

Customer Domestic Abuse Policy

2022

Monitoring and review

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1.0 Background

Wolverhampton Homes' Domestic Abuse Policy reflects the commitment of the organisation to work with partner agencies when responding to domestic abuse and aims to prevent and reduce the risk of harm to adults and children who are at risk.

2.0 Purpose and scope

Wolverhampton Homes is committed to providing a robust and holistic approach to domestic abuse. This policy details our response and aims to ensure that those who are subjected to domestic abuse are supported in a way that is empowering, trauma informed, choice based, and customer led.

Taking its lead from the Tackling Interpersonal Violence and Abuse Including Violence Against Women and Girls Wolverhampton's Multi-Agency Strategy 2019 - 2022, the policy seeks to:

- Work with partners to support victims and survivors of domestic abuse.
- Incorporate new Domestic Abuse Legislation in the delivery of housing services
- Support victims and survivors to remain in their own homes, where safe to do so
- Utilise best practice guidance for housing professionals
- Empower and support people to make their own choices
- Share information in a timely way
- Safeguard adults and children using a risk-based approach.

3.0 Statement of intent

Safeguarding is everybody's business, with everyone playing a part in preventing, identifying, and reporting abuse. Wolverhampton Homes, as a Wolverhampton Safeguarding Together member, is committed to working collaboratively to improve the outcomes for adults and children who are experiencing domestic abuse.

We are committed to:

- Ensuring all staff, paid or unpaid and working for or on behalf of Wolverhampton Homes are familiar with policies and procedures relating to domestic abuse and safeguarding.
- We will provide training to all employees across the business in recognising domestic abuse, how to respond and how to report it.
- We will appropriately share information with statutory agencies and partner organisations about individuals who may be at risk from domestic abuse with due regard to confidentiality and information sharing protocols.
- We will meet our statutory safeguarding requirements in line with our existing policies and procedures where there are safeguarding concerns about a resident. In cases relating to children, staff will refer to Wolverhampton Homes Safeguarding Children Policy and for Adults staff will refer to the Wolverhampton Homes Safeguarding Adults Policy.

4.0 Policy definitions

Wolverhampton Homes recognises and acknowledges its legal duties and obligations under legislation relating to domestic abuse:

Domestic Abuse Act 2021

The Domestic Abuse Act 2021, has defined domestic abuse as:

Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if— A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive.

Behaviour is “abusive” if it consists of any of the following—

- physical or sexual abuse.
- violent or threatening behaviour;
- controlling or coercive behaviour;
economic abuse - Economic abuse means any behaviour that has a substantial adverse effect on B’s ability to acquire, use or maintain money or other property, or obtain goods or services
- psychological, emotional, or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

Types of Abuse

Incidents of abuse may be one-off or a pattern of abuse and affect one or more individuals. Professionals and others should look beyond single incidents or individuals to identify patterns of abuse.

Physical abuse

Includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

Controlling Coercive Behaviour

Coercive control refers to a pattern of controlling behaviours that create an unequal power dynamic in a relationship. These behaviours include isolation from friends/family, partner enforcing curfews and monitoring whereabouts, monitoring of phone/internet use, control over what clothing the partner wears. These methods of control give the perpetrator power over their partner, making it difficult for them to leave.

Sexual Abuse

Includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to

pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting

Image Based Abuse (Revenge Porn)

Distribution or threat of distribution of private images/videos without consent with the intention of causing embarrassment and distress.

Psychological, Emotional, or other abuse

Involves the regular and deliberate use of a range of words and non-physical actions used with the purpose to manipulate, hurt, weaken, or frighten a person mentally and emotionally; and/or distort, confuse, or influence a person's thoughts and actions within their everyday lives, also known as gaslighting.

Economic abuse

Economic abuse is and can include restricting access to essential resources such as food, clothing, and transport. Creating a dependency by denying the means to improve a person's economic status – for example through education, employment, access to benefits or training.

The new statutory definition clearly emphasises that domestic abuse is not solely physical violence, but can also be emotional, coercive, or controlling, and economic abuse. As part of the definition, children are explicitly recognised as victims if they see, hear, or otherwise experience the effects of abuse. A further range of measures and initiatives include targeted work with perpetrators and the introduction of Domestic Abuse Protection Notices.

Wolverhampton Homes acknowledges that the Domestic Abuse Act 2021 places duties on us as a housing organisation. Under Part 7 of the Housing Act 1996 (homelessness: England) the act will give those who are homeless because of domestic abuse, priority need for accommodation.

Whilst aiming to increase the safety of victims, in the event temporary accommodation is needed but available within Wolverhampton, there may be occasions whereby victims and their immediate family members will be offered a form of temporary accommodation outside of the city.

We aim to ensure victims and survivors do not remain with their abuser for fear of losing their home. Under Part 4 of the Housing Act 1985, where an individual has left a secure tenure due to domestic abuse, legislation outlines that the individual should be offered a new secure tenancy.

