

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	Guidance for the commissioning of Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Services in Wales
Name of official:	Zoe Holland
Department:	Communities and Tackling Poverty
Date:	February 2018
Signature:	ZH

1. Please provide a brief description of the policy/decision.

For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?

Section 15 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“the Act) gives the Welsh Ministers a power to issue statutory guidance to relevant authorities (as defined in the Act) on how the authorities should exercise their functions with a view to contributing to the pursuit of the purpose of the Act.

The Welsh Ministers intend to use their power to issue guidance to local authorities, Local Health Boards, fire and rescue authorities and NHS Trusts in Wales to promote high quality collaborative commissioning that delivers more consistent and effective services to prevent Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) and protect and support victims across Wales.

The guidance will provide a framework for the commissioning of VAWDASV services to meet needs effectively and fairly across Wales by enabling the creation of regional collaborative VAWDASV partnerships. This will help to ensure consistency of provision across the whole country and contribute to the achievement of Objective 6 (Provide victims with equal access to appropriately resourced, high quality, needs led, strength based, gender responsive services across Wales) in the Welsh Government’s National Strategy on VAWDASV: 2016-2021.

The Welsh Ministers are required by the Act to publish annual reports of the progress made towards achieving both the objectives in the National Strategy and achievement towards the purpose of the Act, as well as to publish national indicators that can be used to measure collective national progress in achieving the purpose of the Act. The first progress report was published in January 2018.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

The draft guidance has been developed in discussion with specialist VAWDASV services and with the support of a task and finish group comprised of key stakeholders. [

Task & Finish Group – Sustainable Funding

<i>Naomi Alleyne</i>	<i>WLGA</i>
<i>Katie Dolton</i>	<i>Cymorth</i>
<i>Karen Jones</i>	<i>NPT Council – Corporate Director</i>
<i>Deb Evans</i>	<i>CwmTaf Regional Adviser</i>
<i>Lyndon Puddy</i>	<i>Torfaen Council</i>
<i>Dafydd Llywelyn</i>	<i>PCC Dyfed Powys</i>
<i>Jeff Cuthbert</i>	<i>PCC Gwent</i>
<i>Arfon Jones</i>	<i>PCC North Wales</i>
<i>Alun Michael</i>	<i>PCC South Wales</i>
<i>Jo Hopkins</i>	<i>Home Office WG Liaison</i>
<i>Hannah Williams</i>	<i>Ministry of Justice</i>
<i>Gwilym Roberts</i>	<i>Relate</i>
<i>Eleri Butler</i>	<i>WWA</i>
<i>Jackie Stamp</i>	<i>New Pathways</i>
<i>Paula Hardy</i>	<i>South Wales Police & PCC</i>
<i>Mutale Merrill</i>	<i>BAWSO</i>
<i>Natalie Southgate</i>	<i>Cardiff LA</i>
<i>Shelly Davies</i>	<i>Powys LA</i>
<i>Sue Roberts</i>	<i>Stepping Stones</i>
<i>Nicola Edwards</i>	<i>Hywel Dda Health Board</i>
<i>Charlotte Dyer</i>	<i>Survivor Trust Cymru</i>
<i>Jo Silver</i>	<i>Safelives</i>
<i>Frances Beecher</i>	<i>Llamau</i>
<i>Rebecca Haycock</i>	<i>Gwent region</i>
<i>Joanne James</i>	<i>Newport LA</i>
<i>Rhian Bowen-Davies</i>	<i>National Adviser</i>
<i>Steve Carr</i>	<i>Welsh Government – CSD</i>
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<i>Tracy Dunning / Clare John</i>	<i>Welsh Government - VAWDASV</i>
<i>Sian Smith</i>	<i>Welsh Government - VAWDASV</i>
<i>Sheilah Gaughan</i>	<i>Welsh Government- Housing</i>
<i>Jason Pollard</i>	<i>Welsh Government - Health</i>
<i>Rebecca Powell</i>	<i>Welsh Government - Safeguarding</i>
<i>Hannah Chivers</i>	<i>Welsh Government - Children & Families</i>
<i>Paul Webb</i>	<i>Welsh Government – Supported Housing</i>

The draft guidance will be published for a 12 week public electronic consultation
This EIA will be updated after the consultation responses have been analysed.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

VAWDASV is a fundamental violation of human rights, a cause and consequence of inequality and has far reaching consequences for families, children and society as a whole.

