



Dartford Borough Council

Domestic Abuse Policy

January 2006

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DOMESTIC ABUSE POLICY

Dartford Borough Council condemns domestic abuse and recognises that it is a very serious offence. The Council is committed to working towards providing the best and most appropriate support and services for people experiencing or affected by domestic abuse. It is committed to playing a major role in awareness raising and bringing about social change to reduce both the incidence and acceptability of domestic abuse.

1. INTRODUCTION

We want our residents to feel safe in their own home, which is the basic right of every person. Many women or men stay in a violent relationship because they fear abuse and have been told by their partner that there is nowhere else to go. This policy sets out ways in which people fleeing from domestic abuse can access alternative housing for themselves and their children. We aim to:

- Reduce recurrence and prevent the incidence of domestic abuse;
- Improve the safety and welfare of both adults and children who are affected;
- Increase awareness and understanding of the issue of domestic abuse within the Dartford area;
- Provide a consistent and achievable policy framework for the Council to work within, when supporting those experiencing or affected by domestic abuse;
- Encourage multi-agency working to ensure delivery of a sound service to victims.

2. DEFINITION OF DOMESTIC ABUSE

What is Domestic Abuse?

The Government defines domestic abuse as “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.”

Research suggests that domestic abuse occurs in all sections of society irrespective of race, culture, nationality, religion, sexuality, disability, age, class or educational level.

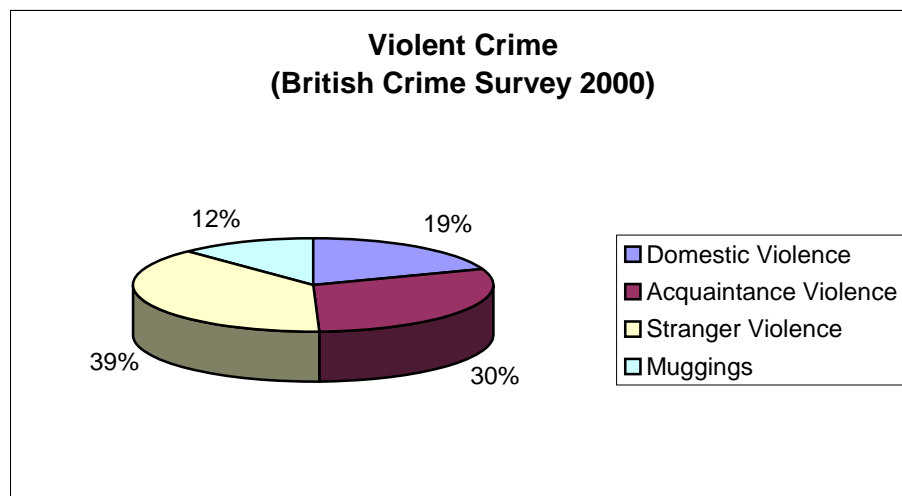
3. EXAMPLES OF DOMESTIC ABUSE

Domestic abuse can take a number of forms such as:

- **Physical abuse**, e.g. slapping, pushing, and stabbing, attempted murder or murder;
- **Sexual abuse**, e.g. rape and non consensual sex acts;
- **Emotional or psychological abuse** e.g. intimidation, isolation, verbal abuse, humiliation, degradation, not allowing friends or relatives to visit or phone, destruction of belongings, threat of legal sanctions, e.g. deportation, custody of children etc;
- **Financial abuse, denial of rights or restriction of personal freedom** e.g. withholding money or medical help.

