

## **SAFE HOMES:**

# **HOUSING DOMESTIC ABUSE PREVENTION POLICY**

### **Introduction and scope**

1.1. This policy sets out LB Waltham Forest Council Housing Department approach to dealing with domestic abuse

1.2. This policy details how we will assist and support all Council Tenants and household members, including our residents in temporary accommodation and all those who approach us for housing assistance.

1.3. As a provider of housing services, we are well placed to recognise the signs of domestic abuse. It is essential that we take all reports seriously and work positively with the victim to offer a safety led response to their needs.

1.4. Right across Council Housing Services our staff and contractors work hard to recognise signs of domestic abuse and to support victims through our tenancy and estate services, repairs and maintenance, and housing options.

1.5. In case of staff experiencing domestic abuse, we will offer guidance and support as detailed in the Council's HR Dealing with Domestic Abuse Policy.

### **2. Links to our vision and goals**

2.1. LBWF Council's Public Service Strategy pillar "Safe and Healthy Lives" focuses on providing residents with safe homes and a healthy environment including offering housing support for survivors of domestic abuse.

2.2 Council Reset milestone of achieving DAHA accreditation as housing provider and expanding our offer of support to residents who experience domestic.

### **3. Key terms and definitions**

3.1 The Domestic Abuse Act 2021 gave us the first statutory definition of domestic abuse and it covers much more than physical violence. Housing professionals must be aware of the new definition which should be visible and included in domestic abuse policies and procedural guidance.

3.2 Domestic abuse can consist of a single incident or a course of conduct over time. It can include behaviour directed at another individual, for example, someone's child.

Abusive behaviour includes:

- physical or sexual abuse
- violent or threatening behaviour
- psychological or emotional abuse
- controlling or coercive behaviour
- economic or financial abuse

Economic abuse means any behaviour that has a substantial adverse effect on a person's ability to acquire, use or maintain money or other property, or to obtain goods or services.

Victim and perpetrator must be personally connected

For the abuse to be classed as domestic, both victim and perpetrator must be aged 16 or over, and be personally connected by either:

- marriage or civil partnership, including past, present, or intended
- being or having been in an intimate relationship
- having joint parental responsibility for a child under 18, including in the past
- being related within the meaning of section 63(1) of the Family Law Act 1996

Relatives means parents, grandparents, children, grandchildren, siblings, aunts, uncles, nieces, and nephews. Step and half relations are included.

Different types of relationships are captured, including ex-partners and other family members. Paid and unpaid carers are excluded unless they are also personally connected, such as a family member.

3.3. In 2014 the Government announced a new domestic abuse offence of coercive and controlling behaviour. Coercive and controlling behaviour underpins domestic abuse and is explained as a range of purposeful behaviours including intimidation, isolation, emotional abuse and manipulation. These behaviours are often used as the primary mechanisms for achieving power and control in an abusive relationship and these behaviours reinforce the threat or reality of physical abuse.

Controlling behaviour includes a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capabilities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating Coercive and controlling behaviour underpins domestic abuse and is explained as a range of purposeful behaviours including intimidation, isolation, emotional abuse and manipulation. These behaviours are often used as the primary mechanisms for achieving power and control in an abusive relationship and these behaviours reinforce the threat or reality of physical abuse.

Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

The new law will help protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive control can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

3.4 This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

3.5 Domestic Violence Disclosure Scheme (DVDS)/Right to Ask Scheme is designed to protect potential victims of domestic abuse by allowing them to request information from the Police about their partners past, or that of a person of concern to them.

#### **4. Our policy statement**

4.1. At Council Housing Services we believe that our residents should not live in fear of violence or abuse from a partner, former partner or any other member of their household.

4.2. People experiencing domestic violence will be treated in a believing, sympathetic, supportive, and non-judgmental way. A victim's disclosure alone is sufficient for them to be given advice and assistance as a matter of priority.

4.3. Our service to residents will:

4.3.1 Ensure that residents experiencing domestic abuse:

i) can access appropriate services as early as possible and are given advice to allow them to make informed choices about what to do next.

ii) know they can meet staff in confidence at our offices or at an agreed choice of safe venue;

iii) can choose preferred/safe method of contact.

iv) can request for a staff member of a specific gender and, where possible, of the same ethnic origin/sexual orientation to deal with their case; v) receive independent translation services where necessary.

4.3.2 Where appropriate, carry out a risk assessment using the Domestic Abuse, Stalking and Honour Based Violence (DASH) Risk Identification Checklist and create a safety plan to provide support for the person experiencing domestic abuse and their children.

