

## **DOMESTIC VIOLENCE POLICY**

Report of the Director of Housing and Customer Service

### **1. SUMMARY**

On 25 January 2007, the Board approved Derby Homes' Domestic Violence Policy and Procedure. As a key policy, it is required to be reviewed at least every three years.

### **2. RECOMMENDATION**

That the Board approves the changes to the policy.

### **3. MATTER FOR CONSIDERATION**

- 3.1 Derby Homes' Domestic Violence Policy included procedures for staff (Appendix 1). The procedure element has been removed allowing for the document to be shortened and streamlined. The procedure for staff has been recorded at the appropriate location to enable easy access for staff.
- 3.2 The principles of the policy remain emphasising safety for those suffering domestic violence, although the document has been edited and refined.
- 3.3 Main changes to the policy are:
  - Including domestic violence issues which primarily affect emerging communities: forced marriages, honour killings and Female Genital Mutilation
  - Changes to Derby City Council's Allocations Policy which aims to address issues of domestic violence through Homefinder instead of the victim being stigmatised as 'Homeless'
  - The opening of the Family Justice Centre which is a central point for victims.

### **4. CONSULTATION IMPLICATIONS**

A desk top review of the Domestic Violence Policy was completed and circulated to appropriate managers and staff for comment.

### **5. FINANCIAL AND BUSINESS PLAN IMPLICATIONS**

None arising from this report.

## **6. LEGAL AND CONFIDENTIALITY IMPLICATIONS**

The Crime and Disorder Act 1998 (Section 17) imposed a duty on local authorities and the Police to prevent crime and disorder in its area. As a result, each local authority area set an inter-agency Crime and Reduction Partnership. The Community Safety Partnership is Derby's response. Domestic violence is a category included in overall strategies to reduce crime.

- Domestic Violence Crime and Victim Act 2004
- The Family Law Act 1996 Part iv Schedule 7
- The Homeless Code of Guidance 2006.

## **7. EQUALITIES IMPACT ASSESSMENT**

In progress. The Equality Impact Assessment (EIA) (Appendix 2) is to follow.

## **8. POLICY REVIEW IMPLICATIONS**

This is a key policy of Derby Homes and is included in the Key Policy Review Schedule. In accordance with minute 10/51 this policy will be reviewed no later than 3 years from the date of this meeting.

The areas listed below have no implications directly arising from this report:

- Personnel
- Environmental
- Health & Safety
- Risk

If Board members or others would like to discuss this report ahead of the meeting please contact the author, or Phil Davies, Chief Executive, [phil.davies@derbyhomes.org](mailto:phil.davies@derbyhomes.org) – Phone: 01332 888528

Author: Maureen Davis Telephone:01332888596 email: [maureendavis@derbyhomes.org](mailto:maureendavis@derbyhomes.org)

Background Information: None.

Supporting Information: None.



# **DOMESTIC VIOLENCE POLICY**

## **AIM OF THE DOMESTIC VIOLENCE POLICY**

Derby Homes' believes that Domestic Violence is unacceptable and will not be tolerated.

Domestic violence often has consequences for the housing situation of those affected by domestic violence and they will frequently turn to their landlords for help.

This policy aims to ensure that all staff understand domestic violence and give a consistent service when offering guidance and support.

The Policy is also for employees who may be suffering domestic violence.

Derby Homes aims to:

- Increase awareness and understanding of domestic violence in the workplace and within Derby's communities
- Improve the safety and welfare of adults and children who are affected
- Improve Derby Homes' response to domestic violence
- Encourage multi-agency working to ensure a seamless service to victims, survivors and their children.

## **INTRODUCTION**

Domestic violence is a serious social and criminal problem that has significant human and financial consequences for individuals, families and communities.

The Government defines domestic violence as: 'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality'.

'An adult is defined as any person over 18 years or over and family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family'.

The definition has been widened by the Government to incorporate violence by family members as well as between adults who are or were intimate partners. It should also be noted that this could include a vulnerable person, adult or child, who is living in an environment where they are witnessing abuse.