4. NATIONAL CONTEXT

- Of all crimes reported to the British Crime Survey 2000, more than 1 in 20 were classified as domestic abuse.
- Domestic abuse accounts for approximately a quarter of all violent crime (see pie chart below).
- The Police receive an average of 1,300 calls every day about domestic abuse.
- Domestic abuse is the least likely violent crime to be reported to the Police (under one third of incidents are reported).
- In 1999, 37% of women murder victims were killed by their present or former partners - more than 2 murders per week.
- A domestic abuse incident takes place every 6 seconds.
- 1 in 4 women will experience domestic abuse at some point in their lives (Council of Europe 2002, Home Office Research Study 1999).
- 1 in 6 men will experience domestic abuse at some point in their lives (Council of Europe 2002, Home Office Research Study 1999).
- 1 in 9 women will experience domestic abuse to a level that requires medical attention in any one year (Counting the Cost, Stanko et al. 1998).
- Victims only contact the police after an average of 35 repeated incidents.
- 40% of all homeless women stated that domestic abuse was a contributor to their homelessness. Domestic abuse was found to be the single most quoted reason for becoming homeless (Shelter 2002).



5. THE NORTH WEST KENT CONTEXT

In January 2003, Kent Women's Support Service was commissioned to produce a report on the extent of domestic abuse and services in Kent. Through research and consultation exercises they found the following:

- North Kent Police:
 - 1,766 incidents of domestic abuse reported to the North Kent Police between April 2002 and March 2003 between family members, including partners (1,458 of which were solely between partners)
 - 652 repeat victims (611 of which involved the partner)
 - 403 perpetrators arrested (325 of which were the victims partner)
 - 189 perpetrators were charged

West/North Kent (Dartford, Gravesham, Sevenoaks, Tunbridge Wells and Tonbridge and Malling)

- 210,055 women over the age of 16
- 23,339 will have experienced domestic abuse to a level that requires medical attention in the past year (1 in 9)
- 52,513 will experience domestic abuse at some point in their lives (1 in 4)

(Source: Kent Women's Support Services, 2003)

6. DARTFORD CONTEXT

- There are approximately 43,814 women over 16 in the Borough (2001 Census, ONS)
- 10,953 of these will experience domestic abuse at some point in their lives (applying the Council of Europe's 1 in 4 ratio)
- 4,868 will experience domestic abuse to a level that requires medical attention (applying Stanko et al's 1 in 9 ratio)

- There are approximately 42,096 men over 16 in the Borough (2001 Census, ONS)
- 6,814 of these will experience domestic abuse at some point in their lives (applying the Council of Europe's 1 in 6 ratio)

6.1 Dartford Borough Council Homelessness Statistics

In the year April 2003 to March 2004, 12.6% (25) of homeless applicants (eligible, unintentionally homeless and in priority need) were received as a result of domestic abuse (violent breakdown of relationship, involving partner).

In the year April 2004 to March 2005, this figure had fallen slightly to 9.3% (17).

7. OBJECTIVES

By adopting this policy, Dartford Borough Council intends to:

- Ensure staff are trained appropriately and adhere to procedures when working with those experiencing or affected by domestic abuse.
- Respect confidentiality and adopt a non-judgmental approach.
- Respond sympathetically and treat the individual with respect and dignity.
- Work in partnership with the community, voluntary and statutory agencies to meet the aims and objectives for domestic abuse as set out in Dartford's Crime and Disorder Strategy.

- Consult with relevant service providers, support agencies and customers.
- Empower victims by informing them accurately of their rights and relevant services available.
- Ensure all employees across the council respond appropriately to enquires from customers by providing accurate information or by referral to the appropriate section or department with the agreement of the customer.
- Provide support and information, in the workplace, for employees experiencing or affected by domestic abuse.
- Ensure that the victim's agreement is obtained before referrals take place, except where there are child protection concerns, when referrals should be made as a matter of course.
- Ensure that children who are affected by domestic abuse are supported and protected appropriately and the needs and welfare of children are promoted.

8. STRATEGIC CONTEXT

Dartford Borough Council's Corporate Plan- sets out the Council's vision to make Dartford "the place of choice", and a place where people choose to live, work and enjoy their leisure time.

The Anti-Social Behaviour Strategy will direct the Council's approach to tackling anti social behaviour generally and not only within Housing Management.

