Exeter City Council Housing Services

Domestic Abuse Policy 2024 – 2027

Contents

..... 1

1. Introduction 3

2. Policy Statement 3

3. Policy Aims and Objectives 4

4. Background and Definitions 5

5. Coercive and Controlling Behaviour 5

6. Definitions of Abuse 6

7. Wellbeing and the Care Act 2014 8

8. Making the Link to Safeguarding 8

9. Receiving Reports and Concerns of Domestic Abuse 9

10. Risk Management 10

11. Managing Domestic Abuse Cases. 11

12. Working in Partnership 12

13. Support and Vulnerability 12

14. Action Against Perpetrators 13

15. Staff Training 13

16. Raising Awareness 13

17. Monitoring and Review 13

18. Data Protection and Confidentiality 14

19. Associated Policies and Documents 14

20. Key Regulations and Legislation 14

21. National Policy Links 15

1. Introduction

1.1. This Policy sets out how we as Exeter City Council Housing Services (ECC) will take steps to help and support our tenants, or those living with them, if they are experiencing or are threatened with any form of domestic abuse; this includes forced marriage.

1.2. It also sets out the action we will consider against perpetrators of domestic abuse, as well as providing advice and signposting for those perpetrators who wish to positively change their behaviour.

1.3. Domestic abuse happens in all communities, regardless of age, gender, disability, race, religion or belief, gender reassignment, sexual orientation, marriage or civil partnership, pregnancy, or maternity, and as a housing provider, we are well placed to recognise the signs of domestic abuse at an early stage. It is very important that all reports of domestic abuse are taken seriously and that the needs and support for the people impacted by domestic abuse are central to how we respond.

2. Policy Statement

2.1. We believe that our tenants and residents should not live in fear of abuse or violence from a partner, a former partner, or any other member of their household. Any person experiencing domestic abuse will be treated in a supportive, sympathetic, and non-judgemental way. The victim's disclosure alone will be sufficient for them to be given appropriate advice and assistance as a matter of priority by our housing team.

2.2. We will:

a. Take appropriate action to reduce the risk of domestic abuse where we think it might happen.

b. Ensure that people experiencing any form of domestic abuse can access appropriate services as early as possible and are given advice to allow them to make choices about what to do next, so that they are able to identify the options that best meet their particular circumstances.

c. Aim to keep people experiencing domestic abuse safe by working proactively with them to assess the risk of further abuse.

d. Ensure that where children and young people are affected by domestic abuse, they too have access to services as early as possible.

e. Follow the Safeguarding Policy if we believe a child is at risk due to an abusive relationship.

f. Follow the Safeguarding Policy if we believe a vulnerable adult is at risk due to an abusive relationship.

g. Liaise with Devon County Council (DCC) as the lead statutory agency and other relevant local bodies, including charities, to reduce the risk to the person experiencing abuse.

h. Support DCC in acting against perpetrators of abuse. This includes taking enforcement action against them where it is appropriate to do so, or signposting them to appropriate support agencies if they wish to positively change their behaviour and prevent domestic abuse recurring.

i. Support victims to employ the use of civil and criminal laws which can offer them protection and act as a preventative measure to avoid further abuse.

j. Not tolerate domestic abuse from our employees, and work with employees to provide support and guidance to them if they are experiencing domestic abuse

k. Be aware that according to statistics from the Office for National Statistics (2019) Domestic violence rates in BAME groups were higher than those in white communities

l. Provide translation services if needed for those whose first language is not English

m. Provide information in Braille, employ sign language interpreters or supply any other similar additional support services if these are needed by victims

* Please refer to Domestic Abuse in the workplace Policy.

3. Policy Aims and Objectives

3.1. Promote the welfare of all victims of domestic abuse who come into contact with our Housing Services.

3.2. Provide safe places where victims of domestic abuse feel they can approach us, are encouraged to talk to us, and will be listened to, so that they can make informed choices about what to do next.

3.3. Provide service responses that are victim centred, encouraging those who are impacted by domestic abuse to make appropriate decisions based on their specific circumstances.

3.4. Provide appropriate guidance and training for our staff to ensure we support and protect victims of domestic abuse.

3.5. To work in partnership with other agencies and organisations to respond to cases of domestic abuse when they are reported to us.

3.6. To ensure that priority is always given to the immediate safety of people impacted by domestic abuse and their families.

