

STROUD DISTRICT COUNCIL
COUNCIL

AGENDA
ITEM NO

19 DECEMBER 2019

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Report Title	SUPPORTING AND SIGNPOSTING VICTIMS OF DOMESTIC, MENTAL AND FINANCIAL ABUSE
Purpose of Report	For Council to understand the approach to be taken by the Authority in its handling of DVA.
Decisions	The Council RESOLVES to adopt the policy.
Consultation and Feedback	Internal services including Human Resources, Community Services and Housing Advice.
Financial Implications and Risk Assessment	<p>It is possible that training may create small additional costs but these can be met from existing budgets.</p> <p>Andrew Cummings, Strategic Director of Resources Tel: 01453 754115 Email: andrew.cummings@stroud.gov.uk</p> <p>Risk assessment by the report author The authority does not have a current policy to manage how we deal with reporting DVA either internally or externally this policy will go some way towards addressing this ensuring the right things are done at the right time when victims present themselves. A number of training sessions will need to be rolled out and appropriate information held on the HUB for the information and use of staff.</p>
Legal Implications	<p>There are no legal implications arising from the recommendation to adopt the policy as there is no legal requirement to have a policy, but once adopted, there may be a legitimate expectation that the Council will act in accordance with the policy.</p> <p>Patrick Arran, Interim Head of Legal Services and Monitoring Officer Tel: 01453 754369 Email: patrick.arran@stroud.gov.uk</p>
Report Author (s)	Kevin Topping, Head of Housing Services Tel: 01453 754196 Email: Kevin.topping@stroud.gov.uk
Performance Management Follow Up	Appropriate training to be rolled out to customer facing officers in the first instance then back office staff shortly thereafter
Background Papers/ Appendices	Appendix A – Domestic Violence and Abuse Policy

1.0 Background

1.1. What is domestic Abuse?

1.1.1 The Government definition 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 intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to the following types of abuse:

- Physical abuse – slapping, pushing, kicking, punching, stabbing attempted murder or murder, and abduction
- Sexual abuse – rape and non-consensual sexual acts
- Emotional or psychological abuse – intimidation, isolation, verbal abuse, humiliation, not allowing friends / relatives to visit, destruction of belongings, threats legal sanctions e.g. deportations, custody of children etc.
- Financial abuse – denial of rights or restrictions of personal freedom e.g. withholding money or medical help

1.1.2 Domestic abuse is rarely a one-off occurrence. A survivor usually experiences many different forms of abuse during one incident. Violent acts are often repeated throughout and sometimes after any relationship.

1.1.3 Although domestic violence does affect men, statistics show that it is overwhelmingly carried out by men and experienced by women although we recognise that instances of women abusing men and same sex relationships often go unreported.

2.0 Introduction

2.1 Domestic Violence and Abuse (DVA) is a largely a hidden issue, occurring mainly in homes behind closed doors. As such, it can be difficult to record the context in which abuse is being perpetrated, or accurately measure the impact of the abuse on those who experience it.

2.2 Although Stroud District Council are not the specialists in dealing with DVA and all associated forms of abuse we have a social and moral responsibility to support and guide victims to the appropriate professionals whether they are residents of the district or members of staff.

Aims:

- To ensure that residents experiencing domestic violence/abuse can approach SDC in confidence knowing that staff will be sympathetic and supportive

- To establish close working relationships with external support agencies

Objectives:

- To treat all reports of domestic violence/abuse seriously and as a matter of high priority
- To put residents in contact with appropriate agencies that can help them by providing specialist advice and support
- To maintain a clear and concise policy and procedure, outlining the assistance SDC can offer residents affected by domestic violence.

2.3 We recognise that not all our staff will be experts in this area and that we do not have the resources or structures to deal with all aspects of domestic violence/abuse. We will work in partnership with legal statutory and voluntary services to ensure services are provided in a co-ordinated way, encouraging people to report incidents of domestic violence/ abuse. We will work to create an environment, which encourages victims to seek support and assistance.

