

Taunton Deane Borough Council

Tenant Services Management Board – 23 January 2012

Domestic Abuse Policy Domestic Abuse Service Standard Witness Support Policy

Report of the Estate Officer

Executive Summary

This report has been produced to propose the new Domestic Abuse Policy, Domestic Abuse Service Standard, and Witness Support Policy for Taunton Deane Borough Council Housing Services.

It outlines the strategic overview that tenants in council housing can expect from Housing Services on managing Domestic Abuse and Witness Support.

It provides details of the specific elements of the service.

It will show how and what the Housing Services can and will deal with in relation to Domestic Abuse and Witness Support that is caused by council tenants or visitors.

The Policy is a living document and will be reviewed on a regular basis to reflect changes in legislation and people's behaviour. It also will link into the revised Anti Social Behaviour Policy that has recently been agreed.

1.0 Purpose of the Report

Housing Services priority is to improve the quality of life for people and communities now and in the future. Part of that vision is we are committed to being responsive to the needs of our tenants and to ensuring that all our tenants can access our services easily and on equal terms. Through these policies we can ensure that all staff in housing services adopt a common approach to giving advice, guidance and assistance to tenants.

2.0 Background to this report

Housing services are responsible for ensuring tenants comply with their tenancy agreement and do not behave in an anti social manner within our communities. The service house's some of the most vulnerable and disadvantaged in our society and we must show support to them.

Our policies will show to tenants the minimum standard they can expect from Housing Services in relation to the support they can receive in relation to the

reporting of Domestic Abuse and the support for Witnesses of Anti Social Behaviour.

We will be clear about

- What our responses will be to their report
- What support Housing Services can give if you are a witness to Anti Social Behaviour or a victim of Domestic Abuse.

3.0 Aim of the Policies

To meet the requirements of the Domestic Abuse, Witness Support policies, and Domestic Abuse Service Standard. To give tenants clear information on what they can expect from Housing Services, and the support and assistance available to them.

4.0 Approximate Costs

The cost of implementing this policies will be met within budgets. It is the intention that the polices will be incorporated into the Housing Services sharepoint website that will shortly be available for all tenants and staff

5.0 Impact on Tenants

Tenants will be better informed on what to expect from Housing Services and what is expected of them and the implications of their behaviour.

6.0 Equalities Impact

Any equalities impacts will be considered as part of the receipt of initial complaint.

7.0 Risk Management

Any equalities impacts will be considered as part of the receipt of initial complaint.

8.0 Diversity

Some people may need specific help to fully access the policies. Additionally information may be required in different formats:

- Large Font
- Audio Version
- Different Languages
- Website page

9.0 Timetable

23rd January 2012 – Draft Policies and standard reviewed by Tenant Services Management Board implemented with immediate effect if approved.

1st February 2012- Incorporate policy onto sharepoint website

10.0 Outcomes

The outcomes that can be expected from the implementation of these policies are:

- Improved information to tenants on the Housing services.
- Tenants more aware of services provided by Taunton Deane Borough Council Housing Services.

11.0 Information Plan

When implemented all tenants will be informed of the policies by an item posted on the Housing Website and providing information in the next edition of Deane Housing News.

12.0 Recommendation

We recommend that the Tenant Services Management Board approve:

- Witness Support Policy
- Domestic Abuse Policy
- Domestic Abuse Service Standard

Once approval is obtained policies will be forwarded to Councillor Jean Adkins the portfolio holder for affirmation.

13.0 Contact Officers:

Steven Clarke, Estates Officer, 01823 356332 Ext 2693,
<mailto:s. Clarke@tauntondeane.gov.uk>

Domestic Abuse Policy

Definition of Domestic Abuse

Taunton Deane Borough Council Housing Services uses the Home Office's definition of domestic abuse:

"Any violence between current and former partners in an intimate relationship, wherever and whenever the violence occurs. The violence may include physical, sexual, emotional or financial abuse".

Source

(Home Office Multi-agency Guidance for Addressing Domestic Violence 2000)

Housing Services recognises that domestic violence occurs across society regardless of age, gender, race, sexuality, wealth and geography.

