



# **BURY COUNCIL HOUSING SERVICES DOMESTIC ABUSE POLICY**

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## Contents

1. Introduction.....	3
2. Policy Aims .....	3
3. What is Domestic Abuse .....	4
4. How to report domestic abuse .....	5
5. How we will treat reports of domestic abuse.....	<b>Error! Bookmark not defined.5</b>
6. Risk Management .....	6
7. Confidentiality .....	7
8. How we will support survivors .....	7
9. Housing support for survivors of abuse who are Bury Council tenants or leaseholders .....	8
10. Housing support for survivors making homeless applications.....	8
11. If you have no recourse to public funds or seeking asylum .....	9
12. Perpetrators .....	9
13. Safeguarding Responsibilities .....	10
14. Partnership Working.....	10
15. Relevant documents .....	<b>Error! Bookmark not defined.11</b>
16. Equalities Statement .....	<b>Error! Bookmark not defined.11</b>
17. GDPR and data protection .....	12
18. Compliance, monitoring, and review .....	12
19. Glossary.....	12
20. Legal Context.....	13

## **1. Introduction**

1.1 We aim to improve the safety of people who are survivors of domestic abuse and prevent further incidents of domestic abuse whenever possible. When it does occur, we will take a collaborative, survivor-centred approach to supporting people who are affected.

We will do this by:

- raising awareness of domestic abuse and how to get help.
- ensuring all staff know their role in tackling domestic abuse.
- creating a safe environment where survivors of domestic abuse can talk.
- support the delivery of the priorities in the Council's Violence Against Women and Girls (VAWG) Strategy.
- supporting the delivery and embedding of Domestic Abuse Housing Alliance (DAHA) standards.
- Support from the Bury Safeguarding Partnership
- embedding intersectional and anti-racist practice.
- ensuring staff are trained and able to recognise signs of domestic abuse and know how to respond to them.
- making safeguarding referrals where needed.
- supporting survivors to make decisions about their housing options.
- taking appropriate action against perpetrators.
- signposting perpetrators to agencies who can offer them support.
- ensuring there is support available on an emergency/out of hours basis.
- working to foster and improve our work with other support services and agencies both inside and outside the Council.
- promoting the support, we can offer survivors of domestic abuse to other agencies and support services.
- acknowledging domestic abuse as a crime and a standalone issue separate from antisocial behaviour.
- responding to reports of abuse in a holistic way, where the survivor and their safety, is put first.
- ensuring equality and diversity is considered throughout our response and that the service we provide is inclusive and accessible to all.
- We will consider the Violence Against Women and Girls (VAWG) Anti-Racism Charter to implement meaningful anti-racism practice.

## **2. Policy aims**

2.1 We aim to improve the safety of people who are survivors of domestic abuse and prevent further incidents of domestic abuse whenever possible. When it does occur, we will take a collaborative, survivor-centred approach to supporting people who are affected. Under the new Domestic Abuse Bill, the Council has a statutory duty to provide safe accommodation for victims of domestic abuse.

2.2 This policy aims to complement and work in parallel with relevant safeguarding statutory guidance and policies and procedures.

### 3. What is domestic abuse.

3.1 The definition of domestic abuse is set out in [section 1 of the Domestic Abuse Act 2021](#).

Abusive behaviour' is defined in the Act as any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- financial/ economic abuse
- psychological, emotional or other abuse

It is important to note, domestic abuse is not just physical abuse, in addition it includes, but is not limited to the following types of abuse and exploitation:

- stalking and harassment
- honour based violence
- forced marriage
- female genital mutilation
- technological abuse

For it to be considered domestic abuse, both parties must be aged 16 or over and personally connected'. This means people who:

- are married to each other or in a civil partnership
- have previously been married or entered into a civil partnership with one another (whether or not the agreement has been terminated)
- are, or have been, in an intimate personal relationship with each other
- have, or have had, a family relationship with each other
- have a child (whether they share parental responsibility or not)
- are relatives

This is not limited to partner-to-partner violence, but includes violence between any extended family members, including child to parent violence (and vice versa).