3.7. To signpost perpetrators who are genuinely wishing to change their behaviour to appropriate support agencies.

3.8. To meet the needs and choices of people from all backgrounds and take into consideration age, gender, disability (including mental illness and neurodiversity), race, religion or belief, gender reassignment, sexual orientation, marriage or civil partnership, pregnancy, or maternity.

3.9. Ensure all sections of our community have equal access to our services.

3.10. Ensure our service is responsive and meets the needs of tenants and residents.

4. Background and Definitions

4.1. Domestic abuse is a criminal offence and is also a breach of our tenancy agreements. It impacts on the safety of individuals, their households, and local communities. Domestic abuse often takes place in the home and so we have a role in identifying these issues, supporting the people affected and acting appropriately against perpetrators.

4.2. The cross-government definition of domestic violence and abuse is:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse between those aged 16 or over who are or have been are, or have been, personally connected to each other (regardless of gender or sexuality)' (Domestic Abuse Act, 2021)

The Act goes on to define 'personally connected' and 'children as victims of domestic abuse' where they may be witnesses to such abuse.

5. Coercive and Controlling Behaviour

5.1. In 2014 the Government announced a new domestic abuse offence of coercive and controlling behaviour.

5.2. 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 their everyday behaviour.

5.3. 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.

6. Definitions of Abuse

6.1. Domestic Abuse can encompass, but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional
- Discriminatory

6.2. The definition includes honour-based abuse, forced marriage and female genital mutilation.

The impact of domestic abuse can range from loss of esteem to loss of life.

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

6.4. 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.

6.5. Financial 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.

6.6. Psychological and Emotional Violence and Abuse 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.

6.7. 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

6.8. 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.

6.9. 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.

6.10. Family and inter-generational abuse differs from partner abuse, for example if the perpetrator is the victim's teenage or adult sibling, child, or grandchild.

6.11. Careful consideration is required when dealing with family and intergenerational abuse due to the complexities of family composition and safeguarding implications.

6.12. Elder Abuse, Research has found that domestic abuse is experienced by both women and men regardless of age, disability, and ethnic background.

6.13. Elder abuse can be even more detrimental to a victim's wellbeing due to problems with mobility, mental health, and social isolation.

6.14. 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.

6.15 Children are seen as victims of domestic abuse if they witness it within their household.

7. Wellbeing and the Care Act 2014

7.1. The Care Act 2014 specifies that freedom from abuse and neglect is a key part of a person's wellbeing. The guidance outlines that abuse takes many forms, and staff should not be constrained in their view of what constitutes abuse or neglect. It describes numerous types of abuse including:

- domestic violence
- psychological abuse
- financial and material abuse
- sexual abuse
- physical abuse

7.2. The Care Act guidance outlines specific aims to stop abuse and neglect, prevent harm and address what has caused the abuse.

8. Making the Link to Safeguarding

8.1. A significant number of adults who need safeguarding are often experiencing domestic abuse in some form. Despite the overlap between supporting those impacted by abuse and safeguarding adults the two have developed separate professional practices.

8.2. If domestic abuse is an isolated issue and there are no other safeguarding concerns, then support can be sought via forums such as MARAC (Multi Agency Risk Assessment Conference).

8.3. If there is more than one safeguarding issue present, such as domestic abuse in addition to physical or mental health disabilities then a referral should be made to Safeguarding Adults so that services can be coordinated to deal with the potentially complex issues.

8.4. However, we will always encourage staff to make a Safeguarding Adults referral even if it is just for information so that agencies are mindful of our concerns, as there may be other issues we are not aware of.

8.5. There is also strong, evidenced based links between domestic abuse and child abuse. Exposure to domestic abuse is always detrimental to children, although the impacts may vary. Children exposed to abuse at home may be affected by physical and/or emotional abuse, neglect and ongoing psychological damage

8.6. This means that in domestic abuse cases where children are present staff have a duty to involve Devon Safeguarding Children Partnership to ensure any children are adequately safeguarded.

9. Receiving Reports and Concerns of Domestic Abuse

9.1. Concerns about, or reports of, domestic abuse may be reported to any member of our housing services team. We will accept reports and disclosures of domestic abuse through any available communication channel. The member of staff receiving the report is responsible for ensuring the information is logged properly.

9.3. If a member of our staff suspects or witnesses domestic abuse taking place in our homes or neighbourhoods, they are required to refer it to the tenancy services team.

