

CORPORATE POLICY

Domestic Abuse Policy

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This document is held by Tamworth Borough Council, and the document owner is Robert Mitchell Director Communities Planning and Partnerships.

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Revision History

| Revision Date | Version Control | Summary Changes |
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Approvals

| Name | Title | Approved |
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Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and access by authorised users.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council staff and business partners.

1. Introduction

- 1.1 Domestic abuse has traditionally been a hidden crime and is often dismissed as 'a family matter.' Tamworth Borough Council recognises that attitudes to this crime need to change. We should collectively encourage victims to seek help and improve the interventions voluntary and statutory organisations can provide. Identifying that the help provided needs to cater for varied needs as everyone is an individual. Also professionals, statutory and voluntary agencies must instil confidence in victims so the right help at the right time can be provided.
- 1.2 Tamworth Borough Council promotes equality of services and respect of human rights whilst tackling domestic abuse. Tamworth Borough Council and its partners positively promote race, gender and disability equality and supports legislation protecting against discrimination on the grounds of age, sexual orientation and religion or belief. Tamworth Borough Council aims to integrate equality and fair treatment into the delivery of services to our customers.

2. Aim of the Policy

- 2.1 This policy is a declaration of Tamworth Borough Council's commitment to ensure that domestic abuse is managed effectively and in a sensitive manner. This policy shall identify our approach to dealing with domestic abuse across all service areas for the benefit of our partners and the community. Also identifying what the public can expect from Tamworth Borough Council if they are affected by domestic abuse and inform us.
- 2.2 Tamworth Borough Council shall ensure all incidents involving domestic abuse are dealt with in a consistent, measureable and effective way. Ensuring that all departments are clear as to their various roles in tackling the associated problems of domestic abuse.

3. Definition

- 3.1 The new definition of domestic violence and abuse now states (Home Office 2012):

'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 is not limited to the following types of abuse:

- *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 or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

This definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.'

Family members are directly related, in-laws or step family.

4. Context

- 4.1 Regardless of what form domestic abuse takes; it is important to recognise that it is rarely a one-off incident. Therefore it should be considered as a pattern of abusive and coercive behaviour whereby the abuser seeks power and control over the victim.
- 4.2 Anyone from the community can be affected by domestic abuse. Irrespective of their age, gender, sexual orientation, ethnicity, culture, social class, level of education or occupation. It is vital to recognise that domestic abuse can happen at any stage during the relationship which can include the beginning, after many years or when the relationship is over.

Please refer to Tamworth Borough Council '*Making Equality Real in Tamworth (MERIT), Diversity and Equality Scheme*' 2009-2012
<http://www.tamworth.gov.uk/docs/Diversity%20and%20Equality%20Scheme%202009%20-%202012a.doc>

- 4.3 Tamworth Borough Council acknowledges the importance of diversity and equality; recognising cultural pressures that may exist within Black Minority Ethnic (BME) communities and the need to be sensitive when dealing with matters related to domestic abuse. Those from BME communities maybe reluctant to approach voluntary and statutory organisations due to additional and legitimate fears of racist reactions, language and cultural barriers or concerns about immigration status. Tamworth Borough Council will not tolerate racist reactions and shall treat everyone fairly without discriminating in accordance with the Human Rights Act 1998 and Equality Act 2010.
- 4.4 Tamworth Borough Council recognises that honour based violence is a complex area within itself and can affect children and young people.

Honour based violence is perceived as a form of domestic abuse and can consist of forced marriage, assaults, imprisonment within their own home and murder. This is when the family or community feel as though an individual has brought 'shame' or 'dishonour' on the family. The cultural and religious complexities related to 'dishonour' may pose significant challenges for Tamworth Borough Council in terms of identifying and responding to situations, but this should always be considered as a potential form of domestic abuse.

- 4.5 Tamworth Borough Council recognises that people with disabilities may not report/disclose domestic abuse due to their understanding of what is happening and the fears of losing the independent of living in their own home. Tamworth Borough Council shall listen to all individuals and encourage them to report domestic abuse, supporting them where possible to address their fears along with the local domestic abuse organisation.

5. Vulnerable Adults and Domestic Abuse

- 5.1 Tamworth Borough Council recognises vulnerable adults can be subjected to domestic abuse and we must take reasonable steps to protect them. Tamworth Borough Council uses the following definition to define a vulnerable adult:

"The term "vulnerable adult" or a person with community care needs can include people with learning disabilities, older people, people with physical or sensory disabilities, people with mental ill health, people with certain physical illnesses or people with drug or alcohol problems."

