



SAFE HOMES: Housing Domestic Abuse Prevention Procedure



This procedure details the steps we will take to provide assistance and take action in cases of domestic abuse. This procedure applies to all Waltham Forest Council Tenants.

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Linked Policies

Safe Homes: Housing Domestic Abuse Prevention Policy
ASB Policy
Allocations Policy



1. Introduction

This procedure details the steps we will take to provide assistance and take action in cases of domestic abuse. Domestic Abuse (DA) refers to any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

The abuse can include, but is not limited to: 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.

Multi Agency Risk Assessment Conference (MARAC) is a regular local meeting to discuss how to help people at high risk of murder or serious harm. This includes a domestic abuse specialist (Independent Domestic Violence Advisor - IDVA), police, children's social services, health and other relevant agencies.

While women and girls are disproportionately affected by all forms of VAWG, and some are gender specific such as FGM, we will support those individuals experiencing VAWG or domestic abuse irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act.

This procedure provides further guidance to help staff to implement the Domestic Abuse Policy. It aims to ensure that individuals affected by domestic abuse are dealt with in a sympathetic and sensitive manner, in accordance with their needs. It also aims to ensure all employees act in a non-judgemental way.

Where staff experience domestic abuse or VAWG, we will follow our Staff Domestic Abuse Policy ([goes here](#)) and refer them to relevant support agencies where appropriate. Staff can also access the Employee Assistance Programme ([link goes here](#)). Staff can approach their line manager or any of the Domestic Abuse champions [programme in development] across the organisation for support and advice. Domestic Abuse champions can be identified via the staff intranet. HR can be contacted if this is in the best interest of the person suffering and necessary to support the person effectively.

2. Key terms

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.

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.

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.

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.

3. Roles and Responsibilities

- **Head of People** (Housing Operations) and **Head of Prevention & Assessments** (Housing Strategy & Options) provides leadership and oversees implementation of Safe Homes DA Prevention Policy
- **Tenancy Team Leader** – To support the Tenancy Officers in their investigation of cases and conducting an initial overview of the reports and risk assessment to ensure it meets the criteria for approval for Emergency Rehousing or before submission to the Social Needs Panel for a Management Transfer.
- **Tenancy Officers** – Responsible for effectively managing the Emergency Rehousing or Management Transfer cases on his/her/their patch. Ensuring that stated deadlines are kept, updating tenants about the status of their temporary accommodation or



application and making recommendations about whether this is an Emergency Rehousing or Management Transfer request based on the evidence provided. Tenancy Officers will keep and update a log of tenants on the Management Transfer List; yet to be rehoused, attend viewings, and sign-ups for the new property.

- **Rehousing Team**– Responsible for administering the allocation of any permanent offer that will be made to the tenant. Responsible for administering the allocations process once SNP has awarded priority.
- **Accommodation Placement Officers** – When it is identified that a tenant needs to be moved immediately, Accommodation Placement Officers will arrange emergency accommodation.

4. Barriers and challenges to ending abusive relationship

It is important to understand that those who experience domestic abuse may not seek, or respond to, offers of help and may wish to remain in their abusive relationship. Reasons for this may include:

- Fear of the abuser and/or what they will do
- Lack of experience or knowledge of others who have successfully left an abusive partner
- Doubt about the impact of any action taken by the Police or Courts, and fear of pressure to pursue a criminal case
- Lack of knowledge/access to support services
- Lack of resources, financial or otherwise
- Fear of not being believed
- Love, loyalty, attachment towards their partner and the hope they will change
- Feelings of shame or failure
- Pressure from family/children/friends
- Religious or cultural expectations
- Long term effects of abuse e.g. self-neglect, depression, low self-esteem
- Drug and/or alcohol addiction
- Anticipated impact on children, or fear of losing contact with children/other relatives/friends.

People from a black and minority ethnic (BME) and the LGBTQ+ community may also have additional barriers, including:

- Language barriers
- Family honour, shame or stigma
- Fear of rejection by their community



- Immigration status/no recourse to public funding
- Racism (perceived or actual)
- Cultural or community expectations
- Fear of so called ‘honour’ based violence
- Lack of appropriate services.

