



# **Domestic Abuse & Harmful Practices Policy Tenants and Service Users**

**SCO-POL-17-01**

**April 2022**

<b>0.</b>	<b>DOCUMENT CONTROL</b>		
<b>0.1</b>	<b>SUMMARY</b>		
<b>0.2</b>	<b>DOCUMENT INFORMATION</b>		
<b>Role</b>	<b>Name/Position</b>	<b>Date</b>	
<b>Author</b>	Jo Aston	June 2022	
<b>Approved by</b>	Torus Landlord Operations Committee	July 2022	
<b>Document Reference</b>	SCO-POL-17-01		
<b>0.3</b>	<b>DOCUMENT STATUS HISTORY</b>		
<b>Version</b>	<b>Date</b>	<b>Change owner</b>	<b>Reason for Update</b>
<b>0.4</b>	<b>DOCUMENT REVIEW DATE</b>		
<b>Review Due</b>	June 2023		
<b>Responsible Officer</b>	Torus Safeguarding Lead		
<b>0.5</b>	<b>CONSULTATION</b>		
<b>0.6</b>	<b>DISTRIBUTION</b>		
<b>Name / Department</b>	<b>Title</b>		
<b>0.7</b>	<b>ASSOCIATED DOCUMENTS</b>		
<b>Ref:</b>	<b>Title:</b>		
<b>Ref:</b>	<b>Title:</b>		

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### **Appendix 1 Domestic Abuse Definitions**

### **Appendix 2 Safeguarding Structure**

## 1. Scope

This policy applies to all employees and workers of Torus, including secondees into and out of the organisation, volunteers, trainees, contractors, and temporary workers, including those working on a bank or agency contract.

For ease of reference, all employees and workers who fall under these groups will be uniformly referred to as 'staff' in this document.

## 2. Definition of Domestic Abuse

**The Domestic Abuse Act 2021 provides the following statutory definition of domestic abuse:**

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if—  
Person's 'A' and 'B' are each aged 16 or over and are personally connected to each other (family member, ex, or current partner), 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 (behaviour that has a substantial adverse effect on B's ability to acquire, use of maintain money or other property, or obtain goods or services).
- psychological, emotional, or other abuse.

It does not matter whether the behaviour happens once or happens a number of times or is ongoing.

A's behaviour may be considered abusive "towards" B even if their behaviour is indirect – for example directed at another person, such as B's child.

### **Children as Victims of Domestic Abuse:**

Within the Domestic Abuse Act 2021, children (anyone under the age of 18) are now recognised as victims of domestic abuse if they see, hear, or otherwise experience the effects of abuse and if they are related to person A and/or B.

## 3. Policy Statement

This Domestic Abuse and harmful Practices Policy is designed to give clear guidance to all Torus staff in responding to domestic violence and abuse and harmful practices when promoting the welfare of adult victims, young people, children, and families. This Policy is designed to ensure that all staff working for or on behalf of Torus provide a consistently high standard of service delivery to the adults, young people, children, and families within their care. Domestic abuse, domestic violence, and harmful practices will be referred to as domestic abuse in this document. Definitions are detailed within Appendix 1.

Torus recognises that although many forms of domestic abuse are crimes, there is no single criminal offence of 'domestic abuse'. The impacts of domestic abuse cut across all social and cultural groups. It is a crime generally committed in private behind closed doors and is under-recorded. It is however, far from being a private issue as domestic abuse impacts on

the emotional, physical, and psychological wellbeing of the people who are abused and the children who live with them. This can take many forms and has no boundaries in society.

This policy recognises that domestic abuse can affect anyone, regardless of age, disability, gender identity, gender reassignment, race, religion or belief, sex, or sexual orientation. It is important to acknowledge that national statistics evidence how women are disproportionately the victims of domestic abuse and are found to be more likely to be seriously injured or killed by their partner or ex-partner.

The effects of domestic abuse can be wide-ranging. Domestic abuse has significant cost and health implications including serious injury, exacerbation of other medical conditions, stress, and mental illness.

Domestic abuse victims from protected groups and/or those who may be experiencing multiple disadvantages face additional barriers when disclosing and accessing specialist services. Black, Asian, and ethnic minority victims, victims with insecure immigration status, deaf and disabled victims, older victims and Lesbian, Gay, Bisexual and Transgender (LGBT) victims will experience further barriers when accessing services. Also, homelessness, drug and alcohol use, criminal justice system involvement and mental health will often mean that victims will face significant challenges when seeking support. This can result in victim's experiences within these groups remaining hidden or unreported; and may also limit the intervention/involvement of statutory or voluntary agencies with these individual victims.