- 5.2 Refer to Tamworth Borough Council Corporate Policy 'Children and Vulnerable Adults Protection Policy'
<http://www.tamworth.gov.uk/pdf/PCVA%20Policy%20Final.pdf>

6. Children and Domestic Abuse

- 6.1 Tamworth Borough Council has a statutory duty under the Children Act 1989 to protect children and young people from harm of abuse and to consider their welfare.
- 6.2 If you are worried that a child is suffering significant harm or living in circumstances where maltreatment is resulting in a lack of safe and effective care, or causing impairment to health or development then please refer to the Tamworth Borough Council Corporate Policy 'Children and Vulnerable Adults Protection Policy'
<http://www.tamworth.gov.uk/pdf/PCVA%20Policy%20Final.pdf>

7. Strategic Context

- 7.1 Tamworth Borough Council strives to reduce and prevent incidents of domestic abuse. Through improving the safety and welfare of all victims and the community.
- 7.2 Tamworth Borough Council has a shared vision with our public and private sector partners of 'One Tamworth Perfectly Placed.' To Support the delivery of this vision Tamworth Borough Council Shall:
- Raise the awareness of domestic abuse throughout Tamworth; assisting in developing a better understanding of domestic abuse and its potential implications
 - Review and improve the protection for victims, their families and the community in Tamworth by developing appropriate services
 - Work with partners to challenge the behaviour of perpetrators and those at risk of becoming perpetrators, through the awareness and development of appropriate services
 - Continue to improve partnership working; work in partnership with voluntary and statutory organisations to prevent and reduce the incidences of domestic abuse through the Tamworth Borough and Lichfield District Domestic and Sexual Abuse forum

8. Objectives

- 8.1 Tamworth Borough Council objectives aim to ensure that:-
- Victims of domestic abuse are empowered to make choices about their lives through improved access to information
 - Victims are informed of their rights and the relevant services available to them
 - The access to services are improved
 - The services and advice offered to victims is consistent across Tamworth
 - Domestic abuse services are supported and developed
 - Tamworth Borough Council policy and principles of good practice are promoted to all Tamworth Borough Council staff
 - Children, young people and vulnerable adults are protected from domestic abuse. Refer to Tamworth Borough Council '*Children and Vulnerable Adults Protection Policy*'
<http://www.tamworth.gov.uk/pdf/PCVA%20Policy%20Final.pdf>

9. Principles of Good Practice

- 9.1 Tamworth Borough Council recognises domestic abuse is a complex area which requires multi-agency working in order to tackle the problem and protect the vulnerable. This requires co-operation and a shared understanding across departments and key agencies. The following principles shall underpin good practice:-

9.2 Prevention

- Through raising awareness across Tamworth we shall increase the understanding of domestic abuse, so people are able to recognise what domestic abuse is and where they can go for support
- Tamworth Borough Council acknowledges the work conducted in schools around issues of domestic abuse and shall support voluntary and statutory organisations to continue to raise awareness and provide support
- Ensure that appropriate and consistent steps are taken throughout Tamworth to safeguard victims and their children from further domestic abuse

9.3 Provision

- Through the distribution of relevant and consistent information Tamworth Borough Council shall ensure the community know where to go for advice and support in relation to domestic abuse
- Tamworth Borough Council will support voluntary and statutory organisations to ensure everyone has equal access to domestic abuse support services

9.4 Partnership

- Tamworth Borough Council recognises that partnership working is vital to keep victims and the community safe; through effective information sharing across voluntary and statutory organisations

10. Employees and Domestic abuse

10.1 Tamworth Borough Council recognises the seriousness of domestic abuse and the problems associated with it. In addition how it can affect council employees work performance and health and safety.

10.2 Tamworth Borough Council has adopted the following principles to support and guide employees affected by domestic abuse:-

- Raise awareness on the effect of domestic abuse as a workplace issue by displaying relevant information and publicising the impact of domestic abuse to staff
- Responsible for making information on domestic abuse available in the form of leaflets and contact numbers for external support agencies.
- A commitment to offering ongoing support to those experiencing domestic abuse, prioritising confidentiality and increased employee and workplace safety. This should include practical advice on offering assistance and support.