Despite a significant amount of work in Wales by the Welsh Government and partners over the last few years, many people from all walks of life are still at risk of, or experiencing violence or abuse, which can take many forms, not just physical. The majority of victims of VAWDASV are women; however, men are also victims as are children and young people living in homes where violence or abuse takes place:

- 1.4 million women and 700,000 men aged 16-59 report experiencing incidents of domestic abuse in England and Wales.
- Extrapolating this data to Wales, shows that 11% women and 5% men a year experience 'any domestic abuse', while rates of 'any sexual assault' in the last year were also higher for women (3.2%) than men (0.7%).¹
- In 2011 an estimated 137,000 girls and women were living with consequences of FGM in the UK² and in 2011 an estimated 60,000 girls under the age of 15 were living in the UK who were born to mothers from FGM practising countries and therefore could be at risk of FGM³. It is estimated there are 140 victims of FGM a year in Wales.

¹ Robinson et al., The Welsh Government's proposed 'Ending Violence Against Women and Domestic Abuse (Wales) Bill': Recommendations from the Task and Finish Group 2012.

² Macfarlane, A. J. & Dorkenoo, E. (2014). Female Genital Mutilation in England and Wales: Updated statistical estimates of the numbers of affected women living in England and Wales and girls at risk - Interim report on provisional estimates. London: City University London.

³ Ibid

- 80% of cases dealt with by the UK Government's Forced Marriage Unit involved female victims; 20% involved male victims. It is estimated there are up to 100 victims of forced marriage a year in Wales.⁴
- In a study of young people in intimate relationships 25 per cent of the girls and 18 per cent of the boys experienced physical abuse; 75 per cent of the girls and 14 per cent of the boys experienced emotional abuse, and 33 per cent of the girls and 16 per cent of the boys experienced sexual abuse⁵. It found that not only do girls experience more abuse, but they also experience more severe abuse more frequently, and suffer more negative impacts on their welfare, compared with boys.
- 1 in 5 women aged 16-59 has experienced some form of sexual violence since the age of 16.
- 2/3 of all women and 85% of younger women experience sexual harassment.⁶
- Nearly half a million adults are sexually assaulted each year and around 85,000 women and 12,000 men are raped each year in England and Wales – 11 rapes of adults every hour⁷
- There are an estimated minimum of 11 million adult survivors of contact and non-contact sexual abuse in the UK⁸
- 1 in 20 children have been sexually abused. Over 90% of sexually abused children were abused by someone they knew⁹

We recognise that gaps remain in the provision of specialist services for survivors of VAWDASV across Wales. However, the evidence for this is largely anecdotal at this time as current 'mapping' of existing service provision is sketchy, and support for people experiencing VAWDASV may come from a range of services, not just those delivered by specialist VAWDASV services.

The Welsh Government's National Task and Finish Group 'To develop a Model for Sustainable Funding for VAWDASV Specialist Services in Wales' asked specialist services and the wider VAWDASV sector including local authority representatives to provide information on what percentage of resources goes into VAWDASV services regionally and nationally. This information was broken down by types of funders and was collated into a report to the Task and Finish Group by Welsh Women's Aid. Lack of strategic collaborative commissioning in some regions, together with a decrease in

⁴ Home Office and Foreign and Commonwealth Office – Forced Marriage Units Statistics 2015.

⁵ NSPCC - Radford, L. et al (2011) Child abuse and neglect in the UK today. <https://www.nspcc.org.uk/services-and-resources/research-and-resources/pre-2013/child-abuse-and-neglect-in-the-uk-today//>

⁶ www.endviolenceagainstwomen.org.uk/news/234/85-of-young-women-in-uk-have-been-sexually-harassed-in-public

⁷ RCEW statistics

⁸ NSPCC - Radford, L. et al (2011). See footnote 5

⁹ Ibid

investment into specialist services, was a concern raised by the majority of respondents. The report also found that significant differences in approach to commissioning across Wales cause inconsistencies in service levels and provision and this is not necessarily aligned with meeting local needs.

The International Centre for Policing and Security, University of South Wales, were also asked to conduct a mapping exercise that focused on the services provided by or purchased by community safety partnerships in Wales. Their report concluded, in relation to service provision that “The commissioning process itself is very ad hoc and does not appear to have any corporacy or continuity, with commissioning bodies or individuals utilising a myriad of different processes. This suggests that there is not a definitive policy or procedure for the commissioning of VAWDASV services across Wales.”