If you are a child under 16 and you are witnessing abuse, you are a survivor of abuse in your own right and you can contact any of the services named in this policy for advice (see section 4). If you are in immediate danger or worried for a family members safety, call the police on 999. More information around the definition is available in the [GOV.UK Statutory definition of domestic abuse factsheet](#).

Domestic abuse can affect anyone regardless of age, gender, sexuality, ethnicity, disability or social background. However, we recognise that women are more likely to be victims of domestic abuse.

The severity and frequency of domestic abuse can vary but just one incident counts as abuse.

3.2. People are statistically at higher risk of abuse if:

- they are pregnant
- they are separating or leaving the home
- there are children in the home.

#### **4. How to report domestic abuse**

4.1 If you are a victim of domestic abuse and are in immediate danger, you should always call the emergency services on 999. If you are unable to talk, press 55 when prompted and your call will be transferred to the police.

Greater Manchester Police have a specialist department with trained domestic violence and abuse officers who can help. They can be contacted on 0161 856 8064

You can also call the 24-hour free National Domestic Abuse Helpline for advice, telephone: 0808 2000 247.

Alternatively, victims can contact SafeNet Domestic Abuse Services, telephone 0300 303 3581

Survivors can report domestic abuse to any member of our team at any time. Contact the relevant housing teams for assistance and advice here:

- email: [housingenquires@bury.gov.uk](mailto:housingenquires@bury.gov.uk)
- telephone: 0161 686 8000 (same number for out of hours)

#### **5. How we will treat reports of domestic abuse**

5.1 We will always take a survivor-centred approach to domestic abuse. This means that anyone, whether adults or children, reporting domestic abuse to our housing services team will be treated in a sensitive, supportive, and non-judgemental manner.

5.2 The voice of the survivor will be prioritised in the way we manage each case. We know survivors of domestic abuse will often find it difficult to ask for help. If a survivor makes a disclosure, we must deal with it in an empathetic, supportive, and sensitive manner, and assure them we are taking it seriously.

5.3 We also recognise that people's understanding of domestic abuse may be influenced by their culture and beliefs and as a result, some people may not recognise themselves as a survivor of abuse. We will work sensitively with those experiencing abuse to promote their safety.

5.4 We will work to break down barriers that some communities may experience when reporting to us.

5.5 Ways we will help remove barriers to disclosure include (but are not limited to):

- asking the survivor if they prefer to speak to someone of the same sex, if possible.

- offering an interpreter if the survivor does not speak English. (We will not allow family or friends to interpret in abuse cases or cases which we think may involve abuse due to safety reasons.)
- providing services in a way that considers a person's accessibility needs (e.g., larger print and easy to read documents).

5.6 We will support black and ethnic minority survivors and those with protected characteristics to access relevant information and support.

5.7 Staff will have a clear understanding of what intersectionality is, how it impacts different survivors of domestic abuse and how to take an intersectional approach.

## **6. Risk Management**

6.1 Relevant teams will be trained in identifying and responding to domestic abuse cases including how to make referrals to specialist domestic abuse support services and the MARAC (Multi Agency Risk Assessment Conference) will automatically allocate and an Independent Domestic Violence Advocate (IDVA) for cases that are high risk.

6.2 All housing teams will be aware and work in line with our domestic abuse procedures.

6.3 We will offer confidential interviews with survivors in a safe place and ask questions to better understand the situation and identify level of risk and risk areas and give relevant advice and support on the housing options available.

6.4 When a referral is made (with the survivors' consent) to SafeNet, IDVA they will complete a DASH (Domestic Abuse, Stalking and Honour Based Violence) risk assessment.

6.5 If the survivor is identified as being at immediate risk, we will follow our domestic abuse procedures for:

- housing options and safety arrangements
- signposting to specialist advice and domestic abuse services
- referrals to safeguarding teams if required
- safety planning and contact arrangements for safe future communications (including the preferred contact method). We will ask the survivor their preferred way of contacting them and ask if anyone has access to their electronic devices – to minimise any technological abuse
- contacting and information sharing, where relevant with MARAC, community agencies, domestic abuse organisations, or the police to ensure we are doing all we can to prioritise your safety

6.6 If the survivor is working with SafeNet and if things get more dangerous SafeNet will complete a safety plan which may include the survivor leaving their own home.