10.3 Where an employee asks for help and support to enable them to deal with their domestic abuse situation the council will:-

- Empower Managers to grant time off work to obtain relevant advice in relation to legal matters, accommodation or psychological support in the form of counselling in line with the Councils employment policies.
- Recognise and be empathic to employees effected by domestic abuse, identifying that it can effect concentration, timekeeping, absences, depression and other health related problems
- Ensure employees can fully utilise the Councils flexible working arrangements
- Ensure reasonable steps are taken to provide a safe working environment for all employees, protecting against threats, intimidation or victimisation

11. Employees who are Perpetrators of Domestic Abuse

11.1 Any employee of Tamworth Borough Council who is a known perpetrator of domestic abuse will be made aware of the following council stance on this issue:-

- Domestic abuse is a serious crime which can result in a criminal conviction
- The conduct of an employee outside of work could result in disciplinary action, regardless of whether the domestic abuse incidents have or haven't led to a criminal conviction. As it could be viewed as bringing the council into serious disrepute. In such cases the facts will be considered and a view taken as to whether the conduct is sufficient to warrant invoking disciplinary procedures

11.2 Factors to be considered will include:-

- Nature of the employees role at the council
- the level of contact the employee has with other employees and the general public

Appendix One

What is a MARAC?

- The Multi-Agency Risk Assessment Conference (MARAC) is part of a co-ordinated response to domestic abuse
- High risk domestic abuse cases are heard at the MARAC
- High risk domestic abuse cases are assessed using the CAADA RIC (Risk Identification Checklist). If an individual scores 14 or over then the case goes to MARAC. Cases can also be heard at the MARAC on a professional judgement
- MARAC and CAADA RIC training can be provided by the local Independent Domestic Violence Advisor's (IDVA)
- Cases can be heard at the MARAC without the victim's consent
- Information is shared between local representatives of Police, Social Services, Health, Housing, Probation, Independent Domestic Violence Advisors (IDVA) and other specialists from statutory and voluntary sectors to increase the safety, health and wellbeing of victims and their children
- The agencies will discuss the risks that a perpetrator may pose to the victim and/or the community
- The victim doesn't attend the MARAC, but the IDVA will represent them and provide specialist domestic abuse support
- A risk management/support plan is implemented, providing professional support to those at risk and aim to reduce the risk of harm and repeat victimisation

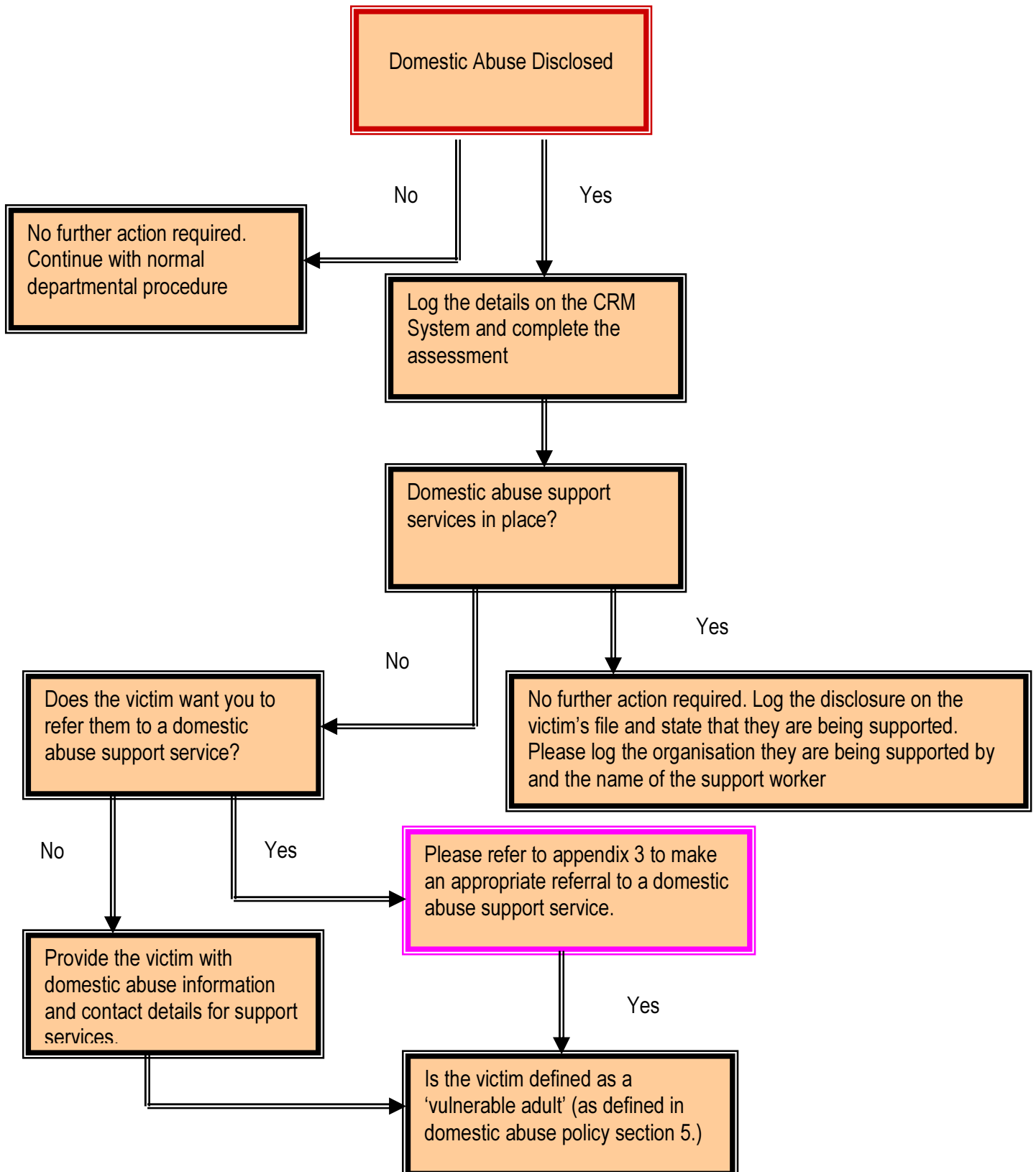
The following Microsoft word document is the MARAC risk assessment and referral form which should only be completed if the victim is presenting as being high risk. Once the form is completed it is **restricted** and should be sent to marac@staffordshire.pnn.police.uk with the subject title as 'South East MARAC.' The form must be sent using a secure email.

