

# Tackling Domestic Abuse & Violence Policy

## 1. Introduction

Bolton at Home has had a specialist Domestic Abuse and Violence Team since 2004. At that time the need was identified by the Anti-Social Behaviour Team because of an increase in reported incidents which predominately related to domestic abuse and violence (DAV) incidents. In 2016 it was recognised that the Domestic Abuse and Violence team would benefit from being part of the Complex Families Support Team. The team is now incorporated into the Support and Safeguarding Service and benefits from the expertise and peer support that prevails within the service.

The domestic abuse and violence policy outlines Bolton at Home's commitment to the people living in their properties. This will be achieved within the legislation framework and in partnership with statutory and non-statutory bodies/charities. In addition it will give a clear understanding of Bolton at Home's approach to all stakeholders.

## 2. Purpose

The Policy will provide all stakeholders with a clear understanding of Bolton at Home's approach and to recognise that DAV can be a serious crime and ultimately could be in breach of Bolton at Home's Tenancy Agreement.

The policy will also outline the appropriate legislation and regulations that will inform guidance to the service offered.

The policy will ensure that people who live in our properties are able to easily access the Domestic Abuse and Violence service confidently, confidentially and safely, and prevent homelessness to those affected by Domestic Abuse and Violence.

The policy will be reviewed and developed to deliver an effective and efficient service which takes into consideration local priorities and good practice recommendations from the Bolton Domestic Abuse and Violence Partnership.

## 3. Scope

The policy makes reference to current statistics and trends, showing a clear increase nationally in reported DAV cases and the clear need for the service. Bolton at Home has adopted the national definition of domestic abuse and violence, which sets out the guiding principles for our officers.

### 3.1 Context on Domestic Abuse and Violence

It is recognised that Victims can experience many incidents of abuse before calling the Police. Housing providers may be in a position to identify abuse at earlier stages. (*Supplementary guidance on domestic abuse and homelessness; DCLG Nov 2014*).

Housing providers are ideally placed to spot and respond to domestic abuse as a first point of contact (<https://www.dahalliance.org.uk/facts>).

The following statistics show the context of domestic violence and abuse.

- 15% of men and 26% of women and aged 16 to 59 had experienced some form of domestic abuse since the age of 16, equivalent to an estimated 2.4 million male victims and 4.3 million female. For every three victims of domestic abuse, two will be female, one will be male. One in four women and one in six to seven men suffer from domestic abuse in their lifetime. (Office for National Statistics BCS Focus on Violent Crime and Sexual Offences 2016/17).
- On average two women are killed by their partner or ex-partner every week in England and Wales. (Office for National Statistics, *Crime Statistics, Focus on Violent Crime and Sexual Offences, Year ending March 2016, Chapter 2: Homicide*).
- On average the police receive over 100 calls relating to domestic abuse every hour. (HMIC, 2015, *Increasingly everyone's business: A progress report on the police response to domestic abuse*).
- Evidence shows that repeat offending by perpetrators of domestic and sexual violence is common (CPS, VAWG report 2015. Amended September 2015 v2.pdf), with 44% of victims being victimised more than once and almost 1 in 5 (18%) being victimised 3 or more times. (Dodd et al. 2004).

### 3.2 Definition of Domestic Abuse and Violence

Bolton at Home has adopted the national definition:

"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 it is not limited to, the following types of domestic abuse; psychological, physical, sexual, financial and emotional. This also includes so called honour based violence, female genital mutilation and forced marriage."

'Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent on the perpetrator – isolating them from others, those that can support them, monitoring and controlling their movements and behaviours, stripping them of their independence.

'Coercive behaviour is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.'

(Be Safe; Bolton Strategic Partnership)

The Policy says how we will support those people who live in our properties that are experiencing domestic abuse and violence and take any enforcement action against those perpetrating DAV; this will be achieved by the following:

- Responsibility under the Tenancy Agreement

- Bolton at Home Domestic Abuse and Violence Team
- Support for People Living in our Properties
- Rehabilitation of Perpetrators who are Living in our Properties
- Bolton at Home Enforcement Measures
- Partnership Working

## **4. Policy**

Bolton at Home will take into consideration the underpinning principles identified by BSafe (Bolton Strategic Partnership) and to work in partnership with Bolton Domestic Abuse Partnership (DAP). As part of the Partnership BH is represented on the Multi Agency Risk Assessment Conference (MARAC) Steering Group which enables us to share knowledge, information and work closely together to provide recommendations of support for high risk domestic abuse cases.

The BSafe and DAP informs Bolton at Home's Policy for Tackling Domestic Abuse and Violence in which to create 'Homes and neighbourhoods we can all be proud of'.

### **4.1 Responsibility under the Tenancy Agreement**

Those who cause Domestic Abuse and Violence and live in our properties will be in breach of their Tenancy Agreement Part 5 section 5.8 Domestic Abuse.

