

# **Domestic Violence and Abuse Policy**

**v.4 2017**

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## **1. OBJECTIVES**

The Council sets out the following objectives in its response to Domestic Violence and Abuse:

- To understand and recognise the scale of incidents of domestic violence and abuse when determining actions in response to these issues.
- To support prevention efforts to reduce the number of incidents and the impact on victims.
- To ensure that the Council plays its part, by working in partnership with other agencies, in providing those affected by domestic violence and abuse with effective support and remedies to stop further abuse.
- To ensure that services relating to domestic violence and abuse are publicised and staff are trained to advise victims of the services that are available.

## **2. DEFINITION**

The Government has defined domestic violence and abuse as 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. The abuse can include, but is not limited to:

- Psychological;
- Physical;
- Sexual;
- Financial;
- Emotional.

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.

Coercive behaviour is an act/pattern of acts of assault, threats, humiliation and intimidation or other abuse used to harm, punish or frighten. This also includes so called honour based violence and forced marriage.

Domestic violence and abuse affects men and women regardless of age; race; gender; sexuality or wealth. It is a crime. Victims are understood to be vulnerable and scared, often with low self-esteem. A person suffering abuse needs a supportive environment where they can make informed decisions to secure their safety. Over half of incidents of domestic violence and abuse are not reported to the Police.

## **3. POLICY STANDARDS**

### **3.1 Our approach**

- Domestic violence and abuse is totally unacceptable and we will promote values that recognise that everyone has the right to live free from violence and abuse in any form.

- We will ensure we meet our statutory responsibilities in dealing with domestic violence and abuse. This includes responsibilities to investigate homelessness due to incidents of domestic violence and abuse and provide accommodation where we find a duty under the Housing Act. This also includes our duty to prevent crime and disorder.
- We will take a victim centred approach to those experiencing domestic violence and abuse. We will therefore take reports of abuse seriously, supporting victims reporting domestic violence and abuse.
- Where we are the landlord as the Housing Authority, we will take firm action against the perpetrators liaising with the victim and the Police where appropriate.
- We will provide an empathetic service and, where victims feel able to, provide time to talk in a safe and confidential setting.
- We will ensure our staff dealing with customer queries and reports of domestic violence and abuse are trained in our policy and procedures. Staff will deal with victims in a sympathetic manner and be knowledgeable about the legal framework, local support agencies and remedies and actions that can be taken.
- We are committed to working with partner agencies working within our district area to reduce incidents of domestic violence and abuse; to ensure the best outcomes for victims and to ensure effective action against perpetrators.

### 3.2 Support for victims

We will take a victim centred approach to those experiencing domestic violence and abuse. This means that we will take time to listen to those affected, we will take reports of violence and abuse seriously and we will consider the victim's needs and input in discussing any actions we can take or advice we can give.

We will prioritise the safety of the victim and any children involved. Where the safety of children or vulnerable adults is of concern, Warwick District Council will act in accordance with Warwickshire County Council's safeguarding arrangements including referring cases to Social Services and or the Police.

We will support victims to remain in their own home so that they are not forced to flee without support. In cases where it is not safe or appropriate for them to remain in their home we will provide support and assistance for rehousing opportunities.

We will accommodate victim's wishes where the victim would prefer to speak to an officer of the same gender, wherever possible, recognising the sensitivity of the matter.

We will advise victims on the range of actions that are available, so that they can have all information available at their disposal and contribute their views as to what might be a suitable course of action in their circumstances. This will include information on:

- Police powers and possible criminal actions
- Non molestation orders (injunctions secured in the Family Courts)
- Occupation Orders (a court order to exclude the perpetrator and allow the victim to return home)
- Tenancy transfer orders
- Rehousing options including Homelessness duties
- Sanctuary schemes (measures to improve security in the home)
- Support and further advice on specialist services

- Referral to Warwickshire's Multi Agency Safeguarding Hub or Multi Agency Risk Assessment Conference

### 3.3 Assessment

We will ensure that we give victims time to recount their circumstances. We recognise that reports by victims of domestic violence and abuse may not reveal the full facts and details and the abuse. Our staff will be mindful of the potential dangers that those reporting abuse will face when dealing with them. We will advise them of the confidentiality of the information they are providing.

We will use agreed assessment tools to ensure that we have established the case in detail. We will assess the risks victims are exposed to, so that we can assess any actions to be taken.

We will ensure that staff will be available to deal with any reports of domestic abuse/violence as an emergency the same day in most cases and if staff are not available, within 24 hours. We have emergency arrangements 24 hours every day where we can receive reports of homelessness and deal with those in accordance with the urgency of the situation.

### 3.4 Dealing with the perpetrators

We will examine all avenues to stop domestic violence and abuse occurring. This will include the use of injunctions, enforcement of tenancy conditions, liaison with the Police and other agencies where criminal proceedings are being considered and pursued.

We will send clear messages to the perpetrators that they will be accountable for their actions and that the victims are never to blame.

We will inform perpetrators of advice and support they can access to address their offending behaviours.

### 3.5 Working with partners

We recognise that a range of agencies are working to reduce incidents of domestic violence and abuse. We are committed to working closely with these agencies to ensure a joined up approach and to maximise our impact.

We have joined together with other agencies in the Multi Agency Risk Assessment Conference (MARAC) to report and discuss cases that have come to our attention in our capacity as a District Council to ensure each case is effectively managed and that there is a clear framework and understanding as to each agency's agreed actions to safeguard victims of domestic violence and abuse, in accordance with their powers and duties.

We will signpost victims to other agencies or to information that is available so that victims of domestic violence and abuse are aware and informed of support and services at their disposal. Where required, we will use our best endeavours to assist victims in accessing support, services and information from other agencies.

The Council supports the South Warwickshire Community Safety Partnership. This includes assisting in its statutory duties to carry out Domestic Homicide Reviews, providing information and detail where available and undertaking to learn and accord with recommendations, applicable to us, that may arise from the completion of the Domestic Homicide Review. We endeavour to do so in a timely fashion in accordance with recommended timeframes for completion.

We support a joined up approach towards addressing domestic violence and abuse across Warwickshire and in particular, act in accordance to “Warwickshire’s Violence Against Women and Girls Strategy”.

### 3.6 Publicity

This policy and general advice information will be published on our web site. Printed copies will be available at public access points in the District.

We will ensure that publicity around domestic abuse/violence is available to residents across Warwick District.

## 4. EQUALITY AND DIVERSITY

In developing this policy we have undertaken an Equality Assessment.

In operating this policy we are committed to promoting equality and recognising the diversity of our communities and will work to ensure all parts of our community are treated fairly.

## 5. MONITORING AND REVIEW

This policy will be reviewed every 3 years or earlier if there are significant changes required in the light of best practice and any changes to legislation and Government guidance.

We will monitor incidents of domestic abuse and report on these regularly.

## 6. ASSOCIATED DOCUMENTS

Housing Act 1985

Homelessness Act 2002

Housing Act 1996 Part VII

Family Law Act 1996

Protection from Harassment Act 1997

Domestic Violence, Crime & Victims Act 2004

Serious Crime Act 2015 s76

Anti-social Behaviour Crime and Policing Act 2014

Ending Violence Against Women and Girls Strategy 2016/20

Warwickshire’s Violence Against Women and Girls Strategy

Warwick District Council - Policy on Anti-Social Behaviour

Warwick District Council - Housing and Homelessness Strategies