

## **Domestic Abuse Policy**

### **1.0 Purpose of the Policy**

The Crime Survey for England and Wales (CSEW) estimated that 5.0% of adults (6.9% women and 3.0% men) aged 16 years and over experienced domestic abuse in the year ending March 2022; this equates to an estimated 2.4 million adults (1.7 million women and 699,000 men).

Approximately 1 in 5 adults aged 16 years and over (10.4 million) had experienced domestic abuse since the age of 16 years.

There was no significant change in the prevalence of domestic abuse experienced by adults aged 16 to 59 years in the last year, compared with the year ending March 2020; a year largely unaffected by the coronavirus (COVID-19) pandemic and the last time the data were collected.

The number of police recorded domestic abuse-related crimes in England and Wales increased by 7.7% compared with the previous year, to 910,980 in the year ending March 2022; this follows increases seen in previous years and may reflect increased reporting by victims.

The Crown Prosecution Service (CPS) domestic abuse-related charging rate in England and Wales increased for the first time in four years to 72.7% in the year ending March 2022 but remains below the year ending March 2018 (75.9%).

The National Domestic Abuse Helpline delivered 50,791 support sessions through phone call or live chat in the year ending March 2022, a similar number to the previous year.

- 1.1 Coastline believes that none of its customers or their households should live in fear of violence from a current or former spouse or partner or any other member of their household. Coastline will assist and support any person suffering from or threatened with violence and security measures will be completed in one day.
- 1.2 Committing an act of domestic abuse is a specific breach of tenancy and Coastline will take action against those that perpetrate domestic abuse.
- 1.3 Coastline has developed this policy indicating how we will work to tackle Domestic Abuse. This policy supports the Coastline Safeguarding Adults Policy.

### **2.0 The Domestic Abuse Act 2021**

The Act received royal assent in April 2021. It aims to raise awareness about the devastating impact of domestic abuse on victims and their families and to further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice.

The Act introduces a statutory definition to ensure that domestic abuse is properly understood, viewed as unacceptable and is actively challenged across statutory agencies and in public attitudes. It sets out who can be a victim of domestic abuse behaviours and establishes how victims need to be 'personally connected' to the perpetrator. It also makes clear that children are deemed to be victims of domestic abuse if they see or hear, or

experience the effects of, the abuse. There is also no requirement that they live in the same household as the abuser.

The Domestic Abuse Act 2021 sets out how people can be ‘personally connected’ including if they are or have been in an intimate relationship, married, civil partners, agree or have agreed to marry each other, have had, or have a parental relationship to a child or are relatives. There is no requirement for the victim and the perpetrator to cohabit although we know many will have. This often then provides perpetrators with personal knowledge about what might most traumatise or impact victims, making this crime particularly distressing and sometimes leaving victims at risk of future violence and abuse.

## **2.1 Who are counted as family members?**

Family members are defined within the legislation as the father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson, or granddaughter, brother, sister, uncle, aunt, niece, nephew or first cousin (whether of full blood or of half blood or by marriage or civil partnership) of that person or of that person’s spouse, former spouse, civil partner, or former civil partner.

## **2.2 The CPS Violence Against Women and Girls (VAWG) Strategy**

This is an overarching framework to address crimes that have been identified as being committed primarily but not exclusively by men against women.

These crimes include domestic abuse, rape, sexual offences, stalking, harassment, so-called ‘honour-based’ violence including forced marriage, female genital mutilation, child abuse, human trafficking focusing on sexual exploitation, prostitution, pornography and obscenity

## **2.3 Definition of “domestic abuse”**

The Home Office (2021) definition of domestic abuse is:

Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—

(a) A and B are each aged 16 or over and are personally connected to each other, and

(b) the behaviour is abusive.

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

(a) physical or sexual abuse;

(b) violent or threatening behaviour;

(c) controlling or coercive behaviour;

(d) economic abuse (see subsection (4));

(e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

“Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—

- (a) acquire, use or maintain money or other property, or
- (b) obtain goods or services.