It involves abuses of power and controlling behaviours:

- Physical behaviours such as assault, indecent assault, rape, destruction of property and threats.
- Non-physical behaviours such as destructive criticism, pressure tactics, belittling, breaking trust, isolation, oppressive control of finances and harassment.

The physical manifestations of domestic abuse are criminal offences; the nonphysical forms may also amount to offences, under the Protection from Harassment Act. (Home Office Multi-agency Guidance for Addressing Domestic Violence 2000)

Domestic violence impacts upon children, the whole family and the community.

The frequency and/or severity of abuse often escalates over time, sometimes only ending with the death of the victim.

Research shows that domestic violence:

- Claims 150 lives each year (79% women, 21% men)
- Accounts for almost a fifth of all violent crime
- Has more repeat victims than any other crime (on average there will be 35 assaults before a victim calls the police)

Domestic violence impacts on the health and welfare of children and young people.

Children are often aware of what's happening and they are likely to be affected by the fear, distress and disruption to their lives. There is also an overlap between abuse of women and abuse of children. Where the safety and welfare of children are a concern Housing Services will deal with it in

accordance with Taunton Deane Borough Council's Child Protection policy (currently being updated).

Why do we have a Domestic Abuse Policy?

To respond to our tenants needs

Housing Services priority is to improve the quality of life for tenants and communities now and in the future. Part of that vision is we are committed to being responsive to the needs of our tenants and to ensuring that all our tenants can access our services easily and on equal terms. Domestic Abuse often has consequences for the housing situation of those affected and they will therefore turn to Housing Services for help. Through this policy we can ensure that all staff in Housing Services adopt a common approach to giving advice, guidance and assistance to tenants.

Work effectively in partnerships

Domestic Abuse is a complex issue – it affects not only housing issues, but also finances, children etc. People from ethnic minority groups, elderly people, people with disabilities, mental health problems, drug or alcohol dependency might have special needs. It is therefore essential that we work together with other agencies where appropriate.

Legal obligations/statutory duties

The council has statutory duties:

- To act in accordance with the European Convention of Human Rights (Human Rights Act 1998, particularly Articles 2 and 8)
- To provide for the well being of its citizens (Local Government Act 2000) to do all it reasonably can to prevent crime and disorder in its area (Crime and Disorder Act 1998)
- To assist people fleeing domestic violence with finding suitable accommodation (Part VII of the 1996 Housing Act)
- To secure alternative accommodation for those who are accepted as homeless through domestic violence (Part VII the Housing Act 1996)
- To protect children and young people (Children Act 1989, amended by Children's act 2008)

The list is not definitive and has been reviewed by the Legal Services

Policy Statement

Housing Services believe

- That every person has a right to be safe from fear and abuse.
- That domestic abuse is unacceptable and should not be tolerated.
- That violence in relationships is an abuse of power as well as likely to be a criminal offence.
- Anyone experiencing domestic abuse should be supported and protected from further abuse.

Housing Services will were appropriate

- Provide a supportive and enabling environment that encourages people to report domestic abuse.
- Provide information and advice to increase the safety of those experiencing domestic abuse.
- As a landlord take action against perpetrators who are tenants, family members or visitors where possible.
- Put the customer's safety first and ensure confidentiality.
- Respect the choices of the tenant.
- Explore possible options for survivors of domestic violence, such as added security to their homes if they wish to stay put, or consider re-housing if they do not wish to stay in their homes.
- Give advise as to how to apply for temporary accommodation where necessary to those fleeing domestic abuse.
- Signpost survivors to relevant agencies and positively support action against alleged perpetrators.
- Provide training for all staff on domestic abuse issues.
- Provide support to housing staff that work with people experiencing domestic abuse.

Key Principles

We will adopt a 'victim centred' approach to people experiencing domestic violence. Our aim is to empower them by advising them of their options and giving guidance so they can make their own decisions.

Safety and confidentiality are paramount. Taunton Deane Borough Council will only involve other agencies or divulge information with the consent of the customer, unless required to do so by law or unless that information is necessary for the protection of people at risk.