*'You or anyone living with or visiting you must not inflict or threaten violence or other abuse against anyone who lives with or is visiting you or lives or works in the locality. Domestic abuse can involve physical, mental, sexual, emotional and or financial abuse.'* This includes any coercive and controlling behaviour too.

Domestic Abuse and Violence can be considered a good enough reason for eviction and there does not have to be a criminal charge. Bolton at Home has a zero tolerance approach to all cases involving Domestic Abuse and Violence.

### **4.2 Bolton at Home Domestic Abuse and Violence Team**

Bolton at Home has a dedicated team which will provide a bespoke service on a needs basis to those who are affected by DAV to people who live in our properties. In addition the team also will offer support to those who perpetrate DAV to engage in rehabilitation, in certain cases enforcement action will also be taken.

The DAV officers are highly skilled to deal with sensitive situations and will receive on-going specialised training on a regular basis. This is to ensure that officers dealing with complex DAV cases are qualified, understands, and follows, agreed policies and procedures taking into consideration relevant legislation and local agreed priorities.

### **4.3 Support for People Living in our Properties**

Bolton at Home recognises that victims and witnesses of Domestic Abuse and Violence need support and assurance from us. Therefore, all DAV disclosures concerning people who live in our properties will be treated seriously and professionally, so we will:

- Encourage people to report concerns and/or incidents and provide a range of reporting channels, which is easily accessible;
- Treat disclosures / reports sensitively and confidentiality, protecting the identity of the victim or witness, observing protection laws, general data protection regulation (GDPR) and information sharing agreements;
- Seek to respond to DAV reports within our service level, and provide an allocated named officer – same sex where requested;
- Provide a client-centred approach to mitigate risk within which the safety of the victim and their family is a key factor;
- Prevent Homelessness. This may include providing support to enable victims to remain in their own home, or to support to access emergency accommodation and/or alternative appropriate accommodation;
- Recommending / taking swift and effective action against perpetrators where appropriate;
- Ensuring everyone is updated as appropriate at all stages of investigation.

To achieve this DAV Officers will consider each case on a needs basis. However will be flexible on their approach to each individual and determine an effective and proportionate response.

BH also recognises that DAV can often be complex and can affect individuals and families in different ways. Therefore the DAV Officers will ensure appropriate advice is obtained from various sources and work closely with specialist agencies to ensure victims receive all the support they need.

DAV team will provide support by:

- Undertaking an in-depth assessment and completion of the Bolton MARAC risk assessment called the CAADA-DASH Risk Identification Checklist. If a high risk is scored the officers will follow process of referring into MARAC and informing the Police;
- Agreeing together a tailored individual action/ support / safety plan. This will include any personal safety equipment, target hardening (additional security to the property e.g. window/doors locks), and to consider silent alarms offered by Careline. In addition to utilise any local bespoke intense support.
- Provide support to access immediate temporary relocation, and/or permanent re-housing.
- Refer as appropriate to Victim and Witness Support Service and the officer will also provide support throughout any court action if required.
- Sign Post as appropriate to additional enforcement and or support services.

#### **4.4 Rehabilitation of Perpetrators who are living in our Properties**

The foremost focus is to support, however DAV perpetrators must be held accountable for their behaviour and understand that it is a breach of BH tenancy agreement as mentioned in section 4.1 of this policy, and appropriate action will be taken.

Bolton at Home has a dedicated domestic abuse and violence enforcement officer for DAV perpetrators who live in our properties, this role will look to break the cycle of domestic abuse. Whilst we will seek to provide support to the perpetrator, and develop a holistic response to preventing domestic abuse and minimising risk, there may be occasions when enforcement action will need to be taken.

We will do this by:

- Supporting the perpetrators to identify causes with a focus on managing risk, behaviour change and whole family approach to prevent abuse.
- Carry out risk and needs assessments and refer to relevant support services, e.g. Behaviour Change Programmes.
- Identify and make recommendations regarding how we identify and manage perpetrators/ risk.
- Through early identification and intervention support behaviour change where possible and reduce repeat perpetration.
- Manage risk to victims by through reducing repeat victims and embed a whole family approach utilising Early Help.
- Strengthen links and processes between Enforcement and Support to make recommendations and support enforcement and legal actions where appropriate.
- Network and support the Bolton partnership for domestic abuse and embed the good practice learnt within the service areas.
- If perpetrators of Domestic Abuse and Violence are convicted of indictable offences in locality of their tenancy Bolton at Home will pursue a claim for possession.
- If perpetrators of Domestic Abuse and Violence have not been convicted of offences in the locality of their tenancy but Bolton at Home consider it reasonable and proportionate in light of the fact Domestic Abuse and Violence is such a serious concern, BH will consider an injunction with positive requirement to change behaviour and then if breached a mandatory possession order.

#### **4.5 Bolton at Home Enforcement Measures**

If appropriate, Bolton at Home will consider recommending or pursuing the following enforcement actions against perpetrators of Domestic Abuse and Violence.