Disabled women are twice as likely to experience domestic abuse as women without disabilities, and are more likely to be at high risk of serious harm. Barriers to disabled women accessing services can include:

- Lack of accessible information about abuse and legal rights
- Lack of accessible domestic abuse services
- Fear that interpreters (e.g. British Sign Language) may not keep confidentiality
- Assumptions that physical and sensory impairments prevent people from making their own decisions
- Being used to ‘dependency’ and a lack of respect and dignity, leading to them assume that abuse is normal and minimise its impact
- Fear of having to live in a care home
- Reliance on the abuser for care and support
- The person experiencing the abuse may be the carer of the abuser, and feel a sense of obligation to maintain the support and endure the abuse
- The abuser may be the only person with whom the person experiencing the abuse has any contact.

5. Reporting domestic abuse and/or VAWG

Anyone reporting domestic abuse to Waltham Forest Council will be treated in a sympathetic, supportive and non-judgmental way. Any disclosure of abuse will be taken seriously, and advice and assistance will be given as a priority.

NO ONE SHOULD BE TURNED AWAY, YOU DO NOT KNOW WHAT THEY ARE GOING BACK TO.

A survivor **does not** need evidence of domestic abuse e.g. Crime Reference Number, or to have reported the domestic abuse to the police, in order to access domestic abuse specific support.

Ideally, initial reports of domestic abuse and/or VAWG issues will be received by the Tenancy Team Community Independent Living Officers by various means, including:

- Phone (via call centre, directly or other internal/ external stakeholder)



- Email
- Our external website
- In writing
- In person (at our offices, during tenant visit, or other premises)
- Partner referral (Prevention Team, CRC, Caretakers, Contractor, VAWG, Community Safety Team, Met Police, Social Services, Solace Women Aid)
- A concerned member of public, family, neighbour, friend

Once received by the Tenancy Officer, a report will be assessed to identify whether it is a new case, an existing case, or does not meet the definition of domestic abuse or VAWG. As soon as the case is reported, the Tenancy Officer enters it on to the Northgate DA module system. The Tenancy Officer will make initial contact with the individual who is experiencing domestic abuse or VAWG within **one working day** from the point of disclosure.

6. Contacting individuals and action planning

We will ensure that safe contact times and methods are established at the first point of contact.

We will ensure that people experiencing domestic abuse or VAWG know they can meet staff in confidence at our offices or at an agreed choice of safe venue. We can meet at their desired location if it does not compromise safety, this location can be defined in consultation with the person.

The individual will be offered the opportunity to opt for a staff member of a specific gender and, where possible, of the same ethnic origin to deal with their case.

In all instances of working with a person whose first language is not English or deaf tenants, interpretation and translation services should be offered. Family **members or neighbours should never be used as interpreters or translators**. The service should be arranged in timely manner via The Language Shop:

<https://foresthub.walthamforest.gov.uk/services/procurement/interpreting-and-translation-services>

Where the matter concerns a joint tenancy, the cases are logged under “anonymous”, the cases are tracked by the address, and information is not shared. Information will not be added to a joint tenant’s file. **There is no exception to this rule.**

When a referral is received, the Officer will carry out a risk assessment using the Domestic Abuse, Stalking and Honour Based Violence (DASH) Risk Identification Checklist, and a safety plan will be put in place.

The lead officer will carry out an initial safety plan, which collects the following details:

- Where the individual is staying, or calling from – please take a telephone number immediately and establish whether it is a safe number on which to leave a voicemail message
- If there is any immediate danger
- The location of the perpetrator
- If the individual is pregnant or children are present
- Whether refuge or temporary accommodation is needed
- If any lock changes or extra security is required (i.e. fireproof letter box) – note there may be legal implications if it is a joint tenancy.

At the point of first contact, the lead officer will give the individual an idea of what actions they can take and what we can do to support around the issues presented.

The lead officer will also share with the survivor the details of any relevant domestic abuse support organisation, as outlined in the Domestic Abuse Support Directory; can be accessed on ForestHub here; <https://foresthub.walthamforest.gov.uk/da-support-services-directory> or via the council website: <https://www.walthamforest.gov.uk/content/domestic-abuse-support-service-directory>

We will endeavour to have regular contact with the individual as agreed at the first point of contact, this will vary throughout the life cycle of the case.