Service provision – what customers can expect

- We will arrange for you to speak to a member of staff in private and in a safe environment.
- If possible we will arrange for you to speak to a member of staff who is of the same sex or ethnic origin if you feel more comfortable with this.
- If required we will arrange for an interpreter or signer. We will always use a professional interpreter or signer.
- We will listen to you and give you time to explain your situation.
- We will advise you of your options and let you make your own decisions.
- We will advise you on how to apply for temporary accommodation.
- Where we cannot help we will refer you to other agencies.

Reviewing policy

This policy will be reviewed every two years. It will also be reviewed if there is a change in legislation.

Literature List

Domestic Violence: Break the chain multi-agency guidance for addressing domestic

Taunton Deane Borough Council Housing Services

violence (Home Office)

Relationship breakdown: A guide for social landlords (DETR)

British Crime Survey 2002/03

The provision of accommodation and support for households experiencing domestic violence in England (ODPM 2002)

Safety and Justice: The Government's Proposals on Domestic Violence (Home Office)

Homelessness – Code of Guidance for Local Authorities (ODPM 2002)

Reducing domestic violence ...what works? Accommodation provision (Policing and Reducing Crime Unit, Home Office Research 2002)

Reducing domestic violence ...what works? Meeting the needs of children (Policing and Reducing Crime Unit, Home Office Research 2002)

Loves me, loves me not (leaflet published by Home Office 2002)

www.crimereduction.gov.uk/dv01.htm

www.homeoffice.gov.uk/crime/domesticviolence/index.html

Domestic Abuse Service Standard

This leaflet explains what you can do if you are experiencing domestic abuse.

Housing Services know that domestic abuse can ruin lives and we are committed to:

- Supporting anyone suffering from domestic abuse
- To provide you with a safe and secure place to live.
- To support and advise you if you are suffering from domestic abuse.
- To work with you to help you to find the best solution.

Our promise to you:

We are fully committed to dealing with any issues relating to domestic abuse
We will:

- Not tolerate domestic abuse
- Provide advice and support to help you find a safe and secure place for you to live and we will support you if you are suffering from domestic abuse
- Work with you, and with other agencies, to deal with the problem; and
- Promote equal opportunities and value diversity (people's differences) to make sure that you get the right services.

What is domestic abuse?

Domestic abuse means threatening behaviour, violence or abuse between adults who are partners or family members. It affects straight, gay, lesbian, bisexual, transgender and transexual relationships. We are committed to supporting all victims of domestic abuse. There are different types of domestic abuse, including physical, psychological, sexual, financial or emotional abuse, and being cut off from your family and friends.

Domestic abuse is one person taking control of another and using power over them. Children are affected by domestic abuse in the home, either by seeing abuse or violence, or by being abused themselves (child abuse). If this happens it becomes a child protection issue and must be reported to the police.

We take all domestic abuse reports seriously and we are committed to providing a sensitive and private service to anyone who asks us for help.

What can you do?

You can help us tackle domestic violence and make your community safer by reporting domestic abuse to us, and the police.

Speak to us

Don't suffer in silence – we're here to help you, we will speak to you in a sensitive way and agree what action we are going to take. You can find our contact details on this leaflet.

Help us to help you

We are committed to tackling domestic abuse. If you are a victim, we have a better chance of helping you if you give us the information we need to support the police and other agencies to take action. If it is safe for you to do so, you should keep a written account of all incidents so agencies have a record of everything that has happened.

Phone the police

You can contact the police if you are a victim of domestic abuse. Domestic abuse can be a criminal offence so the police will investigate and offer you advice and support.

Get legal advice

We recommend that you get your own legal advice. This is particularly important for housing advice if you have a joint tenancy, with the person who is abusing you.

More help and advice

Taunton Deane borough Council

Both in and out of hours.....01823 356356
ASB officers Voicemail.....01823 356322

Citizens Advice Bureau.....01823 282235

Police

Unless it is an emergency, you should call the Avon and Somerset Police on **101** at any time.

In an emergency (a crime is happening, someone suspected of a crime is nearby, someone is injured, you are being threatened or you are in danger) call **999**.

If it's not an emergency, you can also contact your local neighbourhood police team at www.avonandsomerset.police.uk.