5.0 Roles and responsibilities

Any individual, agency or employee who wishes to report domestic abuse or has concerns about an individual, can contact Wolverhampton Homes Domestic Abuse Team by visiting the Domestic Abuse webpage on the Wolverhampton Homes Website: <https://www.wolverhamptonhomes.org.uk/help-support/worries-about-a-person/domestic-abuse/>

We will enable residents and employees to report domestic abuse to Wolverhampton Homes in a variety of ways and will respond to all reports of domestic abuse that we receive including those made in confidence and those made by individuals not directly involved, such as partner agencies, neighbours, and contractors.

In cases where our employees are experiencing domestic abuse, we will follow Wolverhampton Homes Employee Domestic Abuse Policy.

We will work with partner agencies to support victims and survivors of domestic abuse and, where appropriate, also work with perpetrators where we can do so without compromising the safety of individuals affected by domestic abuse.

We will arrange a safe time, place, or communication method which is convenient for victims and survivors of domestic abuse. We will establish if there are any special requirements that should be considered for example the need for a language interpreter or BSL interpreter.

We will, with consent, share information between agencies where the assessment against the DASH Risk Identification checklist meets the local authority threshold for MARAC referrals. The information will be shared with those agencies attending the meeting or with expressed consent of the MARAC Chair.

Wolverhampton Homes is committed to supporting people to safely remain in their homes. Our Domestic Abuse Team will provide robust safety planning advice and support which aims to improve security and safety via Wolverhampton Homes Sanctuary Scheme.

We will offer Safe Homes/Sanctuary provision to all those where the security of the home is compromised due to domestic abuse.

In cases where a financial need is identified, we will make a referral to Wolverhampton Homes Money Smart Team or other agencies such as Step Change and Citizens Advice Bureau.

We will work in partnership through co-location of the Wolverhampton Homes Housing IDVA (Independent Domestic Violence Advisor) and Homeless Team to assess and support individuals who present as homeless due to domestic abuse.

Wolverhampton Homes does not tolerate any form of domestic abuse and will investigate, consider all legal remedies, and take appropriate action against any tenant or employee who perpetrates domestic abuse. We will ensure any action taken does not compromise the safety of an individual or their family.

We will signpost victims and survivors of domestic abuse to relevant organisations who provide legal advice and well-being services.

Support can also be accessed from the following organisations:

**Contact information correct as of March 2022*

- Police - in an emergency 999, non-emergency 101
- Black Country Women's Aid: 0121 553 0090
- National LGBT+ Domestic abuse helpline: 0800 999 5428
- The Haven Wolverhampton - 24-hour referral line: 08000 194 400 or for webchat www.havenrefuge.org.uk
- National Domestic Violence Helpline 24 hours: 0808 2000247
- Karma Nirvana: 0800 5999 247 / Mon-Fri 9am-5pm – supporting victims of so called honour based violence.
- MALE (men's advice line and enquiries) 0808 801 0327
- RESPECT (men who are in danger of being violent or abusive): 0808 802 4040
- Community Legal Service: 0845 345 4345
- NCDV – 0800 970 2070 or text: NCDV to 60777 – provide support with obtaining injunctions.

Training

Safeguarding Training is mandatory for all employees across the business.

Wolverhampton Homes provide training and regular updates on domestic abuse and will focus attention on:

- Identification of domestic abuse, the duty of care and what it means in practice
- Recognising and how to report domestic abuse
- the rules around confidentiality and information-sharing
- How we must work with other agencies to increase safety for victims and survivors of domestic abuse and their families
- The roles of staff, managers, and leaders within the company in raising awareness of domestic abuse in Wolverhampton.
- Regularly briefing staff on the domestic abuse policies and procedures via the website, through social media and training events

Reporting and Dealing with Allegations of Abuse against Employees of Wolverhampton Homes.

Wolverhampton Homes is committed to responding appropriately to concerns about anyone who works for, or on behalf of, Wolverhampton Homes in any capacity in relation to their behaviour and conduct towards others (in any setting, not just in the workplace). If concerns are raised, Wolverhampton Homes will deal with the matter internally using existing Wolverhampton Homes HR policy and practice which will not be confused with any statutory investigations which may be required and carried out by Social Care and the Police.

All employees have the right to be supported in the workplace and no assumptions of guilt will be made, however, Wolverhampton Homes will take appropriate action, via its discipline/grievance resolution procedures against any employee who victimizes, intimidates, or harasses a fellow staff member, customer or partner experiencing domestic abuse and/or uses Wolverhampton Homes time and resources to do so.

If any employee is accused/convicted of a criminal offence that could have an adverse impact on the company, other employees or poses a risk, Wolverhampton Homes will undertake an investigation under the disciplinary procedure and a risk assessment will be undertaken. All matters will be dealt with sensitively and confidentially.

Following an investigation, allegations of this type may be considered as gross misconduct and, if proven, could lead to dismissal.