The Government is also explicit in including forced marriages and so called 'honour based violence' in this definition.

Domestic violence includes but is not limited to:

- Physical violence – slapping, pushing, kicking, stabbing, damage to property or items of sentimental value, attempted murder or murder

- Sexual violence – any non consensual sexual activity including: rape, sexual assault, coercive sexual activity or refusing safe sex
- Restricting freedom – controlling who a person sees or where they go, what they wear and do, stalking, imprisonment or forced marriage
- Emotional /psychological abuse –intimidation, social isolation, verbal abuse, humiliation, constant criticism or enforced trivial routines
- Economic abuse – stealing, depriving or taking control of money, running up debts, withholding benefits books or bank cards.
- Female Genital Mutilation – forced circumcision.

Anyone can experience domestic violence. Home Office research indicates that whilst the majority of abuse is against women it also occurs in Lesbian, Gay, Bi-sexual and Transgender relationships, in heterosexual relationships where men are abused by women and by grown up children against their parents.

Domestic violence is very common. It can affect one in four women in their lifetimes, regardless of age, social class, race, disability or lifestyle. It accounts for between 16% to 25% of all recorded violent crime. In any one year there are over 13 million separate incidents of physical violence or threats of violence against women from their partners or former partners.

## **DOMESTIC VIOLENCE AND THE LAW**

The 1998 Crime and Disorder Act (section 17) imposed a duty on local authorities and the Police to prevent crime and disorder in its areas. As a result, each local authority area has an inter-agency Crime and Reduction Partnership. The Community Safety Partnership is Derby's response to this legislation.

Domestic violence is included in overall strategies to reduce crime.

Victims of domestic violence have recourse to criminal law and also civil law. Although there is no specific criminal offence for domestic violence, many forms are a crime: harassment, assault, criminal damage, attempted murder, rape and false imprisonment. Not all domestic violence is criminal however, but there is recourse through civil law: injunctions and non molestation orders, for example.

## **Derby Homes Policy on Domestic Violence**

Derby Homes will:

- Pledge its commitment to take claims of domestic violence seriously
- Train all staff on domestic violence and its implications
- Ensure those affected by domestic violence are provided with support and protection, including temporary accommodation if it's appropriate
- Recognise that children living in households where domestic violence is occurring are at risk

- Work with Partners to ensure the best outcome for those suffering domestic violence
- Provide a supportive and enabling environment, which encourages people to report domestic violence
- Hold perpetrators accountable for their actions
- Not tolerate domestic violence by employees
- Be sensitive to gender, cultural and religious issues
- Respect the person's choices
- Explore possible options for survivors of domestic violence, such as added security to their homes if they wish to stay, or rehousing if they do not
- Provide support for staff who work with people experiencing domestic violence.

### **Confidentiality**

Derby Homes will not divulge information, without the consent of the person experiencing domestic violence, unless required to do so by law or unless the information is necessary to protect a vulnerable adult or child.

### **Partnerships**

Domestic violence is very complex. People involved may have disabilities, mental health problems, drug and alcohol dependency or special needs. It is essential to work with other agencies who have the necessary expertise.

### **Service Provision**

Survivors of Domestic violence can expect:

- To speak to a member of staff in a private and safe environment
- A signer or interpreter to be present if appropriate
- Support from a staff member of the same sex or ethnic origin if required
- Support from a specialist Domestic Violence Support Officer or Derby Homes' Victim and Witness Support Officer if appropriate
- To be listened to and allowed to make their own decisions
- Signposting to the Family Justice Centre where all services are based in one safe location, if appropriate
- Help to improve security at home or assistance with moving.

### **Domestic Violence and Housing**

Derby City Council supports victims of domestic violence by awarding priority for rehousing through the Allocations Policy rather than treating as homeless. Conversely, those who perpetrate Domestic Violence may be considered to have behaved 'unacceptably' and deemed unsuitable for housing.