## **7. Confidentiality**

7.1 Confidentiality is crucial to limit the risk to survivors, and sharing information with support services and other agencies is key part of responding effectively to domestic abuse.

7.2 We will maintain strict confidentiality and only share information where we have permission from the survivor to do so, except when:

- the survivor's safety may be at risk
- there is lawful basis

This may include referring the case to MARAC to safeguard survivors, or to seek legal advice, or to prevent a crime. Each case will be judged on its own merits. Cases can be referred without consent and the case will be discussed at the daily action planning meeting when all the services agree whether it is required to be heard at MARAC.

7.3 All relevant staff will be trained on how to provide support, signpost, record the case and take appropriate next steps while upholding customer confidentiality and safety.

## **8. How we will support survivors**

8.1 When an incident of domestic abuse is reported, we will contact the survivor or referring agency within one working day.

8.2. If we believe there is an immediate risk to life, we will call the relevant emergency services.

8.3. We recognise that experiencing domestic abuse will be traumatic and our teams will manage all cases with empathy and compassion.

8.4. We will tailor our action plan and response to each case, adopting a person-centred approach and recognising that each individual and their situation is unique.

8.5. We will work with other services in the Council and external support agencies on a response, including any safety planning and arrangements, where required.

8.6. We will ensure ongoing support and contact is provided to the survivor. We will agree with the survivor how often to contact them, and whether they would like us to contact their caseworker, social worker or independent domestic violence advocate or any other support agency.

## **9. Housing support for survivors of abuse who are Bury Council tenants or leaseholders**

9.1 If the survivor wishes to move out of their home due to domestic abuse, we will make a referral to the housing options service. The housing and neighbourhoods' team will work with the survivor and the housing options officer on finding safe accommodation options.

9.2 If survivors would like to remain in their home, we will be able to offer:

- measures to make the home more secure
- legal powers and tools available to us to prioritise safety
- support through referrals to specialist domestic abuse services

These will only be explored if the survivor wishes to do so.

9.3 If appropriate and if the survivor agrees, the Neighbourhoods team in Housing Services can refer the case to SafeNet who employ the Housing Independent Domestic Violence Advocate (IDVA). They can provide specialist advice and support to a survivor including exploring:

- legal remedies
- risk and safety planning
- emotional support
- other relevant options, such as contacting specialist community based domestic abuse services

## **10. Housing support for survivors making homeless applications**

10.1 We will treat domestic abuse cases as priority need when survivors approach the council for homelessness assistance.

10.2. We will carry out a risk assessment and develop a personalised housing plan, exploring accommodation options. This could include:

- safety measures if they wish to remain in their current accommodation
- moving to refuge accommodation
- exploring options in the private rented sector
- exploring alternative social housing, e.g. reciprocal agreements

10.3. If appropriate and where the survivor agrees the Housing Options team can refer the case to SafeNet.

10.4. Any Service provider can make referrals to the IDVA Service via SafeNet.

10.5. We will ensure survivors that have a secure social tenancy and need to be rehoused due to domestic abuse will be offered the same tenancy type when we make an offer of a new permanent home, in line with the Domestic Abuse Act 2021.



10.6. We will work with other providers and boroughs if the survivor does not feel that they can be safely accommodated within Bury.

10.7. We will advise the survivor and signpost them to support options available for specialist non-housing related issues.

## **11. If you have no recourse to public funds or seeking asylum**

11.1 Our housing team can give advice and guidance to survivors who have no recourse to public funds.

11.2 Our team will encourage survivors to seek immigration advice from a specialist solicitor.

11.3 Our team can refer survivors to specialist domestic abuse services who will be able to advocate on their behalf and discuss the options available to them.