Our intention is that – once regional VAWDASV partnerships and commissioning structures are fully established and meeting our requirements for ‘evidence-based’ commissioning (conducting robust needs assessments and market/gaps analysis) - we’ll be in a position to aggregate up to a national level and have a clearer understanding of what services are available.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>	X			<p>Children and young people are affected by VAWDASV as both direct victims and witnesses to abuse within the family unit. For example an estimated 130,000 children in the UK live in households where high risk domestic abuse is ongoing and, according to research by Safelines, almost two thirds (62%) of children in England and Wales exposed to domestic abuse were also directly harmed.</p> <p>There is emerging evidence that abuse within young people's relationships at least mirrors levels of prevalence seen in adult relationships. Young people are also disproportionately affected by forced marriage and FGM.</p> <p>The delivery of more consistent and effective VAWDASV services (both</p>

				<p>to prevent abuse and violence occurring and to support survivors) will therefore benefit children and young people.</p> <p>The guidance specifies that one of the key principles for commissioning services is that all survivors, including children and young people, should have equal access to high quality services across Wales.</p>
People 18-50	X			<p>This is the age group most vulnerable to domestic abuse (specifically women aged 18-24).</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit adults.</p>
Older people (50+)				<p>The Crime Survey of England and Wales only includes those up to age 59. However, it is becoming apparent that domestic abuse in older people is a significant and an under-recognised issue.</p> <p>In the first representative study of the kind, a national prevalence survey of people aged 66 or over found that 3.1% of people surveyed in Wales had experienced abuse by a family member, close friend or care worker in the previous year which equates to around 26,000 older people with capacity in Wales experiencing some form of abuse and neglect</p> <p>The delivery of more consistent and effective</p>

				VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit older people.
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4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment	X			<p>A survey by Action for Blind People found that 60% of visually impaired people had historically experienced physical or verbal abuse, compared to half of sighted people.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit visually impaired people.</p>
Hearing impairment	X			<p>Research has found that D/deaf women are twice as likely as hearing women to experience domestic abuse.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit people with hearing impairments.</p>
Physically disabled	X			<p>Research indicates that disabled people experience disproportionately higher</p>

				<p>rates of domestic abuse and also experience abuse for longer periods of time, and more severe and frequent abuse than non-disabled people.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit disabled people.</p>
Learning disability	X			<p>Very little research is available in relation to those with learning difficulties or disabilities. However the small scale qualitative studies completed to date showed that the interviewees (women with mild to moderate learning) described physical, sexual, emotional, psychological and financial abuse with unique “softening up” behaviour used by perpetrators against this client group.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit people with learning disabilities.</p>
Mental health problem	X			<p>Research indicates that those with mental health problems are at a higher risk of victimisation. Significantly, at least half of all women accessing mental health services have experienced</p>

				<p>violence and abuse.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit people with mental health issues.</p>
Other impairments issues				

4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male	X			<p>Violence and abuse affects men and boys – the Crime Survey for England and Wales estimates that 4.0% of men reported experienced any type of domestic abuse, family abuse and sexual abuse or stalking in the year from April 2014 – March 2015. This is an estimated 600,000 male victims in a single year.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit men and boys.</p>
Female	X			<p>As the evidence in section 3 shows, women and girls are disproportionately affected across all types of violence</p>

				<p>and abuse. The data also shows that women suffer both more serious and more frequent domestic and serious sexual assaults than men.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit women.</p>
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4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
	X			<p>Research by the Scottish Transgender Alliance has shown that 80% of transgender people have experienced some form of domestic abuse, most commonly transphobic emotional abuse.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit transgender people.</p>

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage	X			The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will benefit all survivors and those at risk irrespective of whether they are married, in a civil partnership or neither.
Civil Partnership	X			The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will benefit all survivors and those at risk irrespective of whether they are married, in a civil partnership or neither.