7. Risk assessments and MARACs

Alongside the initial safety plan the lead officer will complete a Domestic Abuse, Stalking and Honour Based Violence (DASH) Risk Identification Checklist, unless this has already been completed by another agency. The lead officer will take details of Independent Domestic Violence Advisor (IDVA)/Support Worker. Please note – a new DASH risk assessment is required after every incident of abuse.

This should be done within 24 hours, or as soon as is practicably possible, to assess the risk to the resident and any dependent children or household members

The timing for this may vary due to the availability of the individual.

We will refer to the local Multi Agency Risk Assessment Conference (MARAC) if:

- The DASH Risk Identification Checklist meets the local authority threshold, or
- On professional judgement.



Find out who the MARAC coordinator is by checking Foreshub Safe Homes Knowledge Base
<https://foreshub.walthamforest.gov.uk/services/housing/safe-homes-knowledge-base>

In cases where the MARAC threshold is met we have a legal duty to share information and must do so even without consent.

Please remember to trust your professional judgement. If you think that someone is high risk, it may be worth making the referral even if they do not meet the threshold.

If the MARAC threshold is not met, but we want to refer based on professional judgement,

- We can do so with the individual's consent, OR
- If the individual does not consent, we must complete an Information Sharing Without Consent Form to proceed with in reporting. The resident will be advised of this if possible to do so.

If the DASH does not meet the threshold for a MARAC referral, we will still seek to provide support by arranging or facilitating meetings with other agencies.

8. Partnership working

We recognise that domestic abuse cannot be tackled by one Organisation. So, referrals will be made to partners to support individuals experiencing domestic abuse or VAWG with the person's consent.

The lead officer should **always ask** the individual if they would like a referral to be made to Solace Women's Aid. If the individual agrees, then the referral should be done (where possible) within the first contact. The lead officer should try and make this referral on the person's behalf, as we recognise it is difficult for individuals to make multiple disclosures on one day.

Further specialist support organisations can be found by using the support organisation directory; <https://foreshub.walthamforest.gov.uk/da-support-services-directory>

Referrals should be made as a matter of course unless the individual refuses additional support. This is unlikely but can occur. If this is the case, the case file should be updated accordingly.



Where an individual refuses support in a case of DA or VAWG, we may continue to provide other relevant tenancy management support, which might address some of their support needs.

Examples of this might include:

- A welfare benefit referral, if there is an element of financial abuse, or to maximise benefits that will allow the individual to decide how to proceed under less stress, or
- tenant and family support referrals may be made in the instance of children's exhibition of behavioural problems that indicate VAWG in a household.

9. Safeguarding

SAFEGUARDING IS EVERYONE'S RESPONSIBILITY

If any staff or contractors suspect that a person may be suffering from domestic abuse, they should contact the Tenancy Team who will then review and investigated by a Tenancy Officer.

Safeguarding policies may apply where there are dependent children and/or household members, dependant on the circumstances. Please refer to Safeguarding Adults and Safeguarding Children policies and procedures and speak to your line manager if unsure.

10. Action against perpetrators

We will take action against perpetrators if it is safe and appropriate to do so.

If the perpetrator is our tenant and the individual experiencing abuse has fled the property (the individual may be a joint tenant or household member), we will assess the risk to the household member or any children or dependant household members, in the case that we take action against the perpetrator.

The lead officer should speak to their line manager and legal department for advice on legal cases.

11. Legal options

It is worth noting that not every person experiencing domestic abuse or VAWG will want to end their relationship or will want Waltham Forest Council to take enforcement action against the perpetrator. It is important, therefore, to manage risks and ensure that as many

safeguards are in place as possible, if the person experiencing the abuse is not ending their relationship with the perpetrator. Domestic Violence Protection Notices and Orders

If the Police have a reasonable belief that domestic abuse has occurred, they can serve the perpetrator with a Domestic Violence Protection Order (DVPO).

A DVPO can prevent a perpetrator from returning to a residence, and from having contact with the victim, for up to 28 days. This allows the victim some time to consider her/his options, and to engage with some support.

Getting a DVPO is a two-stage process:

(i) On being called to an incident of domestic abuse, if the Police have reasonable grounds to believe the victim remains at risk of domestic abuse, they can choose to issue an emergency non-molestation and eviction notice – the DVPN. Because the DVPN is a Police-issued notice, it is effective from the time of issue, thereby giving the victim the immediate support they require. The issuing of a DVPN requires Police authorisation at the rank of Superintendent or above.