For the purposes of the Domestic Abuse Act, 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).

## 2.4 Domestic abuse:

- Can be actual or threatened and can happen once, occasionally or on a regular basis;
- It can happen to anyone, in different types of relationships; people suffer domestic abuse regardless of their social group, class, age, race, disability, sexuality or lifestyle;
- The abuse can begin at any time – in new relationships or after many years together;

Children are affected by domestic abuse, regardless of whether they directly witness the abuse.

## 3.0 Lesbian, Gay, Bisexual and Transgender (LGBT)

3.1 Galop report that LGBT people are not less likely to experience domestic abuse than those in heterosexual relationships and whilst LGBT people may experience the similar patterns of domestic abuse to heterosexual people, there are some specific domestic abuse issues which are uniquely experienced by LGBT people. This may include:

- Threat of disclosure of sexual orientation to friends, family, work place etc;
- Controlling access to places which support their coming to terms with coming out and sexual orientation.

There are no mainstream services in the UK for LGBT people experiencing domestic abuse and homophobia and transphobia may be experienced by individuals in refuges.

3.2 Galop (UK) is working to change the situation for LGBT people experiencing domestic abuse. They run a confidential UK-wide listening, information and signposting helpline Service (0800 999 5428), staffed by LGBT people. They also offer limited advocacy work.

### [Reports & Research – Galop](#)

3.3 Coastline also works with local advocacy and support organisations for LGBT people such as Intercom Trust (LGBT support and advocacy) and Esteem (DAISI Project Domestic Abuse Interventions and Support Initiatives) for men and LGBT people who experience domestic abuse.

#### 4.0 Partnership working

- 4.1 Coastline works in partnership with a number of external agencies to assist and protect anyone who is suffering from domestic abuse. Coastline can offer an appointment with a trained member of staff (male or female) who will be the named contact and will work with the customer to make suggestions about how to keep safe and will keep the customer updated with any action taken on their behalf.
- 4.2 Coastline is signed up and committed to the MARAC Operating protocol and the MARAC review group. MARAC (multi-agency risk assessment conference)

The purpose of MARAC is to provide a confidential forum where agencies are able to share information which will increase the safety, health and wellbeing of individuals and children related to the case. This will take place through the sharing of information, expertise and resources, and the development of multi-agency plans which identify appropriate interventions or other actions to safeguard individuals and their children.

The MARAC will seek to reduce the threat of further harm and repeated domestic abuse to the individual and their family members, through the agreed actions of the partner agencies.

The MARAC will attempt to identify any child contact concerns between children and individuals engaged in abusive behaviour.

- 4.3 Appendix A of the MARAC Protocol details all the agencies who are partners to the MARAC process and consequently signatories to the declaration specified in Appendix B.

The list in Appendix A is not exhaustive. Consideration will also be given to requesting additional professional support from other specialist Agencies, as appropriate to MARAC needs i.e. – Cornwall Fire & Rescue Service (where there is a risk/threat of arson, fire or chemicals), YOT, Benefits & Pensions, BME specialist Agencies, Disabilities Agencies, and any Advisory and Voluntary Service which will benefit the effectiveness of the MARAC.

Each Partner Agency will identify a MARAC representative in their agency.

Partner agencies will have clearly defined roles and responsibilities and will be accountable to the MARAC Review Group for ensuring that these agreed responsibilities and actions are carried out.

Partner agencies will support the principals and purpose of the MARAC, which is to promote the safeguarding of the individual experiencing domestic abuse, and their immediate family members.

All agencies must refer to DASV Integrated Service in the event of making a MARAC referral; providing as much detail as possible.

Partner agencies are responsible for providing relevant and up-to-date information regarding individuals experiencing domestic abuse, as per the agenda. All MARAC representatives must then coordinate and communicate with their counter parts, across agencies, to facilitate an action plan to reduce risk immediately and feed back to the relevant MARAC.