You can also report a crime to the police on their website at <https://www.avonandsomerset.police.uk/contact/crime-reporting/crime-report.aspx>

Victim Support

Phone: **0845 30 30 900**

Typetalk users: **18001 0845 30 30 900**

(To keep your number private, press **141** before you dial the number).

Website: www.victimsupport.org.uk

Email: supportline@victimsupport.org.uk

National Domestic Violence helpline

A national helpline which is available every day of the year.

Phone: **0800 2000 247**

Refuge – women and children victims

The national charity for women and children experiencing domestic violence.

Website: www.refuge.org.uk

Women's Aid – female victims

Website: <http://womensaid.org.uk>

Rights of women – female victims and legal advice

Website: www.rightsofwomen.org.uk

MALE – male victims

Phone: 0808 801 0327

Website: www.mensadvice.org.uk

Broken Rainbow National Helpline - LGBT

Provides services to lesbian, gay, bisexual and transgender (LGBT) people who are experiencing domestic abuse and violence.

Phone: 0300 999 5428 (Opening hours Monday and Thursday 2pm to 8pm, Wednesdays 10am to 1pm)

Website: www.broken-rainbow.org.uk

ChildLine

Information and advice for children and young people affected by domestic abuse and violence.

Phone: 0800 11 11

Website: www.childline.org.uk

NSPCC

Information and advice if you are worried about a child or young person Phone: 0808 800 5000

Website: www.nspcc.org.uk

Forced Marriage Unit

Information for if you are worried that you might be forced into marriage or are worried about a friend or relative.

Phone: 020 7008 0151

Website: http://www.direct.gov.uk/en/CrimeJusticeAndTheLaw/VictimsOfCrime/DG_4016878

Co-ordinated Action Against Domestic Abuse (CAADA)

Website: www.caada.org.uk

Concerned about your own abusive behaviour?

RESPECT phone line: 0845 122 8609

Website: www.respectphoneline.org.uk

You can phone this number if you are worried about your own abusive behaviour, or you are a professional or victim looking for help for an abuser

Witness Support Policy

This Policy explains what support you can expect from Taunton Deane Borough Council Housing Services if you are a victim of or witness to Anti-Social Behaviour.

A Witness is

A person who can give a firsthand account of something seen, heard, or experienced. A person who furnishes evidence, or is called on to testify before a court.

A Victim is:

A person, who suffers from some adverse circumstance, is harmed or made to suffer from an act.

Housing Services recognises that one of the biggest problems it experiences in tackling Anti-Social Behaviour in our communities is encouraging people to act as witnesses. Witnesses are crucial to tackling Anti-Social Behaviour whether they are victims of Anti-Social Behaviour directed against them specifically, or residents who witness Anti-Social Behaviour directed at the community.

The direct evidence available from a witness of Anti-Social Behaviour is of a higher quality than hearsay or professional witness statements and can cover more incidents than a surveillance operation. It demonstrates the true distress and annoyance of Anti-Social Behaviour and it shows how Anti-Social Behaviour damages our communities.

We are aware of the distress and fear that Anti-Social Behaviour can cause. Providing you with support when you report incidents is an extremely important part of our approach for dealing with these issues. Witnesses may need to be supported the whole length of the witness pathway from report, to trial, remedy and beyond. This policy states how we will support victims and witnesses of Anti-Social Behaviour once they report an incident to us.

Housing Services aim is to:

- To support all victims and witnesses of Anti-Social Behaviour in our communities.
- Record your complaint on the Housing Services database which records complaints of Anti-Social Behaviour.
- Provide you with advice on how to complete incident diaries and regularly collect these diaries from you.
- Speak with other members of the community (with your consent) to see if they are experiencing similar problems.
- Give you advice about legal action and being a witness in court.
- Notify relevant support agencies such as Victim Support.

Taunton Deane Borough Council Housing Services

- Take strong enforcement action where appropriate against any of our tenants, family or visitors who are responsible for the harassment or intimidation of witnesses.
- Work with other agencies such as the Police to take action against anyone responsible for the harassment or intimidation of our witnesses.
- Consider re-housing for our victims and witnesses who suffer from serious intimidation and harassment.