(ii) Within 48 hours of the DVPN being served on the perpetrator, an application for a DVPO must be made by the Police and heard in a Magistrates Court (Sundays and public holidays are excluded from this 48-hour time limit). The DVPN continues in effect until the court has reached a decision. If the court rules that the victim requires continued support, they may issue a DVPO, which would last for a minimum of 14 days, and a maximum of 28 days.

The law allows a magistrate to make a DVPO against the abuser even if the victim does not agree to it. In addition, the magistrates will take into account the welfare of anyone under 18 who the Police consider will be affected by the DVPO.

12. Restraining Orders

These can be made by a court in relation to a criminal case alleging domestic abuse, whether or not the case is upheld. A restraining order is made when there is a need for the order to protect a named person or persons from harassment or conduct that will put them in fear of violence.

A restraining order imposes prohibitions and may cover a range of behaviour. It can, for example exclude a person from a specific geographical area, from contacting specific people,

or behaving in a particular way. It lasts for one year from the date it is signed by the court, or until it is revoked. It can be renewed for one year at a time if the courts believe that the victim is still in danger.

It is a crime to breach a restraining order and a person doing so can be arrested and charged with a crime.

Civil Law

A non-molestation order can protect a person and any relevant child from violence or harassment. A person can obtain a non-molestation order against someone who has not been physically violent, but has been harassing, intimidating or pestering. If an order is breached, a criminal offence will have been committed.

Occupation Orders

This is another type of injunction, which establishes who has the right to remain in a home. An occupation order can order an abuser to move out of the home, or to keep a certain distance from the home; it can order the abuser to stay in certain parts of the home at certain times (e.g. sleeping in a different bedroom), to let the victim back into the home if they have been locked out, or order them to continue to pay the rent or bills.

An order can last for 6-12 months, and some can be renewed.

A breach of an occupation order is not a criminal offence unless a power of arrest is attached. Breaching an occupation order with a power of arrest could lead to up to two years in prison or a large fine.

13. Sanctuary works / target hardening

Waltham Forest Council has a free sanctuary scheme and target hardening offer to tenants in General Needs accommodation and sheltered schemes. Please consult the LBWF Sanctuary Scheme process for further information.

In a high risk case, the Police's Designing Out Crime team can assess a survivor's property and recommend a schedule of works. In low risk cases, a tenancy officer is to visit and assess the property and recommend works by using the target hardening checklist.

14. Rehousing options



In cases of domestic abuse, the housing option that can be pursued depends of the survivor's tenure and situation. Secure council tenants, if they are at risk in their current accommodation, should consider the emergency rehousing policy or approaching a refuge. Non council tenants need to contact Prevention and Assessment Team.

15. Third party reporting

It may be that confidence or other issues are impacting the ability to report directly to the police, we will ensure that we keep the individual informed of all developments.

Third party reporting enables the lead officer to ensure consistency of information exchange and allows a profile of incidents be developed over time. This may lead the police to be able to take action independently from the person.

Those who are unsure of what information they need to include in third party reporting, are advised to refer to their line manager or a domestic abuse specialist.

16. Case closure

On closing a domestic abuse case, the lead office must agree closure with:

- the person (if this is not possible full case notes need to be on the system explaining why); and
- their line manager

The lead officer's line manager has overall responsibility to review cases regularly and then authorise case closure on the system.

Regular supervision should be carried out with lead officer to ensure all actions and support are both in place.

Satisfaction survey will be carried out over the phone with an impartial member of staff to ensure we are continuously improving as an organisation

17. Related documents

- Allocations and SNP Form
- DASH RIC
- Internal DA checklist
- MARAC referral
- Information sharing without consent



Version	1
Full or partial review	New procedure
Reason required	DAHA compliance
Staff consultation	Housing Operations People/Housing Solutions
Resident consultation	Name of forums/resident groups
Signed off by	Corporate Director Housing Strategy and Options/Divisional Director Housing Operations
Effective date	September 2021
Author	Sam Strong Programme Manager/Sylwia Tokarska Strategic Housing Project Manager
Owned by	Housing Operations
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