



Blackpool Coastal
Housing

Domestic Abuse Policy

27.07.2023

INSPIRING PEOPLE TO BUILD BETTER COMMUNITIES

Document Information

Issue Date	TBC	
Version/Issue Number	1.0	
Document Status		
Effective From Date		
Scope of Document	Organisational policy relating to Domestic Abuse	
Objective	To provide a clear and consistent approach to dealing with Domestic Abuse. This policy is intended to apply to all staff including managers, front line staff and contractors working for BCH.	
Who needs to know?	All managers, staff, and contractors	
Documentation		
Document Sponsor	Name	Andrew Walker
	Job Title	Head of Housing Services
	Division	Housing Services
Author	Name	Paul Dillon
	Job Title	ASB & Neighbourhoods Manager
	Team	Housing Services
	Contact Tel:	7628

Amendment Record

Date	Issue No.	Section/Page	Details of Change	Authorised By:
27.07.2023	1.00		New policy launched	Paul Dillon
09.04.2024	1.01		Minor adjustments to the flow of the Policy as recommend by Resolve's ASB Service Review – November 2023	Paul Dillon

Amendment Notes

- Documents at draft status are to use letter designations to denote issue status: a, b, c etc.
- Documents at full issue status are to use number designations to denote issue status after full revision: 1.0, 2.0, 3.0, etc.
- For an amendment to a full issue document, you are to use number designation to denote issue status: 1.1, 1.2, 2.1, etc.
- On full issue the draft amendment record should be deleted from the above table.
- Notification of the amendment must be sent to the person maintaining the Central Register.

1 Introduction and Scope

This policy sets out how BCH will take steps to assist and support any person experiencing or threatened with domestic abuse, it applies to all customers including those living with our tenants.

Domestic abuse is still a largely hidden crime and measuring the true scale of the issue is difficult. Domestic abuse happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.

As a Housing Provider we are well placed to recognise the signs of domestic abuse. It is absolutely essential that we take all reports of domestic abuse seriously and work positively and pro-actively with the victim to offer support.

In addition, we will seek to assist perpetrators of domestic abuse who wish to positively change their behaviour by helping them access support and assistance.

This Policy applies to:

- General Needs rented properties
- Sheltered Housing
- Temporary Accommodation
- Communal Areas

2 Links to organisational goals

Our Vision and Values set the direction and culture of the organisation. They ensure that the business is aligned around the desire to be an excellent provider of housing and to work in partnership and engage others in our priorities. The Vision and Values ensure that all our teams understand our ethos and are clear about what is expected of them and the contribution they can make.

This Policy operates within our Vision and Values and links to the following Policies and procedures:

- Domestic Abuse Procedure
- Hate Crime Reporting Policy
- Safeguarding Adults and Children Policy and Procedure
- BCH Priorities for ASB
- General Data Protection Policy and Procedure
- Consistent Assessment Policy

3 Regulation and Legislation

This Policy helps to fulfil the following legislation:

- The Domestic Abuse Act 2021
- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The General Data Protection Regulation 2018
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2015
- The Care Act 2014

- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)
- National Policy Links

4 Our policy statement

At BCH, we believe that our customers should not live in fear of violence or abuse from a partner, former partner, or any other member of their household.

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

We will:

- Ensure that people experiencing 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.
- Support people who are / have experienced abuse to rebuild their lives by working in partnership with them and other support agencies.
- Ensure that where children and young people are affected by domestic abuse, they too have access to services as early as possible.
- 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.
- Ensure that people experiencing abuse are not deterred from reporting abuse.
- Seek appropriate support solutions for perpetrators of domestic abuse to prevent abuse recurring.
- Follow the relevant child protection / Safeguarding Children procedures if we believe a child is at risk due to an abusive relationship.
- Follow the relevant Safeguarding Adults procedure if we believe a vulnerable adult is at risk due to an abusive relationship.
- Provide support and guidance to employees experiencing domestic abuse. *
- Not tolerate domestic abuse from our employees and work with them to provide support to any member of staff who is a victim or perpetrator of domestic abuse. *

*Please refer to Employee Domestic Abuse Policy and Procedure

5 Policy Outcomes

Our policy aims to achieve the following:

- To enable people to fulfil their aspirations, we will promote the welfare of all victims of domestic abuse who come into contact with the organisation.
- Create a safe environment where victims of domestic abuse feel they can approach us, are encouraged to talk, and are listened to, enabling them to make informed decisions about their lives and live more independently.
- Provide timely and effective guidance by working in partnership with relevant agencies to respond to any cases of abuse that may arise. We seek to enhance the safety and security of those involved and support them to increase their confidence, resilience and empower themselves to live independently.
- Provide employees with clear and practical guidance to ensure we support and protect victims of abuse, allowing victims to have more information about their choices so that they feel empowered to fulfil their ambitions.
- Work in partnership to offer support to perpetrators of domestic abuse who recognise and seek to change their behaviour. We will work with perpetrators to increase their motivation, skills and knowledge and build confidence and resilience to combat their abusive behaviour patterns.

6 Definitions of Abuse

The Domestic Abuse Act 2021 received Royal Assent on 29th April 2021 and has enacted several key changes. Section one of the Act created a statutory definition of domestic abuse. Section two provides the definition of ‘personally connected,’ which is explained below. Section three provides that a child (0-18), is for the purposes of the 2021 Act, recognised as a victim of domestic abuse if they see, hear, or experience the effects of the abuse, and is related to the person carrying out the abuse and / or the person who is abused.

Section 1: Definition of “domestic Abuse”

Behaviour of a person (‘A’) towards another person (‘B’) is “domestic abuse” if—

- a. A and B are each aged 16 or over and are personally connected to each other, and
- b. (b) the behaviour is abusive.

Behaviour is ‘abusive’ if it consists of any of the following and it does not matter whether the behaviour consists of a single incident or a course of conduct:

- a. physical or sexual abuse
- b. violent or threatening behaviour
- c. controlling or coercive behaviour
- d. economic abuse
- e. psychological, emotional, or other abuse

‘Economic abuse’ means any behaviour that has a substantial adverse effect on B’s ability to:

- a. acquire, use, or maintain money or other property, or
- b. obtain goods or services

For the purposes of this Act A’s behaviour may be behaviour ‘towards’ B even though it consists of conduct directed at another person (for example, B’s child).

Section 2 Definition of ‘personally connected’

Two people are ‘personally connected’ to each other if any of the following applies:

- a. they are, or have been, married to each other
- b. they are, or have been, civil partners of each other
- c. they have agreed to marry one another (whether the agreement has been terminated)
- d. they have entered into a civil partnership agreement (whether the agreement has been terminated)
- e. they are, or have been, in an intimate personal relationship with each other
- f. they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2))
- g. they are relatives.

For the purposes of the act a person has a parental relationship in relation to a child if:

- a. the person is a parent of the child, or
- b. the person has parental responsibility for the child.

Section 3 Children as victims of domestic abuse

Any reference in the Act to a victim of domestic abuse includes a reference to a child who:

- a. sees or hears, or experiences the effect of, the abuse, and
- b. is related to A or B.

A child is related to a person if:

- a. the person is a parent of, or has parental responsibility for, the child, or
- b. the child and the person are relatives.

Professionals and agencies must be aware that the types of abuse can differ in nature, dynamics, and impact, therefore, to ensure they can deliver an effective response, there must be an explanation of the types and forms of abuse.

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

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

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.

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.

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.

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: ^(O&J)

- 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

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.

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.

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.

Wellbeing

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 practitioners 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

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

7 Safeguarding

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

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). 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.

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.

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.

This means that in domestic abuse cases where children are present practitioners have a duty to involve Children's Services to ensure any children are adequately safeguarded.

8 Roles and Responsibilities

Alternative housing options are key to ensuring victims can escape domestic abuse, and factor strongly in a victim's decision making about whether they stay or leave a perpetrator. As most of the domestic abuse is perpetrated at home, housing providers play a unique role in supporting victims of abuse who are their tenants and reporting perpetrators where appropriate. Where appropriate referrals to the sanctuary schemes should be made, they support victims to stay in their own home where it is safe to do so. In some situations, we may consider re-housing the perpetrator rather than the victim.

It is vital that we can recognise and respond to the signs of domestic abuse. Professional curiosity should be employed when faced with all cases, even if domestic abuse is not immediately suspected. Abuse may manifest as multiple moves in quick succession; a refusal to let housing officers into the property; neighbour complaints or damage to property. Housing officers should recognise the impact of wrongly criminalising victims in such instances and consider safety planning and specialist support for the victim if action is taken against the perpetrator.