This policy recognises how important it is that all victims of domestic abuse are provided with the opportunity to tell someone they are experiencing domestic abuse; staff engage in routine enquiry and use professional curiosity to ensure the risk of domestic abuse is considered.

To protect and safeguard tenants and service users, it is acknowledged that there is a need to share information and work in partnership with other agencies with greater experience of domestic abuse to reduce the risk of harm to victims.

Torus believes that tenants and service users and those living with our tenants and service users should not live in fear of violence or abuse from a partner, former partner, or anyone else that they are personally connected to and is committed to supporting tenants and service users at risk.

Where a child, young person and or a vulnerable adult is experiencing domestic abuse, employees need to follow this policy and associated procedures.

Responsibilities for safeguarding are set out in legislation. This policy has been informed by all relevant guidance (statutory and non-statutory) that seeks to protect adults at risk including:

- The Children Act 1989
- The Children Act 2004
- The Care Act 2014
- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children 2018
- Modern Slavery Act 2015
- HM Government Violence Against Women and Girls 2010 The UN Convention on Rights of the child (1992)

- The Human Rights Act 1998
- Equality Act 2010
- The Serious Crime Act 2015
- Female Genital Mutilation Act 2003
- Mandatory reporting of female genital mutilation: - Procedural information 2015
- Public Interest Disclosure Act 1998
- Domestic Violence Crime & Victims Act 2004
- Domestic Violence Crime & Victims Amendment 2012
- Domestic Violence Disclosure Scheme (Clare's Law)
- Forced Marriage Act 2007
- Handling Cases of Forced Marriage Ministry of Justice 2009
- Serious Crime Act 2015
- Sexual Offences Act 2003
- Sex Offenders Act 1997

## 4. Implementation

### 4.1 Multi Agency Approach

Torus will work with key partner agencies to ensure individual cases are responded to in the most effective way for the victim and their families.

As a Housing Provider, Torus plays a key role at the Multi Agency Risk Assessment Conference (MARAC) (see Appendix 1)

### 4.2 Advice & Support

As a Housing Provider, Torus has a crucial role to play in raising awareness and enabling tenants and service users experiencing domestic abuse to seek help and remain safe.

Torus will seek to keep tenants and service users at risk of domestic abuse safe by:

- Ensuring a structured approach to safeguarding and domestic abuse via staff training, domestic abuse policies and procedures, case management and partnership working
- Ensuring everyone in the organisation understands their role and responsibilities in relation to domestic abuse and is provided with appropriate support to recognise, identify, and respond to signs of domestic abuse
- Ensuring appropriate action is taken in the event of an incident or concern being raised and support provided to those who raise or disclose the concern as per domestic abuse procedures.
- Providing clarity regarding roles, accountability and responsibility in safeguarding adults at risk (Appendix 2)
- Ensure that managers, Domestic Abuse Champions, supervisors, and co-workers are trained about domestic abuse and its impact, and how to respond to both victims and perpetrators of abuse to ensure that they receive the specialist support they require
- Achieve and maintain accreditation with the Domestic Abuse Housing Alliance (DAHA) to improve Torus response to domestic abuse
- Ensuring we meet the standards of practice in all areas to ensure a safe and effective response to domestic abuse, and guarantee that the support provided to tenants and service users experiencing domestic abuse is underpinned by the values and principles of DAHA. Please see DAHA website for further information <https://www.dahalliance.org.uk/>

- Torus will ensure that they create an environment where tenants and service users are believed, heard, and listened to, and develop a response that reflects the person's needs. Torus will empower tenants and service users to feel safe to make decisions about their safety, wellbeing, and housing.
- Torus will offer support to tenants and service users to access specialist domestic abuse services and ensure victims are aware of their housing options to feel safe at home by offering security for their home, rehousing where required, options available in relation to injunctions that can be put in place and assist to link in with Local Authority Housing Department if short term accommodation is required
- Providing effective management for staff and volunteers through providing inductions, supervision, support, training, and quality assurance measures
- Recording and storing information safely and securely within case management systems where appropriate
- Sharing information about domestic abuse with tenants and service users, their families, carers and staff and volunteers via leaflets, discussion and/or training as appropriate
- Sharing concerns, along with relevant information, with agencies who need to know
- Agreeing outcome measures and systems such as audit and case reviews to identify when domestic abuse and safeguarding interventions are effective and to underpin quality improvement
- Taking part in both internal and external awareness raising events

## 5. Perpetrator accountability

Torus will hold perpetrators of domestic abuse accountable for their actions. We will take appropriate enforcement action against anyone responsible for domestic abuse. This will only be done in cases where we can do so without compromising the safety of the victim. We will work closely with other partners to keep them informed.