- Possession Proceedings
- Extension of Assured Shorthold (Starter) Tenancy
- Injunctions/Undertaking
- Non-molestation Order

Bolton at Home will consider enforcement action with the consent of the victim(s) or when it is felt that it is proportionate and reasonable, just and convenient or if the perpetrators behaviour is capable of causing a nuisance or annoyance to surrounding residents. If the perpetrator has convictions for indictable offences committed in the locality of the perpetrator's address and the application is both reasonable and proportionate, Bolton at Home will pursue a Claim for Possession.

Bolton at Home recognises the benefits of supporting victims of Domestic Abuse to secure protection through Non-Molestations Orders via signposting the victim to a Family Law Solicitor. Though on occasion it may be appropriate to pursue a housing-related Injunction Orders with a Power of Arrest attached and an Exclusion Order, if the reported Domestic Abuse and Violence is causing or capable of causing a nuisance or annoyance to surrounding residents in addition to the victim.

## **4.6 Partnership Working**

The BH DAV service will link in with services and safeguarding processes to raise awareness, and that 'it is everyone's duty to report it' promptly to appropriate partners. It is also important for BH to raise awareness amongst partners of domestic abuse and violence and to consider the implications for their services and that of Bolton at Home's which are provided within the community.

Bolton at Home works in partnership to support and assist people who live in our properties that are experiencing domestic abuse and violence, regardless of gender which includes young people and children in line with the current legislation and definition (as outlined in this policy). Reports of intergenerational domestic abuse and violence will be investigated with partners to ensure a whole family approach is adopted and risks mitigated, by using a range of Bolton DAV partnership tools/strategies e.g. linking in with Children Services - Early Help Process, attending the fortnightly Multi Agency Risk Assessment Conference (MARAC) to formulate an action plan with partners for high risk DAV cases.

Our partners include:

- Bolton Domestic Abuse Partnership
- BSafe (Bolton Strategic Partnership)
- Greater Manchester Police
- Bolton Council Children Services
- Bolton Council Adults Services
- Bolton Council Safeguarding Services
- Bolton Health Services
- Children and Young People Services
- Criminal Rehabilitation Company
- Greater Manchester Fire Services
- National Centre for Domestic Violence
- National Probation Service
- Voluntary Sector Services
- Third Sector Services and Local Refuges
- Independent Domestic Violence Advisors

Bolton at home will continually improve the joint working between agencies and learn from Domestic Homicide Reviews, including information sharing, and establish robust structures to enable a coordinated approach. Also working in partnership to provide support where appropriate to perpetrators of DAV with programmes that help them to understand their behaviour and provide support to alter this behaviour.

## **5. Equality analysis**

The Equality Analysis was signed off as requiring 'No major change'.

## **6. Legislation**

The Policy is government led and based on strong and strenuous legislation.

- Serious Crime Act 2015 Section 76
- ASB, Crime and Policing Act 2014
- Domestic Violence Crime and Victims Act (Amendment) 2012
- Anti-social behaviour Act 2003

- Domestic Violence Crime and Victims Act 2004
- Human Rights Act 1998
- Equality Act 2010
- Housing Acts 1998
- Family Law Act 1996
- Children's Act 1989
- Children's Act 2004
- General Data Protection Regulation 2018
- Data Protection Act 2018

The following Bolton at Home policies will also be considered alongside the 'Tackling Domestic Abuse and Violence Policy':

- The ASB & Enforcement Policy
- The Safeguarding Policy
- The Homefinder Policy
- The Income Management Policy

## **7. Responsibility**

Customer and Place Management Team will ensure this policy is successful, with staff having individual and collective responsibility to implement the policy.

## **8. Data Protection**

Bolton at Home will comply with the Data Protection Act 2018 and General Data Protection Regulations 2018 and any information sharing protocols. If there are any requests for disclosure of personal data all requests will be referred to the Information Officer.

## **9. Consultation**

The principles for the Policy are underpinned by the Bolton Abuse and Violence Partnership and the Bolton Safeguarding Children Board, who in developing the 'Principles' have done so in consultation with the 'Domestic Abuse & Violence Front Line Practitioner Forum' and feedback from professionals.

Bolton at Home Domestic Abuse and Violence Team undertake feedback from their clients for best practice and to improve the service provided. This is in a form of a telephone conversation after the case has been closed by an independent Administrative Assistant.

Please see below feedback quotes from our service users:

...'was really pleased with DAV service and was thankful.....feels safer in her new home and hasn't had any problems....'

...'wasn't aware of the DAV service at all....grateful for all the advice and support. ....respected the fact we couldn't take that step for her.....grateful for all the phone calls made and support given her.

The DAV Team are based at the Complex Family Unit in Ashness Place, and one of the concerns from service users was the layout of the interview rooms being too formal.

Following extensive consultation Ashness Place has been refurbished to meet the demands and needs of Staff and people who live in our properties.

## **10. Monitoring, Review and Evaluation**

This Policy will be reviewed every three years or earlier if major changes need to be made.

<b>Date approved</b>	27 September 2018
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