2.4 Guidance on identifying and responding to domestic abuse is available at www.glostakeastand.com

2.5 Tenant Services as the Councils social landlord have signed up to the “Make a stand” campaign that was launched in 2018 by the Chartered Institute of Housing (CIH) for all of their homes in the HRA. This campaign has been signed up to and supported by over 250 social landlords nationally and It centres around a pledge that has been developed in partnership with the Domestic Abuse Housing Alliance (DAHA) and Women's Aid.

3.0 Staff and Domestic Violence and Abuse

3.1 We will ensure that training on domestic violence/abuse is compulsory for all appropriate staff. Additional training will be provided to those staff experienced in this area who provide support to officers dealing with individual cases, supporting staff who are involved in dealing with cases of domestic violence/abuse, and ensure that they receive appropriate training to enable them to recognise issues. We will provide appropriate advice, and support to staff dealing with cases of domestic violence/abuse.

3.2 All staff should be familiar with SDC’s Lone Worker Policy and ensure that the risk of visiting victims and perpetrators of domestic violence/ abuse are considered prior to visits.

3.3 We acknowledge that SDC staff may also be victims of domestic violence/abuse and we will deal sensitively with those staff in these cases. Where a member of staff is a convicted perpetrator of domestic violence/abuse we will address this through our HR policies.

4.0 Allocation of accommodation to victims of DVA

4.1 Statutory guidance on the allocation of accommodation by local housing authorities was issued on 10 November 2018. This is intended to assist local authorities to apply the allocation legislation to ensure that victims of domestic abuse are able to move into social housing from a refuge or other form of temporary accommodation. This process is duly followed by our Housing Advice specialists

4.2 The guidance is published on the Gov.Uk website at:
<https://www.gov.uk/government/publications/improving-access-to-social-housing-for-victims-of-domestic-abuse>

5.0 Summary

5.1 This policy is intended to be the first step in raising awareness and professional approached to dealing with those who present themselves as victims of DVA in all of its forms. As awareness develops and greater understanding is applied there may be additions or variations to the policy to ensure it is constantly meeting the need of victims and the authority while at the same time protecting officers ensuring they have the information to make the correct decisions when signposting.

DOMESTIC VIOLENCE AND ABUSE POLICY

Scope

This policy sets out the aims, principles and values that will be adopted by Stroud District Council (SDC) in managing reported incidents of domestic violence and abuse.

1. Introduction

- 1.1 At Stroud District Council (SDC) we believe that our residents should not live in fear of abuse or violence from a partner, former partner, or other member of their household. We will take steps to assist and support any person suffering from, or threatened with domestic violence and or abuse.
- 1.2 This policy applies to all SDC customers who are victims of domestic violence/abuse perpetrated by a spouse or partner, former spouse or partner or other member of their household/family. The perpetrator may be someone living in the same property as the victim, or be a visitor to their home, estate or neighbourhood.

2. Definition

- 2.1 SDC has adopted the government definition of domestic violence and abuse which states:
- 2.2 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 intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:
 - Physical abuse – slapping, pushing, kicking, punching, stabbing attempted murder or murder, and abduction.
 - Sexual abuse – rape and non-consensual sexual acts.
 - Emotional or psychological abuse – intimidation, isolation, verbal abuse, humiliation, not allowing friends / relatives to visit, destruction of belongings, threats legal sanctions e.g. deportations, custody of children etc.
 - Financial abuse – denial of rights or restrictions of personal freedom e.g. withholding money or medical help.
- 2.3 Controlling behaviour is:

A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the

means needed for independence, resistance and escape and regulating their everyday behaviour.

