertaken through a number of workstreams. It also includes functions across the range of public policy, such as Education and Health, which have a role in contributing to and delivering VAWDASV policy. It involves policy makers, commissioners and delivery agencies in a partnership which will formalise the culture of collaborative working which already exists in Wales.

Issues

8. The revised regional VAWDASV strategy continues to recognise that anyone (women, men, children and young people) can experience and be affected by VAWDASV. It addresses violence and abuse directed towards women, men, girls and boys and violence and abuse perpetrated by men and women. It acknowledges that it can happen in any relationship regardless of sex, age, ethnicity, gender, sexuality, disability, religion or belief, income, geography or lifestyle. However, it is acknowledged by partners involved in the strategy’s development that women and girls are disproportionately affected by domestic abuse, rape and sexual violence, sexual exploitation (including through the sex industry), modern day slavery, forced marriage, female genital mutilation, child sexual exploitation and abuse, stalking and sexual harassment.
9. Whilst recognising the new national strategic direction, partners involved in the development and implementation of this strategy have agreed that

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the vision, aims and objectives set in 2018 remain relevant for this revised regional strategy. Therefore, the Vision and Aims for 2023-2028 are as follows:

Vision

People who live, work and visit Cardiff and the Vale of Glamorgan have the opportunity to live positive, independent lives without being affected by violence and abuse.

Aims (these relate to chapter headings)

Aim 1 - PREPARE

Improve strategic planning and commissioning of VAWDASV services through a more coordinated partnership approach across the region.

Aim 2 - PURSUE

Address perpetrators of VAWDASV by improving intelligence sharing across services and the use of legal powers to disrupt and convict.

Aim 3 - PREVENT

Proactively address negative attitudes and behaviours that have the potential to result in VAWDASV, recognising this as everyone's business.

Aim 4 - PROTECT

Improve the multi-agency response and support to all victims and their children regardless of risk level and needs.

Aim 5 - SUPPORT

Ensure that innovative, flexible and evidence-based services are available to meet the needs of victims experiencing any form of VAWDASV.

Implementation Plan

10. To support these aims, a number of actions have been identified as "We Will" commitments throughout the strategy. A detailed implementation plan is enclosed at Appendix 2 which identifies the detailed actions required of partners to take forward all the commitments set out.
11. The Welsh Government's blueprint approach is being managed through a number of workstreams concentrating on specific areas of activity:
 - Gender-based Harassment in all Public Spaces
 - Workplace Harassment
 - Tackling Perpetration
 - Sustainable Commissioning
 - Children and Young People's Needs
 - Older People's Needs

In addition, there is an over-arching Survivor Voice Scrutiny and Involvement Panel that will be represented at each workstream and the national boards that will ensure the milestones set out in the Blueprint Programme are being delivered through overseeing progress being

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made through the 6 Workstreams, informed by input from members of the Partnership Board and other stakeholders as required.

12. The regional implementation plan will therefore be a living document, amended as activity arising from the Workstreams is identified. The regional governance arrangements have been refreshed to reflect the Welsh Government's requirements and to address both the distinct local issues but also the wider responsibility for joint working where this is feasible. The action plan implementation will continue to be monitored through these governance arrangements.

Stakeholder Engagement

13. This is a partnership document between Cardiff Council, the Vale of Glamorgan Council, Cardiff and Vale University Health Board, South Wales Police, the National Probation Service and the specialist third sector organisations operating in the region to identify what we are collaboratively doing to tackle all forms of abuse, especially to women.
14. Representatives of all partners were asked to feed into strategy development workshops and in providing written updates and statistics. Partners agreed to continued use of the existing vision, aims and objectives and the layout and format of the document.
15. A bespoke consultation workshop was held with those with lived experiences of VAWDASV. This 'Conversation Café' was open to both men and women to feed in their specific experiences and thoughts on service delivery – this was developed into a visual representation which can be found in the strategy document.
16. The draft strategy was circulated widely for comments to all relevant partners, including specialist VAWDASV providers, other third sector providers, statutory partners, universities and colleges, and equality organisations.
17. The strategy was presented for pre-scrutiny to the Council's Community and Adult Services Scrutiny Committee on 15th May 2023.
18. Following approval by the Council's Cabinet further consultation will take place with stakeholders before being finalised and published. It is proposed that finalisation of the plan will be delegated to the Director Adults Housing and Communities in consultation with the Cabinet member for housing communities. An Equality Impact Assessment has been undertaken and can be found at Appendix 3, with a Child Rights Impact Assessment at Appendix 4.

City for CEDAW

19. On 30th March 2023, Cardiff Council approved a motion to declare Cardiff a 'City for CEDAW'. CEDAW is the United Nations *Convention on the Elimination of all forms of Discrimination Against Women* which provides a framework, actions and principles that align and support the goals of the VAWDASV (Wales) Act 2015.

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20. The Council's corporate plan has a commitment to adopt the principles of the Convention on the Elimination of All Forms of Discrimination Against Women by October 2023. A full action plan will be developed to deliver on this commitment.
21. The regional VAWDASV Strategy also contains a commitment to embed the principles of CEDAW and includes actions to deliver on this commitment. Appendix 5 sets out how CEDAW is reflected in the Strategy.
22. Cardiff's City for CEDAW commitments will be integrated into the Council's revised Strategic Equality Plan and Workforce Strategy and through these mechanisms actions and developments will be undertaken.