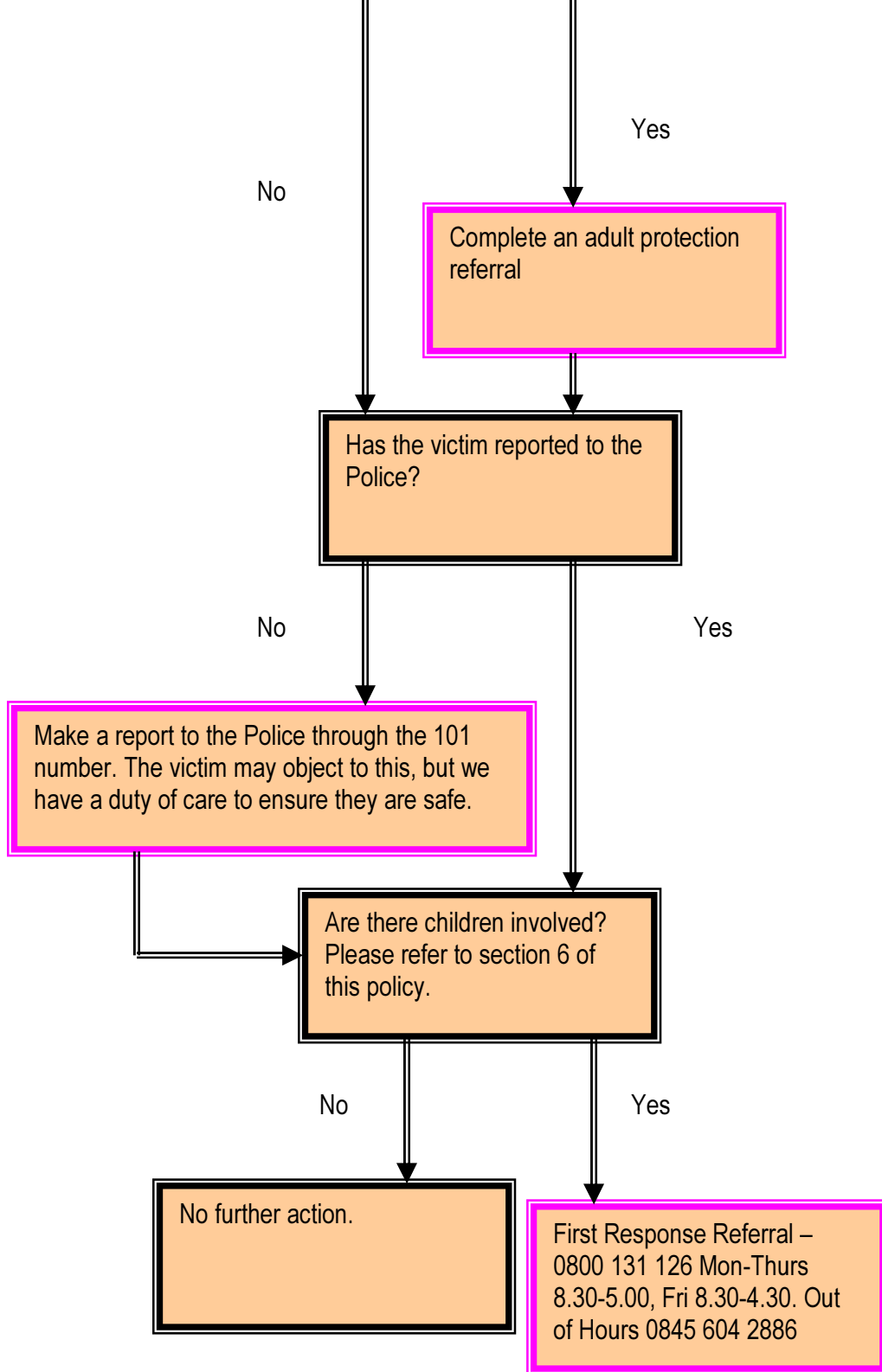


Microsoft Word
Document

Appendix Two

Follow this flow chart when domestic abuse has been disclosed as guidance.





Appendix Three - Useful Resources

If you or someone you know is affected by domestic abuse; help is available:

| Support Agency | Function | Referral Process | Contact Details |
|---|---|---------------------------|---|
| <i>Pathway Project</i> Lichfield and Tamworth | Domestic Abuse service for women and children. Also have a specialist service for victims of sexual abuse. 24 hour helpline available | Self referral/third party | 01543 676800 www.pathway-project.co.uk |
| <i>Staffordshire Women's Aid</i> | Domestic Abuse service for women and children. Also have a specialist service for victims of sexual abuse. 24 hour helpline available | Self referral/third party | 0870 2700 123 www.staffordshirewomensaid.org |
| <i>National Centre for Domestic Violence</i> | Emergency service for Domestic Abuse victims | Self referral/third party | 0844 8044 999 Freephone 0800 970 2070 |
| <i>MARAC</i> Staffordshire | High Risk Domestic Abuse cases are heard | Agency referrals | Email subject as Trent MARAC referral to marac@staffordshire.pnn.police.uk or fax: 01785 218769 |