4.3.3 Ensure that all information is treated in utmost confidence and only shared where there is lawful basis to do so under GDPR. Information and personal data

4.3.4 To ensure safety and wellbeing of residents experiencing domestic abuse we will aim to:

i) Provide improved security to a resident's home through the Sanctuary Scheme/Target Hardening.

ii) Make a referral to our Financial Inclusion Team or other relevant services for any required support relating to financial issues.

iii) Signpost the individual experiencing domestic abuse to relevant organisations to provide legal advice as appropriate.

iv) Agree an action plan with the person experiencing domestic abuse, monitor the situation and review at a frequency agreed with them.

4.3.5 Hold the perpetrator of abuse to account which may mean taking firm action including eviction where appropriate and safe, for the victims including children, to do so and the victim's views should be fully considered when deciding what action to take.

4.4 To support our staff we will: i) Provide support and guidance to our employees experiencing domestic abuse as detailed in our policy; ii) Ensure that our employees receive specialist training at the appropriate level on domestic abuse; iii) Support Domestic Abuse Champions across the housing.

4.5 In partnership we will:

4.5.1 Deliver a multi-agency approach to meeting the needs of victims of domestic abuse. This means we understand that we cannot meet all the needs of victims and perpetrators of abuse alone so we will work collaboratively with partners to do so. This specialist offer will be supported by a customer focused empathetic response across the housing, partners and contractors.

4.5.2 Work with our partners to support individuals experiencing domestic abuse and, where appropriate, take action against perpetrators where we can do so without compromising the safety of the individual experiencing abuse.

4.5.3 Share information between agencies where appropriate, proportionate and necessary to do so to achieve an accurate risk assessment and also to enhance the multi-agency response to domestic abuse, If we assess a high risk of serious harm or homicide (the “MARAC Theshold”) we will make the necessary referrals and follow local protocols to ensure the victims receive a multi-agency response through the MARAC process. Any referral made will be explained to the victim so that they are fully aware of what is happening.

against the DASH Risk Identification Checklist meets the local authority threshold for MARAC referrals or using our professional judgement. We will clearly explain that for cases which meet the threshold of a Multi-Agency Risk Assessment Conference (MARAC) we will share information with relevant agencies.

4.5.4 Work with the Police and local partners to support the work of Domestic Violence Disclosure/Right to Ask Scheme in Waltham Forest

4.5.5 Follow the relevant Safeguarding Children policies if we believe a child is at risk as a result of the abuse, making referrals as appropriate. We will clearly explain that if we have safeguarding concerns, we have a legal duty to share information with relevant agencies.

4.5.6 Follow the relevant Safeguarding Adults Policy guidance if we believe a vulnerable adult is at risk of abuse.

4.5.7 Advise people experiencing domestic abuse of external agencies who can offer further advice and support dependent upon their needs, and work with our partners to ensure co-ordinated services to prioritise the safety of the person who is experiencing domestic abuse and the safety of their children, where present.

4.5.8 We will report incidents to the police on behalf of individuals or support them in doing so (with their permission), where they feel too intimidated to report incidents themselves. We will also offer third party reporting services if requested.

4.5.9 We will conduct interviews between Housing IDVA and our Housing Options Team in cases where there is a threat of homelessness and temporary accommodation may be needed.

4.5.10 Actively participate in strategic and operational forums to ensure that Council Housing Services contributes to the strategic direction and operational delivery of Domestic Abuse prevention services in Waltham Forest; support new initiatives to further develop the service available to residents who are experiencing domestic; and support local campaigns to raise awareness of domestic abuse

## **5. Diversity and inclusion**

We are committed to the principles of diversity and inclusion across the organisation. In the context of this policy we will:

5.1 Meet the needs and choices of people from all backgrounds and take into consideration gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.

5.2 Understand the cultural implications and barriers to reporting domestic abuse and work to ensure our services are accessible to all

5.3 Ensure that all sections of the community have equal access to services. We will monitor take up the DA services and take a targeted approach where we are concerned about underutilisation of the service by certain communities.

## **6. Confidentiality**

Any information obtained in relation to violence and abuse shall be treated in the utmost confidence. Information should only be disclosed in very limited circumstances – this would include:

- Where individuals, service providers, residents, or colleagues could be at risk of significant harm the General Data Protection Act 2018 (GDPR) enables the lawful sharing of information although it is best practice to first seek the person's permission to disclose unless it may place anyone at further risk of harm.
- Where child or adult protection may be a concern, for example if a member of staff discloses that a child or a vulnerable adult is at risk from abuse (whether it is physical, sexual, emotional, psychological or neglect).

Where information needs to be disclosed, the resident must be informed that the information may be disclosed as well as provided with information about where, to whom and why the information may be disclosed. As far as possible, information will only be shared on a need to know basis. Any unauthorised breaches could be subject to disciplinary action being taken for those employed by Ib Waltham Forest and staff could potentially bring legal action against the organisation.