- 2.4 Coercive behaviour is:
An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- 2.5 This policy on domestic violence and abuse also covers what is commonly referred as Honour Based Violence (HBV) and forced marriage, for further information on these areas see the government website:
www.gov.uk/government/publications/definition-of-domestic-violence-and-abuse-guide-for-local-areas
- 2.6 The government define HBV as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.
- 2.7 We recognise that HBV has many similarities for other forms of domestic violence/abuse but is also very different. We will adopt the same principles outlined in this policy when dealing with a case reported to us, but we also recognise that additional sensitivity and indeed expertise in this area may be required.
- 2.8 We acknowledge that domestic violence/abuse can happen to anyone regardless of the protected characteristics of the Equalities Act 2010. We also recognise that domestic violence/abuse is under-reported.

Aims:

- To ensure that residents experiencing domestic violence/abuse can approach SDC in confidence knowing that staff will be sympathetic and supportive.
- To establish close working relationships with external support agencies.

Objectives:

- To treat all reports of domestic violence/abuse seriously and as a matter of high priority.
- To put residents in contact with appropriate agencies that can help them by providing specialist advice and support.
- To maintain a clear and concise policy and procedure, outlining the assistance SDC can offer residents affected by domestic violence.

3. Commitment to Supporting victims of Domestic Violence/Abuse

- 3.1 We aim to ensure that victims of domestic violence/abuse are aware of all the options and support available to them in order that they can make informed decisions about the route they wish to take to end the abuse and rebuild their lives. We acknowledge that this may not be concluded in a single meeting but that issues are likely to arise and change over a period of time; as a result, we will be flexible in our responses.
- 3.2 We recognise that not all our staff will be experts in this area and that we do not have the resources or structures to deal with all aspects of domestic violence/abuse. We will work in partnership with legal statutory and voluntary services to ensure services are provided in a co-ordinated way.
- 3.3 We will encourage people to report incidents of domestic violence/abuse. We will work to create an environment, which encourages victims to seek support and assistance by ensuring that:
- We explain the conditions in our tenancy agreement to new and existing tenants, making it clear that SDC is serious about acting upon any breaches.
 - Reports of domestic violence/abuse can be made by phone in person, via email or letter and on our website.
 - Where there is an immediate concern for safety, we will contact the Police to report the incident, provide the victim emergency contact numbers, and advise the out of hours' emergency contact for the relevant part of the organisation.
 - All reports of domestic violence/abuse will be recorded on an appropriate secure database.
 - All staff have responsibility to inform the appropriate officer when made aware or are concerned about domestic abuse.
 - Offer a named officer as point of contact/who will deal with the report and remain the consistent point of contact for the victim. This member of staff will be supported where possible by a colleague who is experienced in this area.
 - We recognise that evidence of domestic violence/abuse may be required for certain legal action but may not always be available in the first place. We will accept the report as detailed by the victim, without formal evidence, until further investigations prove otherwise. This does not mean that the alleged perpetrator is immediately assumed to be guilty, but it does require that SDC staff provide support, advice and assistance to victims.
 - Our service to those experiencing domestic violence/abuse is available to all customers and translated information or information in other formats (Braille etc.) will be provided where required.

3.4 Our first priority is the safety of the person(s) experiencing domestic violence/abuse including their families, where appropriate, and where the victim wishes it, we will:

- Liaise with specialist agencies to provide support and or housing.
- Help those threatened with or suffering abuse or violence, where it is not safe for them to return home, to obtain temporary accommodation.
- Provide support to our tenants who wish to move permanently to alternative accommodation if they feel unable to remain in their home. This is likely to be through choice based lettings, unless there is an opportunity to consider a move within SDC's own housing stock.