9.4. We will always accept the person’s account at face value. We will help people to tell us about the abuse quickly, safely, and confidentially, so that telling us doesn’t put them at further risk. We will agree with people how future contact can be made safely.

9.5 We will support staff or contractors working on our behalf who report incidences of domestic abuse if this is requested or deemed necessary.

10. Risk Management

10.1. We take a risk-based approach to managing any ongoing threat of domestic abuse. This includes working with the person to consider the best options available to prevent further abuse from happening. We will remain victim centred.

10.2. We will consider all protected characteristics that are presented by the person and members of their household when assessing the risk and action we can take.

10.3. If a person advises they are in imminent danger we will advise them to contact the police and /or emergency services, or we will do this on their behalf if they are unable to do so themselves.

10.4. Effective prevention of further domestic abuse often requires successful multi-agency partnership working e.g., with the police or social services. Where this is the case, we will risk assess the reported abuse and then work with specialist external agencies to find a solution for the person. This might include agreeing steps we will take to reduce the risk. If the risks are high, we will refer the concern to the local Multi-Agency Risk Assessment Conference (MARAC)

10.5. If the risks do not meet the MARAC threshold, we will provide advice to the person impacted by abuse on how they can access specialist support and assistance from both statutory and non-statutory agencies. If the victim is willing for referrals to be made, we will make appropriate referrals and liaise with those agencies regularly and stay in regular contact with them victim to ensure the risk to them is being managed appropriately.

10.6. We will promote the opportunity for the tenant to remain in their home where it is their choice, and it is safe for them to do so.

10.7. If a violent domestic incident is reported to us and the tenant wants to remain in their home, we will act to secure it. We will do this where an external agency hasn’t already completed the work.

10.8. We will work with the person to determine whether security measures (such as lock changes) are required to reduce or remove the risk of harm whilst they remain at home.

10.9. We will aim to complete emergency work within 24 hours of it being reported. If we are unable to complete works within 24 hours, we may decide to temporarily move the person until the work is completed.

10.10. On a case-by-case basis, we will seek specialist advice on whether other security measures will be beneficial and/or feasible.

10.11. Where we agree with the person that rehousing is the best option, we will explore other housing opportunities and provide them with appropriate advice and support to access the our Housing Options service. We will use our risk assessment tool to monitor the risk throughout and after the move until we are satisfied, as far as we can be, that it has reduced to an acceptable level.

10.12. Where the tenancy is a joint tenancy and the perpetrator is a joint tenant, we will provide the victim with appropriate support so that they can access legal advice quickly about their joint tenancy. We will advise them of the National Centre for Domestic Violence which offers fast and free legal advice in matters relating to domestic abuse.

10.13 Action may be taken against the perpetrator in respect of their tenancy following legal advice.

11. Managing Domestic Abuse Cases.

11.1. If the victim is a tenant, joint tenant, or otherwise lives in one of our properties as their main home we will open a case on our system and a housing officer will make contact with the reporter as soon as possible - within 24 hours of the report being made.

11.2. If the victim does not live in one of our properties, we will provide appropriate advice to the victim on how they can report to Devon County Council or to the police or another specialist agency locally.

11.3. We will take all reported cases seriously and aim to gather as much information from the person impacted by domestic abuse sensitively so that we can discuss options that may be available to them and their family.

11.4. We will remain victim centred and respect the decisions of the victim and will not do anything unless we have full consent from them, unless there is an overriding safeguarding concern where staff will follow the Sarfeguarding Policy.

11.5. We will manage each case on a case-by-case basis.

11.6. We will stay in regular contact with the person impacted by abuse and support the lead agencies that will also be involved in the case.

11.7. We will keep accurate records of our involvement and actions in the case.

12. Working in Partnership

12.1. Where the relevant referral requirements are met, we will liaise with the local MARAC. This is coordinated by Devon County Council (or police). We will carry out any actions assigned to us by the MARAC. We will ensure we understand our role and the correct processes to follow.

12.2. We will actively participate in other relevant local partnerships where appropriate and we will work with specialist support agencies such as the National Centre for Domestic Violence and Victim Support. For example FearFree can arrange for an IDVA (Independent Domestic Violence Advisor) to be allocated.