Part 4 of the Domestic Abuse Act 2021 introduces a new statutory duty on local authorities, placing clearer accountability on local areas to ensure the needs of victims within refuges and other forms of domestic abuse safe accommodation are met in a consistent way. BCH has requested representation at the domestic abuse local partnership board to support them in undertaking local needs assessments and developing and monitoring local strategies.

We are also involved with a range of specialist agencies and groups including Multi Agency Risk Assessment Conference (MARAC) and use the DASH Risk Assessment tool to measure outcomes for those customers we are supporting who are experiencing domestic abuse.

A Multi-Agency Safeguarding Hub (MASH) is one way of coordinating activity around safeguarding referrals, assessment, and joined-up response. These bring together expert professionals from a range of services that have contact with children, young people, adults, and families, making the best possible use of their combined knowledge and information to safeguard children who are at risk of harm or neglect. The aim is to provide a 'one front door' model, where professionals gather information and make decisions about which pathways to follow for different contacts and referrals. This may lead to an assessment by children's social care, early help, or a response from universal services.

Effective multi-agency working (for example a MASH):

- needs to see and respond to the whole picture
- should consider the needs of victims
- should have a clear strategic focus
- requires active partners participating in meaningful joint working
- needs specialist skills
- requires safe and effective information sharing
- addresses the behaviour of the perpetrator and
- values and employs staff with the right values

Domestic Homicide Reviews

A Domestic Homicide Review (a DHR) under section 9(3) of the Domestic Violence, Crime and Victims Act 2004 (the 2004 Act) is a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by a person to whom they were related or with whom they were in an intimate personal relationship, or by a member of the same household. Where a victim took their own life (suicide) and the circumstances give rise to concern, such as it is emerging that there was coercive controlling behaviour in the relationship, a DHR should also be carried out. Such reviews are carried out by Community Safety Partnerships (made up of the bodies listed in section 9(4) of the 2004 Act) in local areas with a view to identifying the lessons to be learnt from the death, particularly regarding the way in which professionals and organisations work together to safeguard victims.

When a domestic homicide occurs, the relevant police force should inform the relevant Community Safety Partnership (CSP) in writing of the incident. Overall responsibility for establishing a review rest with the local CSP as they are ideally placed to initiate a DHR and review panel due to their multi-agency design and locations across England and Wales. CSPs are made up of representatives from 'responsible authorities' listed in section 5 of the Crime and Disorder Act 1998, which have the functions set out in section 6 of that act in relation to a local government area (these are police, local authorities, fire and rescue authorities, probation service and health) who work together to protect their local communities from crime and help people feel safer. A DHR must include representatives of one or more of the bodies and persons listed at section 9(4) of the 2004 Act, depending on their relevance to a particular domestic homicide, who will also form part of the CSP. BCH will fully co-operate and engage with any DHR.

9 Monitoring and Review

This Domestic Abuse Policy will be reviewed every 3 years or in line with business need or changes in regulation and/or legislation. Appropriate training and guidance will be provided to staff as a result of any changes.

Our service is monitored on a range of Key Performance Indicator's (KPI's) and outcomes which include, but are not limited to:

- The number of physical violence, domestic abuse or hate crime incidents opened
- A target of 1 day to respond to a complaint around physical violence or hate crime
- Number of preventative actions taken
- Number of enforcement actions taken

All cases involving domestic abuse are discussed as part of Supervision and the Team Leader regularly conducts case audits as part of performance monitoring.

Overall responsibility for this Policy lies with ASB & Neighbourhoods Manager, accountability lies with the Director of Resources.

10 Equality and Diversity

We are committed to the principles of diversity and inclusion throughout the organisation. In the context of dealing with domestic abuse cases, we aim to:

- 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.
- Ensure our service is responsive and meets the needs of our existing and prospective customers.
- Understand the cultural implications and barriers to reporting domestic abuse.
- Ensure that all sections of the community in which we work have equal access to our service.

Our Domestic Abuse Policy will ensure that customers are treated as individuals and with fairness and respect.

11 **Records**

All records regarding domestic abuse are held on CAS and within a locked electronic folder within the corporate shared drive.