

Domestic Abuse and Harmful Practices Policy – Tenants and Service Users

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EXECUTIVE SUMMARY

- This policy applies to all Torus tenants, residents, and service users. Torus has a separate domestic abuse policy for employees.
- Domestic abuse often has consequences for the housing situation of those affected and victims of abuse will frequently turn to their Landlords for help.
- Domestic abuse is the abuse of power and control over one person by another. It can take many different forms, including physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, psychological, emotional, or other abuse.
- Research shows that women are more likely to be subjected to serious injury and ongoing assaults than men. However, men also experience domestic abuse. Everyone can expect equal support regardless of their gender or the type of abuse they experience.
- 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. It recognises the key role that Torus play in the identification and response to domestic abuse.
- To protect and safeguard tenants and service users and their children, it is acknowledged that there may be 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. Safeguarding is everyone's responsibility.
- Torus will seek to hold perpetrators of domestic abuse accountable for their actions. We will seek to 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.

1. INTRODUCTION

This policy applies to all Torus tenants, residents and service users. Torus has a separate Domestic Abuse Policy for Employees.

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
- 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.

Harmful Practices

Harmful practices is a collective term for a number of different forms of abuse which are seen as acceptable in some forms of society.

They are often committed as a result of family members who mistakenly believe someone has brought shame to their family or community that isn’t in keeping with their traditional beliefs or culture.

The most common harmful practices are forced marriage, honor-based abuse (HBA) and female genital mutilation (FGM). See Appendix 1 for further definitions.

3. POLICY STATEMENT

This Domestic Abuse and Harmful Practices Policy is designed to give clear guidance to all Torus colleagues 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 colleagues 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; colleagues 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.

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 effective 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 colleagues, Managers and Domestic Abuse Champions are trained to recognise 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 to 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 colleagues 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 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 seek to 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. RESPONSIBILITIES

6.1 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.

6.2 The Safeguarding Subcommittee

The Safeguarding Subcommittee will promote safe and sustainable safeguarding practice within the organisation, provide assurance to the Safeguarding Scrutiny and Challenge Group and Board on how its statutory obligations are met.

6.3 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 Torus colleagues
- Provide/ensure provision of effective safeguarding appraisal, support, peer review and supervision
- Ensuring all Torus colleagues within their department are aware of this policy and the process to be followed in the event of suspected domestic abuse
- Ensuring all Torus colleagues 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 Torus colleagues meet mandatory training requirements in safeguarding (domestic abuse) and provide support to those making safeguarding referral

6.4 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.

6.5 All Colleagues

All Torus colleagues (including contractors and volunteers) have responsibility to ensure that they have read and understood this policy and associated procedures (toolkit). All colleagues 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 colleagues 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.

7. CONSULTATION

Consultation with Torus Domestic Abuse Steering Group, The Domestic Abuse Housing Alliance (DAHA) and the Safe2Speak Specialist Support Service has been established throughout the development of this policy at several stages and the policy content has been influenced by their feedback.

The policy will also be amended in accordance and consultation with changes in legislation.

8. 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.

9. MONITORING AND REVIEW

The Groups Director will be responsible for the monitoring of 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 or Serious Case Review requires earlier review. Reviews will reflect colleagues' feedback, research, changes in related policies, legislation, and practice.

Appendix A

	Definition
Controlling behaviour	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	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.
Coercive or controlling behaviour offence	A coercive or controlling behaviour is a criminal offence – which came into force as part of The Serious Crime Act 2015. It carries a maximum 5 years’ imprisonment, a fine or both.
Honour Based Violence / Abuse (HBV / HBA)	The terms “honour crime” or “honour-based violence” embrace a variety of crimes of violence & abuse where the victim is being punished by their family or their community. ‘Punishment’ is perpetrated as the victim is perceived as allegedly undermining family or community code of behaviour, beliefs, and values. In transgressing this correct code of behaviour, the victim is perceived as causing “shame” or “dishonour” to the family and/or community. 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 may have multiple perpetrators with whom they are at risk, and they may also be at risk from perpetrators who do not reside in the UK; HBV / HBA can be a trigger for a forced marriage .
Forced Marriage	Forced marriages are generally made due to perceived notions of pride, the wishes of the parents, or social obligation. A forced marriage is a marriage in 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. 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. It is important to note forced marriage differs from an arranged marriage, where 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.
Female Genital Mutilation (FGM)	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. FGM provides no health benefits, it contravenes human rights, it is illegal in the UK, and it is child abuse.
Domestic Homicide Reviews (DHRs)	Domestic Homicide reviews are statutory requirements under the Domestic Violence, Crime & Victims Act 2004 and take place when criteria have been met following the death of a person aged 16 or

	<p>over who's death has, or appears to have, resulted from violence, abuse, or neglect.</p> <p>DHRs aim to identify lessons learned regarding local practice and offer of support to victims of abuse & to make recommendations for institutional change.</p>
<p>Multi-Agency Risk Assessment Conference (MARAC)</p>	<p>A MARAC is an information sharing forum where victims of domestic abuse risk assessed as at high risk of serious harm, escalation and or homicide are discussed & recommendations made in the form an action plan to reduce risk of harm to the victim, any children and wider family. The MARAC will also identify avenues to manage perpetrator behaviour.</p>