## 6. Consultation/Resident Involvement

Consultation with tenants, service users and operational staff has been established throughout the development of this policy at several stages and the policy content has been influenced by their feedback.

## 7. Responsibility

### Roles and Responsibilities

#### 7.1 Torus Board

The Board has ultimate responsibility for ensuring that this policy and associated procedures are in place and complied with to protect tenants and service users.

#### 7.2 The Safeguarding Strategic Group

The Safeguarding Strategic Group will promote safe and sustainable safeguarding practice within the organisation, provide assurance to the Audit and Risk Committee and in turn the Board on how its statutory obligations are met.

### **7.3 The Safeguarding Operational Group (SOG)**

Torus Safeguarding Operational Group (SOG) will be responsible to drive the implementation and monitoring of this policy to ensure adults at risk are safeguarded whilst accessing services provided by Torus.

### **7.4 The Domestic Abuse Steering Group**

The Domestic Abuse Steering Group has been established to provide operational leadership and support to the Torus Group safeguarding improvement agenda and organisational response to Domestic Abuse (to include Harmful Practices) and, by doing so, improve outcomes for tenants, service users, their families, their children, and young people experiencing, having experienced, or at risk of Domestic Abuse (to include Harmful Practices).

### **7.5 Line Managers**

Line managers will be responsible for:

- Contributing to the distribution and implementation of this policy
- Developing and promoting training needs and priorities and contribute to the delivery of training for staff
- Provide/ensure provision of effective safeguarding appraisal, support, peer review and supervision for staff
- Ensuring all staff within their department are aware of this policy and the process to be followed in the event of suspected domestic abuse
- Ensuring all staff have access to the appropriate level of training as defined in the Torus safeguarding training strategy and training needs analysis
- Providing routine management supervision assuring core competencies in safeguarding (domestic abuse) practice
- Manage any immediate safeguarding and protection issues
- Co-ordinating referral and safe transfer of responsibilities
- Co-ordinating any alternative action plans
- Making decisions about referrals to local authority Safeguarding Services and MARAC and apply conflict resolution processes in cases of disagreement regarding thresholds for intervention
- Ensuring staff in their areas meet mandatory training requirements in safeguarding (domestic abuse) and provide support to those making safeguarding referrals

### **7.6 Domestic Abuse Champions**

Domestic Abuse Champions will be made available to improve Torus response to Domestic Abuse.

Domestic Abuse Champions will:

- Raise awareness about specialist domestic abuse services and share referral information with colleagues and tenants
- Help raise awareness of domestic abuse and promote good practice related to domestic abuse and housing
- Raise awareness of actions that housing can take to keep victims and children safe and hold perpetrators to account



## 7.7 All Staff

All members of staff (including contractors and volunteers) have responsibility to ensure that they have read and understood o this policy and associated procedures (toolkit). All staff are responsible for recognising and responding to allegations of domestic abuse by ensuring that they discuss their concerns with their line manager, complete the relevant risk assessment tool, refer on to specialist domestic abuse services whilst following safeguarding policies and procedures.

All staff should contribute to whatever actions are needed to safeguard and promote the welfare of tenants and service users and take part in regularly reviewing outcomes against specific plans and outcomes.

## 8. Diversity & Inclusion

Equality, diversity, and inclusion are important to Torus. Throughout the development of this document, Torus are committed to ending discrimination, harassment, and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited in the Equality Act 2010).

The following have also been referenced in the development of this document:

European Convention on Human Rights, and the UN Convention on Rights of Persons with Disabilities.

This policy will not discriminate, either directly or indirectly, on the grounds of the nine protected characteristics (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex; and sexual orientation). Torus will ensure that this policy is accessible to all customers and can be requested in alternative formats including other languages.

A statement linked to Torus' Diversity & Inclusion statement to ensure there are no adverse effects of the policy.