The consequences of breaching confidentiality could have serious effects for the person experiencing violence and abuse – statistically, the risk of serious harm and murder increase when an individual separates from their partner. It is vital, therefore, not to underestimate the danger or assume that the fear of abuse is exaggerated. It is also important to recognise that for a host of reasons a person may return to an abusive partner and the importance of maintaining a commitment to the provisions of the policy and a non - judgmental attitude is paramount.

## **7. Monitoring and continuous improvement**

This policy will be reviewed every three years, unless legislation, business or sector developments require otherwise, to ensure that it continues to meet the stated objectives and take account of good practice developments. In addition, we will monitor the operation of the policy and produce annual reports on a range of areas such as number of referrals to the Sanctuary Scheme

## **8. Legislative and policy context**

This policy takes into account the following legislation, and staff are encouraged to refer to this legislation where cases require.

- DAHA Accreditation Requirements and Best Practice
- Domestic Abuse Act 2021
- Claire's Law – Domestic Violence Disclosure Scheme (DVDS)

8.2. The Policy also links to the following strategies and policies

- Safeguarding Adults Policy
- Safeguarding Children Policy
- Allocations Policy
- Equality, Diversity and Inclusion Policy (under review)
- VAWG Policy/strategy
- HR Dealing with Domestic Abuse Policy
- “Safe and Healthy Lives” LB Waltham Forest Public Service Strategy

## **APPENDIX 1.**

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**Violence Against Women and Girls (VAWG)** refers to a range of serious crime types which are predominantly, but not exclusively, experienced by women and girls: Domestic Violence and Abuse; Sexual Offences; Stalking; Female Genital Mutilation (FGM); Crimes said to be committed in the name of 'honour'; Forced Marriage; Prostitution; and trafficking for sexual exploitation.

**Physical Abuse** can include hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking.

**Sexual Abuse** can include rape and coerced sex, forcing a victim to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.

**Economic abuse** can include controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim's name, allowing no say on how monies are spent, refusing to allow them to study or work.

**Psychological and Emotional Violence and Abuse** has a profound impact upon victims and their children. It can leave a victim with little confidence that they can do anything to change the situation. Examples include:

- Creating isolation e.g. not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them.
- Use of threats e.g. threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad.
- Putting them down – humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent. **Discriminatory Abuse**

(with reference to Forced Marriage) may manifest itself as any of the other categories of abuse, however what makes discriminatory abuse distinctive is it is motivated by oppressive and discriminatory attitudes towards a person's:

- Disability
- Physical appearance
- Learning disability
- Mental ill-health
- Sensory impairment
- Race
- Religion
- Gender/ gender identity
- Age
- Culture
- Sexual orientation
- Appearance
- Family and Inter-generational Abuse

Domestic abuse approaches have traditionally focused upon heterosexual partner abuse and more recently have been seen to address abuse in lesbian, gay, bisexual, and transgender relationships.

More focus is required to address family and inter-generational abuse, and how it differs from partner abuse, for example if the perpetrator is the victim's teenage or adult sibling, child or grandchild.

Careful consideration is required when dealing with family and inter-generational abuse due to the complexities of family composition and safeguarding implications.

#### Ethnicity and cultural background

Domestic abuse affects women from all ethnic groups, and there is no evidence to suggest that women from some ethnic or cultural communities are any more at risk than others.

However, the form the abuse takes may vary; in some communities, for example, domestic abuse may be perpetrated by extended family members, or it may include forced marriage, or female genital mutilation (FGM).

#### **Barriers to reporting domestic abuse**

Black, Asian or minority ethnic (BAME) woman may be unwilling to seek help from statutory agencies (such as the police, social services, or housing authorities) because you are afraid

of a racist response. If a partner and abuser is Black, Asian or from another ethnic minority, the victim-survivor may wish to protect him or her (and the community) from police intervention due to experiences of institutional racism.

BAME women escaping abuse from other members of your family (for example, parents or parents-in-law) rather than, or as well as, a partner or husband, may be afraid of rejection from their own community if they ask for help.

## Disability

Disabled women are twice as likely to experience DA. An additional barrier to seeking help and leaving occurs when the perpetrator is also the survivor's carer.

## Elder Abuse

Research has found that domestic abuse is experienced by both women and men regardless of age, disability and ethnic background. Elder abuse can be even more detrimental to a victim's wellbeing due to problems with mobility, mental health and social isolation. Older people may have come to accept some aspects of domestic abuse as the 'norm' dependent upon their generation. For example, in the past the male of the relationship may have been the only one to work and was traditionally seen as the breadwinner and thus have control of their finances and limit their partners' access to money, we would now accept this as financial abuse.

Version No	Purpose/Change	Author	Policy Owner	Implementation Date	Approved by	Next review date
1	New Policy	Sylwia Tokarska DAHA Project Lead	Darren Welsh	June 2021	HSLT	June 2024
2	Update to include the new governmental definition	Sylwia Tokarska DAHA Project Lead	Darren Welsh	February 2022	Minor correction only	June 2024