3.5 We will deal with all reports of domestic violence/abuse seriously and confidentially, unless there is a legal obligation to disclose information to statutory services. We will not judge the victim and we will ensure that our response and actions focus on the needs of the victim. Examples of what could be considered include the option of being interviewed by someone of the same gender or of a similar ethnic or cultural background or sexual orientation, where this is possible:

- An interview at a location of their choice (subject to safety concerns).
- Sensitivity where children are involved and seek to conduct an interview not in the presence of children. We will not normally use children (under the age of 18) to interpret unless the victim may prefer this. In such cases we will seek independent confirmation of this from an external interpreter. If we are concerned that a child (under the age of 18) is abusing an adult, or a child is being abused, we'll follow our Safeguarding Policy.
- The option to have a friend or advocate present at the interview if they wish.
- Accurate and appropriate advice about their housing options and about their legal rights and responsibilities and appropriate financial and benefit advice.
- Repairs to the property which affect a person's security and health and safety and treat these as an emergency.
- Support to arrange repairs to leaseholders' homes including communal areas but the cost of doing so will be the responsibility of the leaseholder.

Discussions about DVA should take place with the person in question on their own, and not in the presence of any potential perpetrator who may coerce or intimidate the victim in to denying that abuse is taking place.

- 3.6 Violence to women starts or increases both in severity and frequency during pregnancy. Often involving punches or kicks directed at the women's abdomen. Once born, the impact on the mother and child attachment process may be affected, as well as the child's capacity to develop normal responses to stressful situations. This can result in a fractious baby and place both mother and child at further risk from their abuser.

DVA during pregnancy puts a pregnant woman and her unborn child in danger. It increases the risk of miscarriage, infection, premature birth, low birth weight, foetal injury and foetal death.

If a woman is pregnant and/or child lives in a household where DVA is believed to be a factor, and where there is a need of support and/or protection.

- 3.7 All cases of domestic violence/abuse will be kept under review until it is agreed that the problems have been resolved satisfactorily or where no further action can be taken.

Guidance on identifying and responding to domestic abuse is available at www.glostakeastand.com

4. Action against perpetrators

- 4.1 We will take firm swift action against the perpetrator where it is appropriate to do so:

- We will actively cooperate and work in partnership with others as part of any investigation.
- We may take action legal action against perpetrators of domestic abuse/violence using the powers available to us under the relevant legislation and in consultation with the victim. We will not temporarily re-house perpetrators of domestic violence/abuse. We will review all applications from known perpetrators in conjunction with current housing legislation, local housing policies and SDC's allocations procedures. Additionally, we will seek in to remove a joint tenant.

5. Staff and Domestic Violence and Abuse

- 5.1 We will ensure that training on domestic violence/abuse is compulsory for all appropriate staff. Additional training will be provided to those staff experienced in this area who provide support to officers dealing with individual cases.
- 5.2 We will support staff who are involved in dealing with cases of domestic violence/abuse, and ensure that they receive appropriate training to enable them to recognise issues. We will provide appropriate advice, and support to staff dealing with cases of domestic violence/abuse.

- 5.3 All staff should be familiar with SDC's Lone Worker Policy and ensure that the risk of visiting victims and perpetrators of domestic violence/abuse are considered prior to visits.
- 5.4 We acknowledge that SDC staff may also be victims of domestic violence/abuse and we will deal sensitively with those staff in these cases. Where a member of staff is a convicted perpetrator of domestic violence/abuse we will address this through our HR policies.
- 5.5 DVA can impact greatly on an individual's working life affecting their emotional, mental and physical health which interferes with productivity and performance. There are many ways perpetrators can abuse their partner in the workplace including but not limited to constant phone calls, unannounced visits, following to and from work, abusive emails, making false accusations to line managers. However, for some survivors the workplace is a safe haven.
- 5.6 DVA also affects people close to the survivor and this can include work colleagues. Some effects may include:
- Being followed to or from work.
 - Being subjected to questioning about the survivor's contact details or location.
 - Covering for other workers during absence from work.
 - Trying to deal with the abuse and fear for their own safety.
 - Being unaware of the abuse or not knowing how to help.
- 5.7 Employees may have different needs and experience and these should be taken into account, for example:
- Older women are less likely to report their experiences of domestic abuse.
 - Disabled women are more likely to experience domestic abuse and sexual violence than non-disabled women.
 - Ethnic minority women may face additional barriers to accessing support.
 - Lesbian, gay and bisexual women and men can be vulnerable to abusers who undermine their sexuality and threaten to 'out' them to colleagues, employers and family members.
 - Transgender women and men may have fewer services available to them.
 - Men experiencing domestic abuse and sexual violence may find it more difficult to disclose abuse and may find more barriers to accessing support.
- 5.8 Employees have a responsibility to ensure their behaviour at work reflects the aims and values of the Council. Employees are encouraged to inform someone if they are experiencing Domestic Abuse such as their line manager in the first instance, a member of the HR team or a