11.4 If the survivor is pregnant and/or has children, our team can also refer the survivor to Children's Services who will assess if there are needs under the Children's Act 1989.

## **12. Perpetrators**

12.1 Perpetrators of domestic abuse are accountable for their actions.

12.2 Although our response to domestic abuse is focused on survivors, we also recognise that working with perpetrators can help reduce incidents of domestic abuse.

12.3 Perpetrators can be referred to Talk Listen Change (TLC) who run specific perpetrator programmes.

12.4 Where appropriate, we will charge perpetrators for property damage resulting from their violence. Survivors will not be held accountable for these costs.

12.5 Where the available evidence supports it, we will use the legal tools and powers afforded to us including evicting or excluding perpetrators from the home.

12.6 The safety of survivors and their children will be central to our approach to holding the perpetrator to account.

12.7 We will provide information about support services to perpetrators who approach us for help or advice to change their behaviour.

12.8 If an alleged perpetrator of domestic abuse is aged below 16, they will be managed in accordance with our antisocial behaviour policies and procedures and in conjunction with our partner agencies. This includes discussion with

Children's Services to assess the child's needs for support, and a referral to Children's Services.

### **13. Safeguarding Responsibilities**

13.1 We will manage cases of domestic abuse in line with our safeguarding policies and procedures, and the Care Act 2014, where appropriate.

13.2 The Care Act 2014 sets out the specific safeguarding duties that apply to any adult who is 18 years or over who:

- has care and support needs
- is experiencing, or is at risk of abuse or neglect
- is unable to protect themselves because of their care and support needs.

13.3 If a survivor of domestic abuse meets the criteria above, we will refer them to the Council's safeguarding services.

13.4 As stated in the Domestic Abuse Act 2021, children are to be recognised as victims in their own right if they are living in a home where abuse is occurring between two parties over 16. This will be relevant when making any necessary safeguarding referrals to both children's and adult service.

### **14. Partnership Working**

14.1 We will work with support services and other agencies to prevent and tackle domestic abuse while ensuring the safety of the survivor and their children. Working together is one of our key values for delivering an effective service.

14.2 We will work in line with the objectives of the VAWG Strategy and are committed to our role in the coordinated community response.

14.3 We support the VAWG strategy's recognition that the majority of survivors of domestic abuse are women, and the majority of perpetrators are men.

14.4 The objectives of the VAWG Strategy are:

- a) violence against women and girls is prevented
- b) survivors are supported
- c) partnership working
- d) abusers are held to account

14.5 We are working towards DAHA (Domestic Abuse Housing Alliance) accreditation for our housing service. This involves working to align with the principles of:

- being non-judgemental and person-centre
- amplifying survivor voices

- intersectionality
- safety
- being active in our role as part of the coordinated community response.

Visit the [DAHA website](#) for more information about the accreditation.

14.6 We will maintain strong partnerships with local agencies and share information through the Multi Agency Risk Assessment Conference (MARAC) and with the police where necessary.

## **15. Relevant Documents**

- Bury Housing Services Safeguarding Policy and Procedure
- VAWG Strategy
- Bury Allocation Policy
- Bury Housing Services Anti-Social Behaviour Policy and Procedure
- Bury Housing Services Tenancy Agreement

All published Bury Housing Policies can be found on the Housing Policy and publications webpage.

## **16. Equalities Statement**

16.1 We are committed to promoting fair and equal access to services and equal opportunities in employment, the procurement of goods and as a community leader.

16.2 Our policies, procedures and day to day practices have been established to promote an environment which is free from unlawful and unfair discrimination, while valuing the diversity of all people. This includes our response to domestic abuse.

16.3 Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability and age is not acceptable: we will take action to ensure no person using the council's premises or services receives less favourable treatment or is disadvantaged by requirements or conditions that cannot be justified.

16.4 We will tackle inequality, treat all people with dignity and respect and continue to work to improve services for all service users. The legal framework for the Council's approach is provided by the Equality Act 2010 and specifically by the Public Sector Equality Duty, under which a public authority must work consciously to eliminate discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people with differing characteristics.