The MARAC will set further actions where necessary, with a specific time frame attached, and all representatives must ensure that agreed actions are completed, with the status of agreed actions being communicated to all MARAC reps and the MARAC administrator by their deadline.

Any outstanding actions must be clearly communicated at the next MARAC, allowing the Chair to open up the conversation to other possible actions, if the risk has not yet been reduced.

Where the risk has not yet been reduced and all partner agencies have attempted contact, where appropriate, the Chair will refer the case to the High Risk Behaviour Unit.

All MARAC representatives will attend MARAC Training; pertaining to Routine enquiry, Risk Identification, Risk Categorisation, Safety Planning and Referral Pathways

It is expected that all agencies participating in the MARAC will routinely screen for domestic abuse and will have a process/written guidance for doing so or will be actively working towards this. MARAC representatives will be tasked with gathering all and any relevant information they hold, in relation to any person referred to the MARAC, working closely with all frontline workers engaged with the individual in question.

The first formal risk assessment should be carried out by the lead agency that identifies or recognises a potential case of domestic abuse, or by the Integrated DASV Service. All referrals to MARAC should be referred to the DASV Service.

In most cases this would be the Police, given that they attend many domestic abuse incidents. However, it is known that many victims access other services without reporting to the police, particularly health services including health visitors, A&E hospital staff and Mental Health Services. Thus staff within these settings should ensure that they are aware of the signs and symptoms of domestic abuse and have access to risk assessment and domestic abuse advice and information. All agencies should, therefore, ensure that their staff attend the 3 Tier DASV Training.

In order for the MARAC to work effectively all MARAC representatives need to have a common understanding of risk levels which can be achieved by use of the Domestic Abuse, Stalking & Harassment (DASH) risk assessment tool and undertaking the available training.

The completed ACPO/DASH, will identify the level of risk to the individual experiencing DASV, and highlight high risk indicators.

The cases which should be referred to the MARAC are those which have been identified as HIGH RISK.

The definition of High Risk is 'that there are very clear and identifiable indicators of further risk of serious harm. The potential event could happen at any time, and the impact would be serious'.

The definition of SERIOUS HARM is a risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.

<H:\Tenancy Management Team\MARAC Operating Protocol 2019 Final Draft.doc>

- 4.4 MARAC referrals are based on a comprehensive assessment of the perceived risk of further harm to a person experiencing domestic abuse and professional judgement. Each partner agency has the authority to refer cases to the MARAC based on the appropriate actuarial assessment, on professional judgement or as a result of an escalation of incidents or the professional judgement of the likely escalation of harm.

The threshold for referral to a MARAC will be set by the MARAC Review Team and will be consistent across Cornwall. The current threshold for the actuarial assessment is 14+ positive responses to the DASH Risk Assessment Checklist. It is, however, best practice to prioritise professional judgement.

Referral of repeat cases into the MARAC is essential and all agencies must develop processes whereby they can identify repeat victims.

A repeat incident is an incident that has occurred within the 12 months following an individual's case being heard at the MARAC.

If this incident is categorised as high risk, then the 12 month window will start afresh. An incident that would trigger a repeat referral would be one that constitutes Domestic Abuse, under the aforementioned definition (to include, but not limited to: an act of violence, threat of violence, sexual violence/assault, coercive control, harassment or stalking).

Agencies will make a referral to the MARAC via HALO. This will be done by their in-agency MARAC representative.

- 4.5 Each referral received will be quality assured by the MARAC chair (or other authorised person) to ensure that the HIGH RISK threshold is met and sufficient detail of parties involved is provided. Where the threshold does not appear to be met, the MARAC Chair will refer back to the referrer to gather further information and have a discussion around the case.