## **The Tenancy Agreement**

Derby Homes makes it explicit in the conditions of tenancy that domestic violence will not be tolerated:- 'You or anyone living with you at/or visiting your home, must not inflict violence or threaten violence against, any other person, either living with you or in another Council home. You must not harass or use physical, mental, emotional or sexual abuse against anyone residing in, visiting or otherwise engaged in lawful activity within the locality.'

## **Domestic Violence and the Workplace**

Employees confiding to another member of staff that they are suffering from domestic violence can expect:

- A safe environment to discuss their issues
- Confidentiality, unless a vulnerable child or adult is at risk
- Support
- Safety and security whilst at work
- Agreeing what to tell colleagues
- Provision under Conditions of Service
- Access to Right Core Care.

## **Monitoring, Evaluation and Review**

We will monitor instances of domestic violence and evaluate our practices. We will review the policy every 3 years.

This will to help raise awareness among both staff and service users, and indicate that domestic violence is taken seriously by Derby Homes. It will also ensure that the Policy is embedded within the organisation.

Policies remain empty rhetoric unless appropriate training and supervision are provided to integrate the policy into practices.

# Equality impact, needs and requirements assessment form

Please use this form to record your findings, proposed actions, equality objectives and targets. Use the guidance notes to help you do the assessment or contact the Equality Standard Project Manager if you need some advice

## About the policy, practice, service or function you are assessing

Name of policy, practice, service or function: Domestic Violence Policy

Assessment team leader name: Maureen Davis

Date of assessment: 28.03.11

Department responsible: Housing Management

Service Area: Housing Management

Other members of assessment team:

Name	Position	Area of expertise	Comments
Maureen Davis	Operations Manager	Housing	
Annabelle Barwick	Change Manager	Equality and Diversity	
Elma Gopo	Tenancy Support Officer	Domestic Violence	
John Birch	Victim and Witness Support Officer	Witness Support	
Sonia Hardy	Neighbourhood Safety Officer	Anti Social Behaviour	



Question	Response/ findings
<p>What are the main aims and objectives or purpose of the policy, practice, service or function that you are assessing?</p>	<p>The Domestic Violence Policy aims to ensure that all staff understand domestic violence and give a consistent service when offering guidance and support.</p> <p>The Policy applies to employees who may be suffering domestic violence as well as residents.</p> <p>Derby Homes aims to:</p> <ul style="list-style-type: none"> <li>• Increase awareness and understanding of domestic violence in the workplace and within Derby's communities</li> <li>• Improve the safety and welfare of adults and children who are affected</li> <li>• Improve Derby Homes' response to domestic violence</li> <li>• Encourage multi-agency working to ensure a seamless service to victims, survivors and their children.</li> </ul>
<p>Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person, team, department, or body – and include any outside organisations who deliver under procurement arrangements</p>	<p>Housing Management officers working for Derby Homes including Neighbourhood safety officers, tenancy support officers, housing officers, Victim and the witness support officer</p>
<p>Who is affected by the policy, practice, service or function, or by how it is delivered? Such as, who are the external and internal customers, groups, or communities?</p>	<p>Residents, employees, and organisations working in partnership with Derby Homes, for example, the Police and Derby City Council's Housing Options Centre officers.</p>

Question	Response/ findings
<p>What outcomes do we want to achieve, why and for whom? For example, what do you want to be providing, how well, what changes or improvements, and what should the benefits be for customers, groups or communities?</p>	<p>The intended outcomes of the policy are to :</p> <ul style="list-style-type: none"> <li>• Increase awareness and understanding of domestic violence in the workplace and within Derby's communities</li> <li>• Improve the safety and welfare of adults and children who are affected</li> <li>• Improve Derby Homes' response to domestic violence</li> <li>• Encourage multi-agency working to ensure a seamless service to victims, survivors and their children.</li> </ul>
<p>What existing or previous inspections of the policy, practice, service or function are there? For example, Best Value Inspections, policy reviews, research into the effects of a policy or practice.</p> <p>What did they tell you?</p>	<p>This is the first Domestic Violence policy review. This review takes into account and incorporates the local and national picture.</p>