Local Member consultation (where appropriate)

23. This is not a local issue.

Reason for Recommendations

24. To comply with the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 regions are required to develop their strategies and arrange for them to be published no later than one year after ordinary elections.
25. The Cardiff and Vale of Glamorgan Violence against Women, Domestic Abuse and Sexual Violence Strategy 2023-2028 will ensure that the Council works collaboratively with other relevant partners and stakeholders to address VAWDASV in the Cardiff and Vale of Glamorgan region.

Financial Implications

26. Implementing the regional strategy and the actions and targets set out will need to be met from existing Council funding as well as any approved external grant allocations from Welsh Government and other public sector bodies. One-off funding of £130,000 was allocated as part of the Financial Resilience Mechanism approved as part of the Council's budget proposals for 2023/24.
27. A previous decision has approved that Cardiff Council will act as "regional banker". Where projects are approved with partners, particular care should be taken when determining such partnerships to ensure there are no unintended financial consequences for the Council in undertaking this role and any longer-term risks are mitigated and supported by matching funding commitments. This includes the impact of VAT, property maintenance and service operating costs.

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Legal Implications (including Equality Impact Assessment where appropriate)

28. The Welsh Government must prepare a national strategy for the purposes of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Local authorities and health boards must in turn jointly prepare local strategies.
29. A local strategy must—
 - (a) specify objectives which the local authority and the Local Health Board consider will, if achieved, contribute to the pursuit of the purpose of this Act;
 - (b) specify the periods of time within which the local authority and the Local Health Board propose to achieve the specified objectives;
 - (c) identify the actions the local authority and the Local Health Board propose to take to achieve the specified objectives.

Further detail about the requirements of the Act appears in the text of the Report.

30. The Strategy is intended to cover the years May 2023 – May 2028 and must be reviewed no later than May 2028.
31. The decision on whether to adopt the Strategy in accordance with the recommendation in this report has to be made in the context of the Council's Equality Act public sector duties. An Equality Impact Assessment has been undertaken to ensure that the Council has properly understood and assessed the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty.

Generic Advice

32. In considering the matters set out in this report regard should be had, amongst other things, to:
 - (a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards
 - (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil

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partnership; h. Sexual orientation; i. Religion or belief – including lack of belief

- (c) When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers ([WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)) and must be able to demonstrate how it has discharged its duty
- (d) the Social Services and Well Being (Wales) Act 2014 –

Social Services and Well Being (Wales) Act 2014

33. In considering this matter, the decision maker must have regard to the Council's duties pursuant to the Social Services and Well Being Act 2014, and associated regulations and Code of Practice. In brief the Act provides the legal framework for improving the well-being of people who need care and support and carers who need support and for transforming social services in Wales.
34. Section 14 of the 2014 Act and accompanying Part 3 Code of Practice places a responsibility on local authorities, and other public bodies, exercising functions under the 2014 Act to assess an adult where it appears the adult may have needs for care and support. Where a local authority has carried out an assessment which has revealed that the person has needs for care and support then the local authority must decide if those needs meet the eligibility criteria, and if they do, it must meet those needs (section 32 of the 2014 Act and Part 4 Code of Practice (Meeting Need)).
35. Any future provision of services would need to be considered in accordance with the 2014 Act. Local authorities have a general duty under section 1(3) (a) of the 2014 Act to promote wellbeing. Local authorities are required to have regard to this not only when considering decisions in respect of people who need care and support, but when designing and arranging services. In doing so, local authorities must think about whether their approach to arranging and delivering services, supports and promotes the wellbeing of every person, and carer, receiving those services.

Well Being of Future Generations (Wales) Act 2015

36. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
37. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving

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the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2023-26.

38. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
39. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long-term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
40. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

HR Implications

41. The Trade Unions have been consulted on the details within the report and are supportive of its recommendations. They will continue to be updated with future developments and workplans. The trade unions are also briefed on a regular basis on actions within the Council's Workforce Strategy.

Property Implications

42. There are no property implications.

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RECOMMENDATIONS

Cabinet is recommended to:

Approve the draft Cardiff and Vale of Glamorgan Violence against Women, Domestic Abuse and Sexual Violence Strategy 2023-2028.

Delegate finalisation of the strategy, to the Director Adults, Housing and Communities in consultation with Cabinet Member for Housing and Communities, following further stakeholder consultation.

SENIOR RESPONSIBLE OFFICER	Jane Thomas
	Date submitted to Cabinet office

The following appendices are attached:

Appendix 1 – DRAFT Cardiff and Vale of Glamorgan Violence against Women, Domestic Abuse and Sexual Violence Strategy 2023-2028

Appendix 2 – DRAFT Regional Strategy Implementation Plan 2023-2028

Appendix 3 – Equalities Impact Assessment

Appendix 4 – Child Rights Impact Assessment

Appendix 5 – “City for CEDAW’ Commitments

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