Following the Q.A. check, the referral will be immediately circulated, electronically, by the MARAC Administrator to the identified MARAC representatives within partner agencies, via HALO. This will enable all partner agencies to be aware of the potential for serious harm, at the earliest opportunity, and will allow agencies to appropriately flag their records, gather information, coordinate and communicate an action plan with their counterparts and begin reducing risk, immediately. These referral papers will be shared with those agencies who are signatories to the information sharing agreement.

The relevant MARAC representatives will then share their action plan and relevant information within 3 working days, electronically via HALO. Reporting back at the MARAC what they have achieved and whether the risk has been reduced. In the event that the risk has not been reduced, the MARAC will discuss further options to address the risk and set actions accordingly.

All information will be marked and handled in accordance with the Government Protective Marking Scheme. This is likely to be either as RESTRICTED or CONFIDENTIAL material.

- 4.6 Meetings are held on a weekly basis. In the event of exceptional risk posed to an individual the option of an emergency MARAC is available. This is to be organised by the relevant worker and the MARAC Chair.

A confidentiality statement will be read out at the beginning of each MARAC and where appropriate, attendees may be required to sign a confidentiality statement.

## 5.0 Reciprocals move agreements

Coastline is a member of the DAHA (Domestic Abuse Housing Alliance) and has committed to working with other providers within this Alliance to help those suffering from Domestic Abuse to move out of area if required.

## 6.0 Support

Safer Futures is a domestic abuse and sexual violence service commissioned by Safer Cornwall and delivered in partnership by First Light and Barnardo's across Cornwall and the Isles of Scilly.

Safer Futures delivers support for women, men, children and young people who have been impacted by domestic abuse or sexual violence. They offer a crisis response for domestic abuse, therapy for people who have been abused plus education, training and recovery programmes.

saferfutures@firstlight.org.uk - 0300 777 4777

To make a referral please go to

<https://www.firstlight.org.uk/make-a-referral/>

### Change 4 U – Prevention Programme

Barnardo's will deliver county-wide DASV prevention programmes for both men and women who display abusive behaviour in their intimate relationships, in order to increase safety for their non-abusive partners and children. Referrals into all aspects of the service should be made by:

- Phoning 0300 777 4 777 (For service users requiring advice or wishing to self-refer)
- Phoning 01872 241 711 (For professionals requiring advice prior to making a referral)
- Online referral

Barnardo's will also continue to accept by calling the existing referral number for the Change4U Programme: 01209 699241.

## 7.0 What we will do

### 7.1 Coastline will:

- Offer confidential advice over the phone, at our offices, at a home visit, or at a visit to a local venue of the customers choosing;
- Adopt a victim centred approach and agree an Action Plan;
- Provide extra security to the home, such as extra locks, chains, window locks, and external lighting;
- Provide training to staff on the signs and symptoms of domestic abuse, including that related to repairs typically caused by domestic abuse;
- Liaise with the police and Cornwall Council's Community Safety Team, if permission is given, to let them know who is at risk;
- Provide advice and assistance if there is a need to move house;
- Arrange referrals to specialist domestic abuse support services;
- Liaise with Cornwall Council's Housing Options if refuge accommodation is needed;
- Carry out repairs if damage has been caused to the home through an incident of domestic abuse within one working day;
- Consider legal action against those who commit domestic abuse. This can include injunctions, anti-social behaviour orders, and possession proceedings;

- Record all incidents of domestic abuse on our Customer Relationship Management system;
- Treat cases of domestic abuse as a priority, within one working day of receiving a complaint;
- Contribute to regular Multi agency Risk Assessment Conferences (MARAC) meetings that are held weekly to help those at high risk of harm;
- Use the Sanctuary Scheme for Target Hardening (a scheme funded by Cornwall Council to keep victims safe in their homes and avoid homelessness);
- Encourage customers to report abuse to us quickly;
- Monitor customer satisfaction within our service;
- Benchmark our performance against national organisations

## **8.0 Make a Stand**

8.1 Coastline has signed up to and is committed to the Chartered Institute for Housing, Women's Aid and Domestic Abuse Housing Alliance pledge, Make a Stand. The pledge enables Housing Associations to sign up to four key commitments.