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy	X			Evidence has shown that many victims of domestic abuse experience this abuse whilst pregnant and studies show that

				30% of domestic violence starts during pregnancy.
Maternity (the period after birth)	X			<p>Up to 9% of women are thought to be abused during pregnancy or after giving birth.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit pregnant women and those who have recently given birth.</p>

4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,				<p>Research has found that BME women are disproportionately affected by different forms of abuse e.g. forced marriage, 'honour' based violence, Female Genital Mutilation, sexual exploitation in the form of commercial sex work, trafficking etc. It is harder for BME women to flee all forms of VAWDASV due to language and culture barriers and survivors may face additional barriers to seeking or receiving services.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to</p>

				support survivors) will therefore benefit BME people.
National Origin (e.g. Welsh, English)	X			The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will have a positive impact on all victims and those at risk of whatever national origin.
Asylum Seeker and Refugees	X			<p>The UN has acknowledged that refugee women are more affected by violence than any other group of women in the world. This is a result of the multiple situations of vulnerability in which they find themselves.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore benefit asylum seekers and refugees.</p>
Gypsies and Travellers	X			<p>No reliable statistics are available regarding the prevalence of VAWDASV in Gypsy and Traveller communities. However a 2007 study in Wrexham found 61% of married English Gypsy women and 81% of Irish Traveller women interviewed had experienced direct domestic abuse. This compares with 27% of the general population.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and</p>

				violence occurring and to support survivors) will therefore benefit Gypsies and Travellers.
Migrants	X			The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will have a positive impact on all victims and those at risk in Wales, regardless of their country of birth.
Others				

4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)	X			<p>Violence against women, domestic abuse and sexual violence cuts across geographical, religious, ethnic and national boundaries. It is not supported within any religion but religious beliefs can be misrepresented within families and communities to support abusive behaviour or the control of others (often women).</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will have a positive impact on</p>

				all victims and those at risk across all religious and other beliefs as well as non-belief..
Belief e.g. Humanists	X			See above
Non-belief	X			See above

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men	X			<p>Gender-based violence, domestic abuse and sexual violence can occur within both heterosexual and homosexual relationships.</p> <p>UK surveys have found that the prevalence of violence in intimate LGBT relationships usually mirrors that in heterosexual relationships, with approximately one in four to one in three individuals in LGBT relationships experiencing domestic violence at some point.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will have a positive impact on all victims and those at risk whatever</p>

				their sexual orientation.
Lesbians	X			See above.
Bi-sexual	X			See above.

4.10 Do you think that this policy will have a positive or negative impact on people’s human rights?

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions	X			<p>The Welsh Government, consistent with the rest of the world, recognises that VAWDASV is a violation of human rights and both a cause and consequence of gender inequality.</p> <p>The delivery of more consistent and effective VAWDASV services (both to prevent abuse and violence occurring and to support survivors) will therefore promote human rights and contribute to the achievement of the UN’s Sustainable Development Goals (notably Goal 5 – Achieve Gender Equality)</p>

If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.



Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The evidence to show how the commissioning guidance will promote equality of opportunity is cited above in Part 1 and in the individual sections on protected characteristics.

Moving to a regional approach to commissioning VAWDASV services will enable service providers to provide improved and consistent services across Wales to meet the needs of victims, including those from protected groups. The guidance emphasises that the commissioning cycle must start from a robust and comprehensive analysis of current and future needs, recognising the importance of considering the specific needs, issues and barriers that may be experienced by people with protected characteristics who may be marginalised or excluded.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

Please see response to section 1.1. The draft Commissioning Guidance supports implementation of the Act, and its purposes, including the improvement of arrangements for the prevention of gender-based violence, domestic abuse and sexual violence

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

The enduring social problem of VAWDASV undermines our communities and remains a significant barrier to Wales achieving the seven well-being goals set out in the Well-being of Future Generations (Wales) Act 2015. The draft Commissioning Guidance will also help to embed the five ways of working (sustainable development principle) in the Well-being of Future Generations (Wales) Act 2015:

The draft Commissioning Guidance will enable public services to work better together and with specialist VAWDASV services to prevent, support and protect people experiencing VAWDASV from suffering any further harm.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

N/A

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

N/A

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The draft Commissioning Guidance will be published for public consultation. Feedback will be analysed and the guidance finalised and published. This EIA will be updated at that point.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

***Please delete as appropriate:**

The policy *does / does not have a significant impact upon equality issues

Official completing the EIA

Name:
Zoe Holland
Department:
Communities and Tackling Poverty
Date:
February 2018
Signature:
ZH
Head of Division (Sign-off)
Name: Amelia John
Job title and department: DD, Communities Division
Date: 26.2.18
Signature:
Review Date: After consultation responses analysed and draft guidance amended.