## 9. Links to other policies

This policy should be read in line with other Torus policies including but not limited to:

- Complaints Policy
- Allocations Policy
- Safeguarding Policies for adults and children
- Evictions Policy
- Income Policy
- Anti-Social Behaviour Policy
- Arrears Policy
- Data Protection

## 10. Monitoring & Review

The Safeguarding Operational Group via the Policy/Procedure/Audit Task and Finish Group and the Domestic Abuse Steering Group will monitor this policy through a system of audit and case review.

This policy document is due for review in two years unless new legislation, a Local Safeguarding Adults Board(s) directive or learning from a serious incident such as a Domestic Homicide requires earlier review.

## Appendix 1

### Domestic Abuse Definitions

<b>Controlling behaviour</b>	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.
<b>Coercive behaviour</b>	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.
<b>Coercive or controlling behaviour offence</b>	A coercive or controlling behaviour offence came into force in December 2015 (The Serious Crime Act 2015). It carries a maximum 5 years' imprisonment, a fine or both. Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their perpetrators to justice. The offence closes a gap in the law around patterns of controlling or coercive behaviour that occurs during a relationship between intimate partners, former partners who still live together or family members. <a href="#">Guidance for police and criminal justice officials</a>
<b>Domestic abuse and young people</b>	In 2012, the changes were made to the definition of domestic violence and abuse to raise awareness that young people in the 16 to 17 age group can also be victims of domestic violence and abuse. By including this age group, the government hopes to encourage young people to come forward and get the support they need, through a helpline or specialist service.
<b>Honour Based Violence (HBV)</b>	The terms "honour crime" or "honour-based violence" embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment, and murder where the person is being punished by their family or their community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour. In transgressing this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the "shame" or "dishonour" of the family. It can be distinguished from other forms of abuse, as it is often committed with some degree of approval and/or collusion from family and/ community members. Victims will have multiple perpetrators not only in the UK; HBV can be a trigger for a <b>forced marriage</b> .
<b>Forced Marriage</b>	Forced marriage is a term used to describe a marriage in which one or both of the parties are married without his or her consent or against his or her will. A forced marriage differs from an arranged marriage, in which both parties' consent to the assistance of their parents or a third party in identifying a spouse, although the difference between the two may be indistinct. Forced marriages are generally made because of family pride, the wishes of the parents, or social obligation. A forced marriage is a marriage in

	<p>which one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual, and emotional pressure. In the cases of some vulnerable adults who lack the capacity to consent, coercion is not required for a marriage to be forced.</p> <p>The United Nations views forced marriage as a form of human rights abuse since it violates the principle of the freedom and autonomy of individuals.</p>
<b>Female Genital Mutilation (FGM)</b>	<p>All procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non- medical reasons. – World Health Organisation.</p> <p>FGM provides no health benefits, it contravenes human rights, it is illegal in the UK, and it is child abuse.</p>
Domestic Homicide Reviews (DHRs)	<p>Were established on a statutory basis under the Domestic Violence, Crime and Victims Act 2004.</p> <p>A domestic homicide review is convened by the local community safety partnership when the defined criteria has been met following the death of a person aged 16 or over who's death has, or appears to have, resulted from violence, abuse, or neglect.</p> <p>The purpose of a DHR is to:</p> <ul style="list-style-type: none"> <li>• establish what lessons are to be learned from the domestic homicide regarding the way in which local professionals and organisations work individually and together to safeguard victims</li> <li>• identify clearly what those lessons are both within and between agencies, how and within what timescales they will be acted on, and what is expected to change as a result</li> <li>• apply these lessons to service responses including changes to inform national and local policies and procedures as appropriate prevent domestic violence and homicide and improve service responses for all domestic violence and abuse victims and their children by developing a coordinated multi-agency approach to ensure that domestic abuse is identified and responded to effectively at the earliest opportunity</li> <li>• contribute to a better understanding of the nature of domestic violence and abuse highlight good practice.</li> </ul>
Multi Agency Risk Assessment Conference (MARAC)	<p>A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors.</p> <p>After sharing all relevant information, they have about a victim, the representatives discuss options for increasing the safety of the victim and turn these into a coordinated action plan.</p> <p>The primary focus of the MARAC is to safeguard the adult victim. The MARAC will also make links with other fora to safeguard children and manage the behaviour of the perpetrator.</p>

<b>Economic Abuse</b>	Economic abuse” means any behaviour that has a substantial adverse effect on a person’s ability to: (a) acquire, use, or maintain money or other property, or (b) obtain goods or services.
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## Appendix 2 Safeguarding Governance Structure