Dartford Community Safety Strategy 2005–8 was produced by the Community Safety Partnership, a partnership of Dartford Borough Council, Kent County Council, Kent Fire and Rescue Service, Kent Police Authority, Dartford Gravesham and Swanley Primary Care Trust and Kent Probation Service. It sets out how the partnership will reduce crime, and the fear of crime in Dartford, and is informed by a Crime and Disorder Audit carried out every 3 years.

The Dartford Borough Council's Housing Strategy includes within its Strategic Objectives to "promote independent living and to ensure that the most vulnerable in our community benefit from being able to access appropriate accommodation and support" and specific targets to:

- Assist in streamlining housing management transfers and the development of a written policy for dealing with domestic abuse cases.

Additionally within the Housing Strategy there are the following commitments:

- Tackling Anti-Social Behaviour– to reduce anti-social behaviour and improve the quality of the environment on estates.
- Black and Minority Ethnic (BME) Households – to ensure that all tenants and residents have fair and equal access to housing and services.

The Dartford Homelessness Strategy was developed with partners, following a homelessness review. It identified 4 Strategic Objectives:

- To prevent homelessness wherever possible through maximising the provision of appropriate advice and support to those at risk of homelessness
- Provide a range of accommodation for homeless households and maximise the supply of affordable housing for all households
- Ensure there is sufficient and appropriate support to meet the needs of various client groups
- Improve access to health and social care for homeless people

The aim is to prevent homelessness by putting measures in place to help people, especially vulnerable people, maintain their tenancies.

9. MONITORING AND EVALUATION

Housing Options and Advice collect information, as required by central government, on the numbers of those applying and accepted as homeless who are experiencing domestic abuse. This will continue.

10. MARGINALISED GROUPS

The Council recognises that victims from marginalised groups may face additional barriers to accessing help and is committed to adopting a multi-agency approach in addressing these barriers.

Dartford Borough Council works with community groups to make sure mainstream domestic abuse services are aware of the complex needs of the diverse communities in Dartford.

10.1 Equal Opportunities

Dartford Borough Council has adopted a Comprehensive Equalities Policy. The Council's policy is to ensure equality of opportunity to help those who need support and advice services regardless of their ethnicity, age, gender or sexual orientation. All members of society will be treated equally and without prejudice.

10.2 Services to Minority Groups

Dartford Borough Council offers the following services to people from minority groups:

- The use of Language Line for those requiring linguistic support.
- The provision of information leaflets in minority languages on request.

11. WORKING IN PARTNERSHIP

The North Kent Domestic Abuse Forum brings together agencies involved in dealing with domestic abuse. The alliance created by the Forum has assisted in raising awareness and the profile of the issue of domestic abuse in the Borough of Dartford. The Forum has helped to create opportunities for joint working. The issue of domestic abuse involving ethnic minority groups in Dartford has also been promoted, as have the needs of other groups in society, who may require additional support and assistance.

12. INFORMATION SHARING

Partnership working around Domestic Abuse issues is important, particularly in relation to information and data sharing. The Council will comply with the Data Protection Act 1998, but will, where permitted by the Act, share information with other agencies about domestic abuse, to give effect to this policy. The Council will also look into adopting the Government's information sharing protocol.

13. A CONFIDENTIAL AND SENSITIVE SERVICE

The individual's right to confidentiality is paramount. The Council will ensure that employees know that maintaining confidentiality is of crucial importance to the safety of the victim experiencing domestic abuse.

Dartford Borough Council will not involve other agencies or share information without the consent of the victim concerned, unless:

- the Council is required to do so by law, or
- the information is necessary for the protection of children.

For employees experiencing and receiving support for domestic abuse, it will remain confidential as far as it is reasonably practicable within the Council's duties as an employer.

14. VICTIM CENTRED APPROACH

Victims of domestic abuse may find it very hard to discuss their abuse with others, particularly officials and strangers. If the Council's commitment to work towards ending domestic abuse is to be effective, then victims must feel that officers are open and approachable and that their problems will be taken seriously and they will be believed. Victims will be advised of options open to them, but no choices will be made for them and no pressure put on them to act in a particular way.