| <i>Mankind Initiative</i> <i>National Helpline</i> | Domestic Abuse support service for men | Self | 01823 334244 Monday to Friday 10am - 4pm and 7pm - 9pm. Helpline services for the Deaf are provided through Text Relay. Visit www.textrelay.org for details. Normal BT rates apply |

| Support Agency | Function | Referral Process | Contact Details |
|--|---|-------------------------|---|
| <i>Victim Support Male Helpline</i> | Domestic and Sexual Abuse support service | Self/third party | 0800 328 3623 Monday – Friday 12.00 noon – 2.00pm |
| <i>Respect Phoneline National</i> | Perpetrators of Domestic Abuse who are concerned about their behaviour towards others | Self | 0845 122 8609 |
| <i>First Response Staffordshire</i> | Child Protection, safeguarding | Anyone | 0800 1313 126 8.30-5.00pm Monday-Thursday, 8.30-4.30pm Friday Out of hours 0845 604 2886 firstr@staffordshire.gov.uk |
| <i>Staffordshire Carer's Vulnerable Adults</i> | Safeguarding for Vulnerable adults | Anyone | 0845 604 2719 Adult.protection@staffordshire.gov.uk |

Acknowledgements:

- Darlington Borough Council Domestic Violence Policy
- Breaking the Cycle Staffordshire's Strategy for Tackling Domestic Abuse 2011-2016
- Staffordshire County Council Domestic abuse policy part 22 may 2008
- Newcastle Under Lyme Domestic Violence Strategy 2007-2010
- Corporate Anti Social behaviour policy statement – April 2011 Tamworth Borough Council
- CAADA.org.uk