

# DOMESTIC ABUSE AND VIOLENCE AGAINST WOMEN AND GIRLS (VAWG) POLICY

## 1. INTRODUCTION

- 1.1 This policy sets out ISHA’s response to domestic abuse and Violence Against Women and Girls (VAWG).
- 1.2 ISHA will not tolerate domestic abuse perpetrated either towards or by our customers. Domestic Violence affects 1 in 4 women and 1 in 6 men. It is one of the leading causes of homelessness for women. ISHA is committed to tackling domestic abuse in all forms.

## 2 AIMS

- 2.1 The policy is a guide for staff on the principles of dealing with cases of domestic abuse or suspected abuse.
- 2.2 The policy aims to ensure that victims of abuse are dealt with sensitively, fairly and appropriately, according to their needs.
- 2.3 This policy is part of ISHA’s ongoing commitment to implementing best practice in our approach to domestic abuse and VAWG and aims to provide the foundation for this.

## 3 KEY TERMS & DEFINITIONS

- 3.1 ISHA has adopted the Home Office definition of Domestic Abuse (DA or DV), which defines domestic abuse as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality”.

This can encompass, but is not limited to, the following types of abuse:

- Psychological & Emotional (constant ridiculing, criticism, isolation from friends and family)
- Physical (actual violence or threats of violence)
- Sexual (rape or other non-consensual sexual acts)
- Financial (withholding access to money)

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- Female Genital mutilation (FGM), also known as female circumcision (procedures that include the partial or total removal of the external female genital organs for nonmedical reasons)
- Forced marriage – (To force someone to marry against their will or to force someone to marry who is unable to consent e.g. someone with a learning disability)

3.2 **Violence Against Women and Girls (VAWG)** refers to a range of violent or abusive acts that are usually, although not always, perpetrated against females, including but not limited to domestic violence and abuse, sexual offences, stalking, forced marriage, so-called ‘honour violence’, and FGM.

3.3 **Multi Agency Risk Assessment Conference (MARAC)** refers to regular local meetings which take place in most councils across the country to discuss the highest risk domestic abuse cases in the area.

3.4 **Domestic Abuse, Stalking and Honour Based Violence Risk Identification Checklist (DASH)** is a risk assessment used by professionals working with victims of domestic abuse to identify and categorise abuse experienced by victims. To refer a case to MARAC, a DASH must be completed. The minimum score for a ‘visible high risk’ referral to MARAC is 14 and the maximum overall score is 24.

3.5 Violence against a person under the age of 16 in a domestic setting is a Safeguarding issue and should be dealt with in line with ISHA’s **Safeguarding Children and Young People Policy**.

3.6 Violence Against a Person aged 18 or over in need of Community Care or Healthcare services because of mental or other disability or illness and who is or may be unable to take care themselves, or unable to protect themselves against significant harm or exploitation should be dealt with in line with ISHA’s **Safeguarding Adults Policy**

3.7 **Modern Slavery** - Someone is in slavery if they are:

- Forced to work through mental or physical threat
- Owned or controlled by an “employer”, usually through mental or physical abuse or threat of abuse
- Dehumanised, treated as commodity or bought and sold as “property”
- Constrained or have restrictions placed on their freedom

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## 4 STATUTORY AND REGULATORY FRAMEWORK

4.1 The policy takes into account the following legislation, which should be referred to by staff if required:

- Domestic Violence, Crime and Victims Act, 2004
- Protection from Harassment Act, 1997
- Modern Slavery Act 2015
- The Family Law Act, 1996
- The Housing Act, 1996
- Anti-Social Behaviour Act, 2003
- Anti-Social Behaviour, Crime and Policing Act, 2014
- Human Rights Act, 1998
- Equality Act, 2010
- Data Protection Act, 2018 and General Data Protection Regulation
- Serious Crime Act 2015

## 5 DETAILS

5.1 ISHA will ensure that customers are able to report domestic abuse in a variety of ways and we will respond to any report of domestic abuse within 1 working day.

5.2 Staff who receive a report of domestic abuse should refer this to the Housing Expert for the area as soon as possible. If the staff member suspects that there is an immediate risk of harm, they should call the police to report this immediately and then refer to the Housing Expert.

5.3 We will ensure that customers who approach us for assistance with domestic abuse are given a designated member of staff to contact, of the same sex if they prefer. We will provide translation services if required. We will be flexible about when and where we meet with victims of domestic abuse, subject to the staff member's safety not being compromised.

5.4 Staff will be sensitive to the needs of victims who report domestic abuse and will respond in a supportive manner, avoiding leading questions and encouraging them to report without offering false promises of confidentiality that may not be possible to keep.