15. DOMESTIC ABUSE AND HOUSING

Dartford Borough Council recognises that everyone's situation is different and not all people want the same services or outcomes following an incident of domestic abuse. The following details the services available in Dartford.

15.1 Support to people who want to stay in their own home

Some victims of domestic abuse do not wish to leave their home and will be seeking advice and assistance to help them remain there in safety. Alternatively, some victims may not be aware of other options to re-housing.

Housing officers are aware that there are legal procedures which seek to protect men and women from violent partners and allow them to remain in their homes. These include Occupation Orders and non-molestation orders. However, such measures are not always quick or effective and victims will always be advised to seek legal advice before considering them. The Council cannot find a solicitor to act on behalf of a victim,

although the Council can provide information about solicitors in the Borough. Council officers will never seek to influence an applicant's decision.

15.2 Emergency Accommodation pending re-housing

Dartford Borough Council can offer emergency accommodation to people who are experiencing domestic abuse, which may be their own or through another agency. Emergency accommodation can be arranged outside of Dartford where this is necessary. If the decision to leave is taken or a person is considering such action, advice on housing can be provided by the Council's Homelessness Officers based at the Housing Advice Centre, Civic Centre in Dartford on **01322 343083/343082/343814**.

If a person finds themselves homeless and the Council offices are closed, they should telephone the Council's Emergency Out of Hours service on **0845 634 1212**.

15.3 Women's Refuges

There are refuges in Dartford and many more across the country, which offer somewhere safe to stay for domestic abuse victims (and their children if necessary). Refuges provide a space where you can have a break and make decisions without fear.

If a person comes to Dartford Borough Council's Housing Advice Team and needs somewhere to stay, the Council will try to find a space at a refuge, which provides a supportive and understanding environment. The locations and phone numbers are kept confidential.

15.4 Re-housing decisions - Choice Based Lettings

Officers can advise existing local authority and Registered Social Landlord tenants, as well as tenants in the private sector, of all the options relating to re-housing, including housing associations, the private rented sector and moves through the H.O.M.E.S mobility scheme, as well as re-housing by the local authority.

The Council's previous needs based points system has been replaced by Choice Based Lettings. Choice Based Lettings has been operational since April 2005 and gives tenants and residents, registered on the housing waiting list, the opportunity to express an interest in available properties. There are specific arrangements made for cases of domestic abuse within the general lettings criteria and victims of domestic abuse may be dealt with outside the Banding system.

The Council's allocation scheme also has the capacity to consider or decide on requests made by other Councils to re-house a person, by offering a reciprocal vacancy for a Dartford applicant.

15.5 Management Transfers

Management transfer priority will be awarded to Council or housing association tenants, who have a housing need due to exceptional circumstances not covered by the Choice Based Lettings Banding scheme. The level of priority will be dependent on how urgent the housing need is.

Requests for management transfer priority will be considered on receipt of a completed application form. A Senior Officer may authorise an offer of accommodation outside of the Choice Based Lettings Scheme, where a written recommendation is received from the Police or Social Services to transfer a household because of domestic abuse, severe harassment, or households placed under the witness protection programme, where the Council's Housing Management Policy has not resolved the problem, rendering a transfer the only option.

16. SUPPORTING PEOPLE FLOATING SUPPORT SERVICES

Kent Supporting People fund floating support services across the county. Domestic abuse victims, who present at the Council, can be offered the opportunity to access Floating Support Services.

Floating Support services have the following aims:

- They aim to increase independent living in mainstream housing of any tenure type.
- When the support leaves the person, they don't have to leave the accommodation.
- High levels of stakeholder involvement – including service user – are encouraged throughout the service planning and delivery.
- Support plans, the review process and the exit strategy are structured.
- The service can act as a broker to access other appropriate services.

It is also possible to self refer for support. Please contact the Council's Housing Options and Advice Team for further information.