In such cases, Wolverhampton Homes will work alongside specialist services to manage the risk to all parties and signpost as required for further support.

Wolverhampton Homes will, always, seek the advice and assistance of the Local Authority Designated Officer (LADO) in managing any such case.

6.0 Monitoring

Good record-keeping is an essential part of the accountability of organisations to those who use their services. Maintaining proper records is vital to an individual's care and safety. If records are inaccurate, future decisions may be wrong and harm may be caused to the individual. Where an allegation of abuse is made all agencies have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected and to show what action has been taken and what decisions have been made and why.

It is equally important to record when actions have not been taken and why e.g., an adult with care and support needs with mental capacity may choose to make decisions professionals consider to be unwise.

Wolverhampton Homes will periodically collate customer feedback and data which will be used to inform and share best practice, whilst enabling us to improve our services and assist in ensuring our policies and procedures are up to date.

Wolverhampton Homes' adult and children's safeguarding procedures gives clear direction as to what information should be recorded and in what format.

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.

7.0 Interdependencies and related policy

Information sharing.

Sharing information at the right time, with the right people, is fundamental to good practice in domestic abuse and adult and children's safeguarding. The Mental Capacity Act is also relevant as all those meeting adults with care and support needs should be able to assess whether someone has the mental capacity to make a decision concerning risk, safety or sharing information.

The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified. In addition, the law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.

Wolverhampton Homes will appropriately share information with statutory agencies and partner organisations on a need-to-know basis about individuals who may be at risk from domestic abuse with due regard to confidentiality and information sharing protocols.

Wolverhampton Homes understands that occasionally situations arise when workers within one agency feel that the actions, inaction, or decisions of another agency do not adequately safeguard a child or an adult with care and support needs. Should this be the case, Wolverhampton Homes will ensure such situations are addressed by following the **WST Safeguarding Escalation Policy**.

Wolverhampton Homes has in place a range of policies and procedures which outline how the company will respond to safeguarding specifically and the care and wellbeing of its employees.

The relevant procedures/policies are:

- Adult Safeguarding Policy/Procedure
- Disciplinary Policy and Procedure
- Allocations Policy
- ASB & Hate Crime Procedure

- Domestic Violence and Abuse Policy and procedure
- Prevent
- Vulnerable Persons strategy
- Whistleblowing Policy & Procedure
- General Data Protection Regulations (2018)
- Children Young People Safeguarding Policy
- Safeguarding Children Procedure

Legislation

- Housing Act 1996
- The Equality Act 2010
- The Children Act 1989
- Family Law Act 1996
- Protection from Harassment Act 1997
- Data Protection Act 2018
- Crime & Disorder Act 1998 S.17
- Mental Capacity Act 2005
- Freedom of Information Act 2000
- Homelessness Act 2002 / Homeless Reduction Act 2017
- Anti-Social Behaviour Act 2003
- Domestic Violence, Crime and Victims Act 2004
- Civil Partnership Act 2004
- Localism Act 2011
- Protection of Freedoms Act 2012
- Anti-Social Behaviour, Crime and Policing Act 2014
- Serious Crime Act 2015
- Wolverhampton Homes | Adult safeguarding policy
- Safeguarding Adults Procedure.docx
- Children & Young People Safeguarding Policy
- Safeguarding Children & Young People Procedure

8.0 Equality impact assessment

We recognise that:

- All adults and children have a right to equal protection from domestic abuse, regardless of age, disability, race, religion or belief, sex, gender identity or gender expression, sexual orientation, marriage or civil partnership, pregnancy or maternity or any other equality characteristic.
- Some adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
- Working in partnership with other agencies, is essential in promoting the welfare of vulnerable adults and children.

- It is essential we identify relevant training needs for staff and anyone working on behalf of Wolverhampton Homes either paid or unpaid to make them safeguarding aware.

9.0 Associated procedures

Prioritisation of applicants on the Housing Register (appendix 1)

Domestic Abuse Disclosure process (appendix 2)

MARAC (Multi Agency Risk Assessment Conference) is a regular local meeting to discuss how to help people at high risk of murder or serious harm. This includes a domestic abuse specialist (Independent Domestic Violence Advisor - IDVA), police, children's social services, health, and other relevant agencies.

For cases which meet the threshold of MARAC, or if we have safeguarding concerns, Wolverhampton Homes have a legal duty to share information with relevant agencies, such as Social Care via an EMARF or SA1 as detailed and found on the Safeguarding Wolverhampton Together website.

We will arrange, with the agreement of the individual affected by domestic abuse, professionals' meetings to ensure support is received from all relevant agencies where the DASH Risk Identification Checklist does not meet the local authority threshold for a MARAC referral.

Domestic homicide reviews (DHR) consider the circumstances that led to the death of a victim that is intrinsically linked to Domestic Abuse. The review will identify where responses to the situation could have been improved. In so doing the lessons learned will be taken on board by the professionals and agencies involved (i.e., the police, social care, Local Authority, housing providers and other community-based organisations).