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- 5.5 We recognise that leaving an abusive partner can take a long time, and many victims will leave and return on several occasions before leaving for good. ISHA will be non-judgmental if a victim decides to return to an abusive partner.
- 5.6 We will complete a DASH with all victims who report domestic abuse, or where we suspect domestic abuse or VAWG.
- 5.7 We will refer a case to MARAC immediately if the victim scores 14 or more on a DASH. Where a victim does not score enough on the DASH to be classed as ‘visible high risk’, staff will use their professional judgement and may still refer to MARAC if they believe the abuse is high risk, escalating, or that the victim may be minimising the abuse.
- 5.8 Where a case does not meet the threshold for a MARAC referral, ISHA will refer victims to external agencies for support, with their consent, and will encourage them to seek legal advice through agencies who provide support with legal remedies for victims.
- 5.9 Where we have serious safeguarding concerns, we will make a referral to adult social services. Where children are present, we will make a referral to children’s social services.
- 5.10 We will complete an action plan with the victim and provide ongoing support where required. We will maintain regular contact, agreeing the frequency and method of contact with them.
- 5.11 Where appropriate, we will support tenants experiencing domestic abuse to move, either through internal transfer, reciprocal agreements, or providing advice on approaching local authorities for rehousing.
- 5.12 Where the victim is not an ISHA tenant e.g. a leaseholder or household member of an ISHA tenant we will provide advice and signposting to agencies who can help with rehousing such as the local authority, Women’s Aid etc.
- 5.13 In conjunction with partner agencies, ISHA will provide extra security to homes of victims.
- 5.14 Where the victim is an ISHA tenant we will carry out repairs to properties damaged by perpetrators during a domestic abuse incident.

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5.15 We will take action against perpetrators of domestic abuse where there is evidence of abuse. We will only do so if this does not compromise the safety of the victim. If a tenant of ISHA is convicted of a domestic violence offence, we may seek possession of the property.

5.16 We will encourage victims to report incidents to the police and will do so on the victim's behalf if they consent to this and are reluctant to do so themselves.

5.17 We will work with agencies and partnership organisations to provide a 'joined-up' approach to domestic abuse and VAWG in the victim's best interest. With consent of the victim, we will arrange multi-agency meetings for cases that do not meet the threshold for MARAC.

5.18 Where we have concerns about a potential victim of modern slavery, or are suspicious about a situation that is potentially exploitative, we will contact the Modern Slavery Helpline on 08000 121 700. If we suspect that a person is being trafficked or is in immediate danger, this will be reported to the Police.

5.19 Where the victim and perpetrator have a joint tenancy, we cannot intervene to decide which party should occupy the property. In these circumstances we will refer the victim to obtain independent legal advice on their options, which include:

- Seeking an occupation order
- A court order to transfer the tenancy to their sole name
- The victim serving Notice to Quit to end a periodic or 'lifetime' tenancy

5.20 Where ISHA has rehoused the tenant as a direct result of domestic abuse or VAGW and they have served a NTQ to end a joint tenancy, if the perpetrator fails to move out when the tenancy has ended ISHA will take possession proceedings to remove them from the property.

5.20 We may also initiate ASB proceedings against the perpetrator of domestic abuse with the agreement of the victim

## 6 HEALTH AND SAFETY

6.1 Staff will follow ISHA's Health and Safety Policy and Procedures at all times and relevant statutory regulations. Where staff may have direct contact with suspected perpetrators, lone working devices should be utilised to ensure the safety of the staff member. Visits

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should be conducted by two members of staff where high-risk perpetrators are identified. All high-risk violent perpetrators should be recorded on the Staff Security List.

## 7 EQUALITY AND DIVERSITY

7.1 ISHA will ensure that this policy is applied fairly and consistently to all customers in accordance with our Equality and Diversity policy. Whilst we recognise that domestic abuse disproportionately affects women and girls, we will support any victim of domestic abuse regardless of age, gender, race, ethnicity, religion or any other protected characteristic as defined by the Equality Act.

7.2 ISHA will provide translation services where required for victims of domestic abuse. We will provide a case officer of the same sex if required by victims of domestic abuse.

## 8 DATA PROTECTION

8.1 Staff will ensure that they comply with ISHA's Data Protection Policy and our Privacy Policy, and only share information with the consent of the customer concerned, unless:

- ISHA is required to by law to share the information
- information sharing is necessary for the protection of children or a vulnerable person.
- Information sharing is required for the prevention or detection of crime

## 9 TRAINING

9.1 All Operational and front-line staff will receive appropriate training for dealing with reports of domestic abuse. Staff who visit customers in their homes will receive additional training on spotting the signs of domestic abuse and VAWG

9.2 ISHA will utilise the monthly staff meetings to provide Domestic Abuse awareness training and provide updates on legislation and best practice. Staff who deal with cases of domestic abuse will receive specialist training if required.

9.3 We will work with our contractors to ensure that staff are aware of the signs of domestic abuse and how to report them.

## 10 MONITORING

10.1 ISHA will maintain a register of cases to monitor cases of domestic violence. This will be recorded on ISHA's IT System and on the Anti-Social Behaviour Spreadsheet

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10.2 Cases will be individually reviewed on a monthly basis by the Head of Customer Neighbourhoods in 1-2-1s with case managers.

## 11 REVIEW

11.1 This policy will be reviewed every three years to ensure that the policy continues to meet its objectives and takes account of best practice, unless there are changes in legislation which require the policy to be reviewed at an earlier date.

## 12 ASSOCIATED DOCUMENTS

- Anti-Social Behaviour Policy and Procedure
- Safeguarding Adults Policy
- Safeguarding Children and Young Adults Policy and Procedure
- Data Protection Policy
- Privacy Statement
- Allocation Policy
- Customer Alert List

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