work colleague. It is also important that the Safeguarding Lead at SDC is made aware as they can provide support and guidance for the employee.

- 5.9 It is important that employees let someone know at SDC as there may be difficulties that may arise if SDC is not aware of the relevant facts and circumstances (for instance if there is a potential health and safety issue or if other action is being taken on performance or sickness absence monitoring). SDC also provide six free counselling sessions for staff to access.
- 5.10 Whilst all support and understanding should be provided to an employee suffering from DVA and reasonable adjustments made to enable them to attend work and perform their role successfully, it does not preclude a manager from taking appropriate action under any formal procedures in the event this is not achieved. In this event advice should be obtained from HR in the first instance.

6. Equality and Diversity

- 6.1 We will ensure that this policy is applied fairly and consistently to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion/faith, gender, disability, age, sexual orientation or any other grounds set out in our Equality and Diversity policy.
- 6.2 When applying this policy, we will:
- Act with respect and consider the diverse needs of individual and communities.
 - Take positive action to reduce the discrimination and harassment in local communities.

7. Confidentiality and information sharing

- 7.1 In managing cases of domestic violence and abuse, we work with other statutory agencies to share relevant and required information as and when appropriate which helps tackle domestic violence/abuse effectively. We follow the national support framework on information sharing for community safety guidelines laid down by the Home Office.
- 7.2 The type of information shared can vary on a case-by-case basis, but where possible, and in the first instance, we will share anonymised information (where others are not able to identify the individual the details relate to). This is also known as **depersonalised information**. There will be the exception where anonymised information is not possible and **personalised information** (that which can directly identify an individual) needs to be shared in order to achieve the required outcomes.

- 7.3 A documented assessment will be made in each case to decide which type of information needs to be shared and whether the public interest outweighs the rights of an individual (Principle 6 Data Protection Act).
- 7.4 Prior to sharing information, we will ask ourselves whether there is a need to share information; what type of information should be shared and, if it is personalised information, whether it is within the law. Typically, we will take into account the following issues before reaching a decision:
- Is there a need to prevent and/or contain a crime, disorder or other public safety threat?
 - Is it necessary to protect vulnerable people?
 - Is there another way of tackling the problem?
 - In order to remove the ‘threat’, is it necessary to share information with statutory authorities to tackle the problem?
 - If sharing is required, can we share using depersonalised information (both in terms of perpetrator and victim information)? Will it achieve the required outcome? If **not**, what is the minimum amount of personalised information that would need to be shared to achieve the required outcome?
- 7.5 Our commitment to confidentiality extends to all communications. Staff will not produce any communications (internally or externally) that could potentially identify a victim by publishing victim or family names/location of the incident, or the location to which the victim has moved thereby complying with GDPR principles.
- 7.6 Further information on the processing activities of personal identifiable information on individuals and how individuals can go about accessing their information that SDC holds, can be found in our Privacy Policy www.stroud.gov.uk/council-and-democracy/about-the-council/access-to-information/privacy-and-cookie-policy/privacy-notice

8 Monitoring and Accountability

- 8.1 Managers will ensure this policy is promoted, understood and implemented by all relevant employees ensuring consideration is given to any implications arising from policy decisions.
- 8.2 SDC will be responsible for monitoring the effectiveness of this policy and recommending policy changes to improve services and to reflect the changing external environment.
- 8.3 A fundamental review of this policy will be completed within a 2-year period.