## Identifying potential equality issues and factors

Question	Response/ findings
<p>What do you already know about the equality impact or need? For example, from research, feedback, consultation or any performance monitoring</p>	<p>Domestic violence is very common. It can affect one in four women in their lifetimes, regardless of age, social class, race, disability or lifestyle. It accounts for between 16% to 25% of all recorded violent crime. In any one year there are over 13 million separate incidents of physical violence or threats of violence against women from their partners or former partners.</p>

Question	Response/ findings
Is there any evidence of higher or lower take up under the policy or practice, or of the service or function for any particular groups? For example, who uses the service, who doesn't and why not?	<p>Women are more likely to be victims of domestic violence. Victims of all ages access support provided by Derby Homes.</p> <p>There is evidence to show that BME victims of domestic violence are less likely to access support.</p>
Have there been any important demographic changes or trends locally? For example is the population changing, and if so, how and what might that mean for the service or function?	<p>The population of Derby is changing and as a result becoming more diverse.</p> <p>New communities are choosing Derby as a place to settle.</p> <p>Different cultures and beliefs may have an impact on this policy.</p>
Is there an indication that any of the policies or practices involved with the service or function creates particular problems or difficulties for any groups of customers or communities?	<p>The aims of this policy are to :</p> <ul style="list-style-type: none"> <li>• Increase awareness and understanding of domestic violence in the workplace and within Derby's communities</li> <li>• Improve the safety and welfare of adults and children who are affected</li> <li>• Improve Derby Homes' response to domestic violence</li> <li>• Encourage multi-agency working to ensure a seamless service to victims, survivors and their children.</li> </ul> <p>Each case will be dealt with on an individual basis to tailor the support to meet the specific needs of the user.</p>

Question	Response/ findings
What information or data exists? For example, statistics, customer feedback, complaints, research, monitoring – who keeps it and can you get hold of it?	<p>There is a host of monitoring information collected including Anti Social Behaviour case statistics which are reported to the City board and Supporting people information.</p> <p>This information is held by Tenancy Support and the neighbourhood safety teams.</p>
Does any equality or diversity objectives already exist? If so, what are they and what is current performance like against them?	The only targets which exist as those contained in the supporting people grant.
Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?	This Policy is intended to have a positive effect on victims of domestic violence.

## Collecting the information and data about how the policy, practice, service or function, impacts on communities

Please record your information and data in this table and think about:

- what information or data you will need
- using both quantitative and qualitative data
- making sure that where possible there is information that allows all perspectives to be considered
- identifying any gaps in the information/ data and what it can tell you

<b>Data or information</b>	<b>When and how was it collected?</b>	<b>Where is it from?</b>	<b>What does it tell you? You need to consider all six equality strands where you can</b>	<b>Gaps in information</b>
Customer feedback and complaints				
Consultation and community involvement				
Performance information including Best Value				
Take up and usage data				
Comparative information or data where no local info				
Census, national or regional statistics				

<b>Data or information</b>	<b>When and how was it collected?</b>	<b>Where is it from?</b>	<b>What does it tell you? You need to consider all six equality strands where you can</b>	<b>Gaps in information</b>
Access audits or assessments such as DDA assessments				
Workforce profile				
Where service delivered under procurement arrangements – workforce profile for deliverers				
Monitoring and scrutiny outcomes				

## Analysing the information and data and setting equality objectives and targets

Please give your detailed findings in this table

Service or function	Policy or practice	Findings	Which groups are affected and how	Whose needs are not being met and how?

## Objectives - process, impact or outcome based

Please give your proposed objectives/ targets in this table

<b>Objective/Target:</b>	
Specific	
Measurable	
Achievable	
Relevant	
Timed	

<b>Objective/Target:</b>	
Specific	
Measurable	
Achievable	
Relevant	
Timed	

<b>Objective/Target:</b>	
Specific	
Measurable	
Achievable	
Relevant	
Timed	



## Monitoring and reviewing - incorporating into performance management

Please summarise your objectives and targets in this table with your proposed monitoring and reporting arrangements

Objective	Planned action	Target performance			Responsible lead officer	Reporting cycle, for example, quarterly
		2011/12	2012/13	2013/14		