Devon's domestic abuse helpline/FearFree 0345 155 1074

Devon Safeguarding Children Partnership (Devon SCP) 0345 155 1071

The ManKind Initiative 01823 334244

National Domestic Violence Helpline 0808 2000 247

National Centre for Domestic Violence (for legal advice) 0800 9702070

13. Support and Vulnerability

13.1. We will ensure that the victim is aware of all the local specialist support services that they can access. We may provide additional support to the victim where this is identified for example budgeting advice.

13.2. We will liaise with and work closely with the lead agencies that will be supporting the victim and their family.

13.3. We will make a child safeguarding referral when the need to protect a child/children is identified or the domestic abuse is having a negative impact on the child.

13.4. We will refer our concern to the police where we suspect that the nature of the domestic abuse means that modern slavery may be occurring. An example of modern slavery in relation to resident domestic abuse is financial exploitation. This may become modern slavery if the person is coerced or forced to hand over control of their money for the purpose of criminal exploitation.

13.5. If the person disengages from their agreed support plan with lead agencies, and we are aware that that places them or their family at greater risk, or the abuse is having a negative impact on the wider community, we will review what action to take to manage that risk and impact most effectively.

14. Action Against Perpetrators

14.1. We will consider the legal action or remedies (both civil and criminal) available to us and to our partners, to deal with perpetrators of domestic abuse.

14.2. We will determine, monitor, and seek to understand what action is being taken by the statutory agencies in this respect, to ensure that we are working together. In circumstances where it is appropriate to do so, we may signpost perpetrators to domestic abuse perpetrator programmes.

15. Staff Training

15.1. We will ensure that all our staff are aware of their potential role when they receive a report of a domestic abuse risk or concern, and what they must do.

15.2. We will provide clear guidance and training for all relevant staff on how to recognise the symptoms and signs of domestic abuse and how to report their concerns and to be able to provide basic advice and support to people. This includes how people can access help and support and how they can best report further domestic abuse.

16. Raising Awareness

16.1. As part of our commitment to deal with domestic abuse, we will provide information about domestic abuse on our notice boards and our website. We will ensure the information on our website is regularly reviewed.

16.2. We will provide publicity in other languages to raise awareness of domestic abuse where the need is identified.

17. Monitoring and Review

17.1. This Policy will be reviewed every 3 years or if there is a business case to change it, or there are regulation /legal changes . Appropriate guidance to staff will be delivered as a result of any changes.

17.2. We will record, monitor, and regularly review all cases of domestic abuse to ensure compliance with our policy and procedures.

17.3. We will gather feedback from people who report domestic abuse, using this information to improve our services in the future.

18. Data Protection and Confidentiality

18.1. We will comply with our obligations under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 when dealing with domestic abuse cases. This includes sharing information with statutory agencies, MARAC information sharing arrangements and MARAC operating protocols. We will handle information relating to MARAC in accordance with any relevant MARAC information sharing agreement.

18.2. We will share information where we are legally required to do so. All information-sharing decisions will be recorded, including the reasons for that decision.

18.3. We will report potentially criminal acts to the police.

19. Associated Policies and Documents

- ECC Housing Anti-Social Behaviour Policy and Strategy
- ECC Safeguarding Policy
- ECC Tenancy Policy
- Domestic Abuse in the Workplace Policy
- ECC Equality, Diversity and Inclusion Policy
- Data Protection Policy
- ECC Housing Vulnerabilities Policy
- ECC Housing Allocations Policy (currently under review)

20. Key Regulations and Legislation

- Family Law Act 1996
- Protection from Harassment Act 1997
- Equality Act 2010
- Anti-social Behaviour, Crime and Policing Act 2014
- Care Act 2014

• Domestic Violence Disclosure Scheme (DVDS) 2014 (also known as Clare's Law)

• Serious Crime Act 2015

• General Data Protection Regulation 2018

• Domestic Abuse Act 2021

21. National Policy Links

• HM Government Violence against Women and Girls Strategy and Action Plan July 2021

• ADASS Adult Safeguarding and Domestic Abuse - guide to support staff and managers

• HM Government Forced Marriage Guidance including info on Forced Marriages Unit (FMU

22. Useful links

Homepage - National Domestic Abuse Helpline (nationaldahelpline.org.uk) 24 hour telephone line 0808 2000 247
https://www.devon.gov.uk/adult-social-care/safeguarding/

The Devon Safeguarding Children Partnership (Devon SCP)

Domestic and Sexual Violence and Abuse - Safer Devon

referrals and training (morepositiveme.co.uk) J9 Exeter

Home | ENOUGH National Campaign