
DOMESTIC ABUSE POLICY

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1. REVISION/REVIEW SHEET

Issue	Brief Description of Reason for Change	Document Owner	Date Issued
Issue 0	Review of policy dated 18 th March 2010 – 3 year review	Mari Pritchard	09/13
Issue 1	Review of policy dated 09/13 and in response to new legislation Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015	Mari Pritchard	06/16

2. PURPOSE

- 2.1. The purpose of this policy is to set out how Cartrefi Cymunedol Gwynedd (CCG) deals with known cases of Domestic Abuse. This policy will give a clear definition of Domestic Abuse and ensure consistency in service delivery when responding to issues of domestic abuse.

3. SCOPE

- 3.1. This policy applies to all tenants and prospective tenants of properties owned by CCG.

4. RESPONSIBILITIES

- 4.1. It is the responsibility of the Director of Customer and Communities to ensure that this policy is applied effectively and that staff are trained appropriately in the procedures associated with this policy.

5. POLICY DETAIL

- 5.1. CCG regards Domestic Abuse as particularly serious as it can have devastating effects on victims and their family.
- 5.2. CCG will not tolerate Domestic Abuse by or against its tenants or other occupiers of our properties. We recognise Domestic Abuse as a crime and a breach of tenancy conditions.
- 5.3. CCG's policy refers to domestic 'abuse' in recognition that its impact can go beyond actual physical violence. Other local and national documents will refer to either domestic violence and/or domestic abuse.
- 5.4. Domestic abuse and violence is normally defined as any incident or pattern of incidents of controlling, coercive, 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.
- 5.5. Domestic abuse occurs across society regardless of age, gender, race, sexuality or wealth and can encompass, but is not limited to the following types of behaviour:
- **Physical abuse** – includes slapping, punching, kicking, biting, hair pulling and assaults with objects. Injuries that may be evident include bruising, cuts and fractures. Other injuries that are not evident could include internal injuries and miscarriages.
 - **Sexual abuse** - includes rape and non-consensual sexual acts.
 - **Emotional and/or psychological abuse** - this form of abuse may include intimidation, verbal abuse, humiliation and degradation. Any behaviour which causes fear is also included and may include shouting, staring, threats, gestures, property destruction, prolonged silences and harassment. Also, controlling behaviour such as isolating victims from friends and family and sources of support and regulating their everyday life.

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- **Economic and financial abuse** - this form of abuse may include controlling or withholding money or access to finances, demanding receipts for everything spent or providing an allowance knowing it to be insufficient and then using overspending as a reason to punish.
 - **Honour-based abuse** – this is also a form of domestic abuse and is explained by the perpetrator of the abuse on the grounds that it was committed as a consequence of the need to protect or defend the honour of the family. It can include all the types of abuse listed and specific crimes such as forced marriage and female genital mutilation.
 - **Adolescent to parent violence and abuse (APVA)** – whilst the definition of domestic violence and abuse applies to those aged 16 or above APVA can equally involve children under 16.
 - **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.
 - **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.
- 5.6. CCG will aim to deal with victims of domestic abuse in a sensitive, confidential and consistent manner in accordance with the policy, relevant legislation and guidance on best practice.
- 5.7. CCG will inform victims of domestic abuse of the options that are open to them in order that they may make informed decisions regarding their individual situation. We will also advise on tenancy matters and signpost or refer to supporting and relevant agencies.
- 5.8. CCG is represented on the monthly Domestic Violence MARAC (Multi Agency Risk Assessment Conference) which is coordinated by North Wales Police.
- 5.9. CCG will consider a range of options available depending on the individual circumstances and most importantly the victim's wishes. This may include :
- Working with the Police and other agencies to utilise legal powers, including where appropriate, the provisions within the relevant legislation to obtain an injunction (Anti -Social Behaviour Crime and Policing Act 2014) against or evict (Housing Act 1988) domestic abuse offenders.
 - Offering support through related partner agencies
 - Providing advice on temporary alternative accommodation and support where necessary