16.5 Our commitment to equality goes beyond complying with our statutory duties. We are working to ensure equitable access to our services by removing barriers and are supporting individuals and families to reach their full potential by focusing on those with the most urgent and pressing needs. For further

information on the Council's commitment to equality and diversity, please read our Equality, Diversity and Inclusion Strategy.

## **17. GDPR and Data Protection**

17.1 Domestic abuse cases will be logged, managed and reported through our housing (case management) system and will be kept in line with GDPR and data protection policies and data retention schedules.

17.2. For further information about the Council's commitment to the General Data Protection Regulations (GDPR), visit our Data Protection webpages.

## **18. Compliance, Monitoring and Review**

18.1 We will review this policy at least once every three years to make sure we are up to date with the latest legislation, regulations and best practice developments.

18.2 We will regularly review this policy to reflect feedback, local Domestic Homicide Review and Serious Case Reviews, where recommended.

18.3 This policy will be accessible for staff. Staff will be made aware of the policy through inductions and annual training.

## **19. Glossary**

19.1 Survivor: A person who is currently experiencing domestic abuse or has previously experienced domestic abuse, including one off incidents of abuse or multiple incidents or long-term patterns of abuse.

19.2 Risk assessment: a process of evaluating the potential risks that may be involved in domestic abuse case.

19.3 Tenant: anyone who is named on a Bury Council agreement or a part of the household living in one of our properties.

19.4 Leaseholder: anyone who is a Bury Council leaseholder.

19.5 DAHA: Domestic Abuse Housing Alliance, a specialist domestic abuse organisation supporting housing providers to improve their response to domestic abuse.

19.6 IDVA: Independent Domestic Violence Advocate. This service is provided by SafeNet and is available for female victims of domestic abuse.

19.7 Sanctuary Scheme: Provides victims of domestic violence a way to stay safe in their home. It does this by providing improved home security such as changing locks, extra/stronger locks, stronger doors, fire safety measures etc.

- 19.8 DASH risk checklist: a tool used to assess the immediate threat, risk and danger a victim/survivor is subject to. The tool is used by all agencies to provide a common and consistent language of risk.
- 19.9 MARAC: The Multi Agency Risk Assessment Conference is held every 2 weeks where professionals share information on high-risk cases of domestic abuse and put in place a risk management plan.
- 19.10 Survivor-centred approach: an approach which applies the human rights-based approach to designing and developing programming that ensures that survivor's needs, wishes and rights are first and foremost.
- 19.11 Person-centred approach: an approach where the person is placed at the centre of the service. This approach considers each person's life experience, gender, age, culture, language, heritage, identity and beliefs.
- 19.12 Coordinated community response: The involvement of health, police, judicial and legal services, shelters and protection services, schools and other cultural groups to ensure victims/survivors of violence, their children and other dependents receive the comprehensive support they need in both a sensitive and timely manner.
- 19.13 Domestic Homicide Review (DHR): a multi-agency review of the death of a person aged 16 or over which has or appears to have, resulted from domestic abuse.
- 19.14 VAWG Violence Against Women and Girls refers to any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women and girls.
- 19.15 Intersectionality: the acknowledgement that everyone has their own unique experiences of discrimination, and we must consider everything and anything that can marginalise people – gender, race, class, sexual orientation, physical ability, etc.

## **20. Legal Context**

- Domestic Abuse Act 2021
- Mental Capacity Act 2005
- Housing Acts 1985, 1988 and 1996
- Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Children Act 1989 (and 2004)
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006

- Equality Act 2010
- Localism Act 2011
- Protection of Freedoms Act 2012
- Anti-Social Behaviour Crime and Policing Act 2014
- Care Act 2014
- Serious Crime Act 2015
- Homelessness Reduction Act 2017
- General Data Protection Regulations
- The Caldicott Principles

Further information regarding the homeless application process can be found at [Homelessness code of guidance for local authorities \(www.gov.uk\)](https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities)

## **APPROVAL AND REVIEW**

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