8.2 As a result of the Make a Stand pledge, Coastline are committed to:

1. Put in place and embed a policy to support residents who are affected by domestic abuse;
2. Make information about national and local domestic abuse support services available on our website and in other appropriate places so that they are easily accessible for residents and staff;
3. Supporting members of staff who may be experiencing domestic abuse which is covered as part of Coastline's Health and Wellbeing programme.

8.3 Coastline's Domestic Abuse Champion is the Deputy Chief Executive.

8.4 Coastline will actively promote its pledge to the Make a Stand campaign.

## **9.0 Tenancy agreements and Leases**

9.1 By signing the tenancy agreement or lease our customers agree not to commit acts of domestic abuse and to be responsible for the behaviour of their household and visitors.

9.2 Not all tenancy agreements are exactly the same, but the principle that individuals' lives should not be adversely affected by another's behaviour is a constant throughout.

## **10.0 Training**

10.1 To ensure that staff are equipped with the key skills to deliver this Policy and our Procedures effectively we will:

- Facilitate regular One-to-Ones, Team Meetings and Appraisals for staff;
- Provide frequent training courses for all staff involved in dealing with incidents of domestic abuse.

## **11.0 What will Coastline do when they receive complaints of Domestic Abuse**

### **11.1 Coastline will:**

- Record all reports of Domestic Abuse within 24 hours and appoint a named officer to each case;
- Respond to the victim within one working day of receiving a complaint;
- Develop an action plan with the victim;
- Keep the victim informed of the progress of the action plan and notify and explain our decisions;
- Work with the Police, Adult Social Care and the Community Safety Team with the permission of the victim;
- Review and close cases as soon as they have been resolved with the victim's agreement.

## **12.0 Providing support to those involved**

### **12.1 Coastline will:**

- Agree an action plan with the victim and tailor the plan to their individual circumstances and case;
- Work with our partners to provide assistance and support to suit the needs of the victim;
- Will have regard to what assistance and support may be available to perpetrators to encourage them to change their behaviour to prevent re-offending;
- Maintain contact throughout the course of the investigation and keep those involved informed of progress (subject to duties of confidentiality) from the date the first complaint is received, throughout the investigation process and/or any legal action;
- Ensure that a Disability Assessment Form (Justification Prior to Legal Action Equality Act 2010) is completed before Notices are served;
- Provide feedback and reports to customers relating to our performance.

## **13.0 Complaints**

13.1 Where customers feel that Coastline have not carried out their responsibilities under this Policy they have the right to make a complaint through the Complaints Policy.

## **14.0 Equality, Diversity and Inclusion**

14.1 Throughout the operation of our Policy on domestic abuse and through our dealings with those involved in cases we will have regard for equality, diversity and inclusion at all times.

14.2 All customers (and their advocates) will have access to this document upon request or from our website.

14.3 This document and accompanying leaflets can be translated or provided in alternative formats (e.g. Braille, large print, and audio) upon request.

#### 15.0 Associated Documents

15.1 The following legislation, guidance, policies and documents are associated with this Policy:

- Chartered Institute For Housing Women's Aid and Domestic Abuse Housing Alliance Pledge, Make A Stand
- Respect – ASB Charter for Housing;
- Lettings Policy;
- Probationary Policy;
- ASB Policy;
- Hate Crime Policy;
- Equality, Diversity & Inclusion Policy;
- Mutual Exchange Policy;
- Safeguarding Adults and Children policies;
- Complaints Policy;
- Tenancy Agreements;
- Equality Act 2010;
- Housing Act 1996;
- Housing Act 1988;
- Criminal Justice Act 2003;

Anti-social behaviour Police and Crime Act 2014.