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- Assisting wherever possible in making the accommodation more secure in partnership with the Police and Domestic abuse and violence agencies in order to allow the victim of domestic abuse to remain in the home.
 - Recognising that evidence of domestic abuse from sources other than the victim e.g. a neighbour, may not always be available and accept the victim's account. Evidence from other sources may be required where legal action is to be taken.
 - In exceptional circumstances CCG may exercise its discretion, in accordance with Section 159(5) of the Housing Act 1996, to transfer tenants outside the Common Housing Allocation Policy. An example may be in cases where a CCG tenant is a victim of domestic abuse and needs to be moved for his or her own safety.
- 5.10. **Legal options** – these may include eviction, injunctions and exclusion orders. Victims of domestic abuse would always be advised to seek independent legal advice when considering these options.
- 5.11. A victim of domestic abuse may wish to take his/her own legal action and seek remedy under the Family Law Act 1996 and Protection from Harassment Act 1997. Remedies available include :
- **Non molestation orders** – orders the perpetrator not to assault, molest or harass another person or any 'relevant children'
 - **Occupation orders** – these are temporary court orders relating to the occupation of the home and determine who should live in the home until a final decision is made
 - **Restraining Orders** - is an order issued by the court to prohibit an individual from carrying out a particular activity, especially approaching or contacting a specified person.
- 5.12. **Process for dealing with domestic abuse incidents** –
- staff will be made aware of this policy and will be expected to support CCG's commitment in dealing with incidents of domestic abuse
 - if necessary an interview will be conducted in private (at a place of safety if required) with the victim after receiving information relating to an incident of domestic abuse
 - we will keep records of the incidents reported and investigations carried out
 - we will advise victims of domestic abuse what we are able to do and also establish what we can't do and sign post or refer to relevant agencies
 - CCG will encourage the victim of domestic abuse to report the matter to the police (however, this will not be a pre-condition for further action to be taken by CCG)

- CCG recognises that some cases of domestic abuse may be difficult to resolve but will endeavour to work in partnership with other agencies until the matter is concluded.

5.13. **Confidentiality** – CCG will maintain confidentiality when dealing with cases of domestic abuse but may share information with partner agencies in accordance with relevant legislation and agreed protocols. e.g. information may be shared with partner agencies such as the Police where a CCG officer identifies a perceived risk of harm to a child or any adult and in accordance with H&Spol34 – Safeguarding Vulnerable Groups Policy

6. RISK FACTOR

- 6.1. The risk of CCG not having a clear policy on Domestic Abuse that is compliant with legislation and best practice leading to loss of reputation and potentially expensive legal challenges.
- 6.2. The risk that CCG does not provide appropriate assistance and support to protect tenants who are victims of domestic abuse leading to tenants being hurt or killed.

7. EQUALITY AND DIVERSITY

- 7.1. In applying this policy CCG will be committed to treating all enquiries fairly and with regard to its Equality and Diversity policy.
- 7.2. CCG will ensure that this service meets the needs of everyone when responding to domestic abuse.

8. DEFINITIONS AND ACRONYMS

9. REFERENCES

- 9.1. CCG Relationship Breakdown policy (TSpol04)
- 9.2. CCG Anti- social behaviour policy (NSpol01)
- 9.3. Housing Act 1985,1988 &1996
- 9.4. Homelessness Act 2002 & Housing (Wales) Act 2014
- 9.5. Family Law Act 1996
- 9.6. Protection from Harassment Act 1997
- 9.7. Anti-Social Behaviour Crime and Policing Act 2014
- 9.8. Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- 9.9. CCG Safeguarding Vulnerable Groups Policy (H&Spol34)
- 9.10. Home Office- Information guide : adolescent to parent violence and abuse (APVA)

10. RECORDS

11. REVIEW

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- 11.1. This procedure will be reviewed every 3 years, or in response to changes in legislation, regulatory guidance, good practice or changes in other relevant CCG Cyf. Policy.