17. LEGAL ADVICE

Domestic abuse victims who live in England or Wales and need information on a legal problem can get help and information about their legal rights from the Community Legal Service. To know who and where your local adviser is, go to **Community Legal Service Direct**. The Community Legal Service aims to ensure that people can get impartial information and advice about their legal rights and help with enforcing them.

The **Court Service** gives information about court procedures.

Legal advice can also be obtained from **Citizens Advice Bureau** in person or by visiting their website at www.adviceguide.org.uk.

The Council cannot find a solicitor to act on behalf of a victim, although the Council can provide information about solicitors in the Borough.

18. TRAINING

All existing and new Housing Management staff will receive training on domestic abuse and associated policies. Training will be reviewed regularly and updated, to help staff to be well informed when dealing with cases on a day-to day basis, keep abreast of

significant changes and ensure a high level of service is offered to the victim of domestic abuse.

19. REVIEW OF THE POLICY

The Council will consult with service users, staff and internal/external agencies in the periodic review of policies and procedures. Any legislative or government policy changes affecting domestic abuse will be reflected in the amended policy and practice.

APPENDIX A

RELEVANT LEGISLATION

- **Health and Safety at Work Act 1974 (and regulations thereunder)**- imposes a duty on employers to ensure, as far as is reasonably practical, the health and safety at work of their employees. The Management of Health and Safety at Work Regulations (1992) requires employers to assess the risks of violence to employees and make arrangements for their health and safety by effective planning, organisation and control.
- **Children Act 1989**- places a general duty on local authorities to provide a range of services to promote the welfare of children and to support families to enable them to care for their children.
- **NHS and Community Care Act 1990**- local authorities have a responsibility to support the most vulnerable people within society.
- **Housing Act 1996** part 7- states that it is not reasonable for a person to continue to occupy accommodation, where it is probable that this will lead to domestic abuse against her/him or their family.
- **Crime and Disorder Act 1998** Section 17 places a duty on local authorities to take into account crime and disorder in everything it does.
- **Human Rights Act 1998**- this Act incorporates into UK domestic law a number of 'articles' which set out human rights. Article 3 refers to the prohibition of torture and states that "no one shall be subject to torture or inhumane or degrading treatment or punishment".
- **Local Government Act 2000**- Duty to promote social and economic well being.
- **Race Relations (Amendment Act) 2000**- creates a general duty on public authorities to promote racial equality, requiring strategies and services designed to meet specific needs of people from black and minority ethnic communities.
- **Homelessness Act 2002**- The effect of Section 10 is to extend the categories of people in priority need to include those who have had to leave their home due to violence or genuine threat of violence. This broadens the previous provisions for domestic violence.

Adoption and Children Act 2002- Section 120 of the Adoption and Children Act expands the definition of harm in the Children Act 1989, so that it now includes “the impairment suffered from seeing or hearing the ill-treatment of another”.

- **Domestic Violence Crime and Victims Act 2004**

Makes breach of a non-molestation order an arrestable criminal offence.

- Allows cohabiting and same sex couples the same access to restraining orders as married couples.
- Makes common assault an arrestable offence.
- Enables the court to make restraining orders in relation to any criminal offence, on conviction or acquittal.
- Creates an offence of ‘causing or allowing the death of a child or vulnerable person’.

- **Children Act 2004-** imposes new duties on councils to ensure local co-operation to improve well-being, to make arrangements to safeguard children and promote welfare, as well as proposals for information sharing and Local Safeguarding Boards.

APPENDIX B

Local Services and Contacts In Dartford, Swanley & Gravesend



Dartford and Gravesham Women's Aid	01322 384792
Domestic Violence Police Unit	01322 283086
Citizens Advice Bureau	
Dartford	01474 361239
Gravesend	01322 224686
Swanley	01322 664949
Minor Injury Unit	01474 574217
Darent Valley Hospital	01322 428100
Victim Support (Swanley, Dartford and Gravesend)	01634 401733
Asian Language Mental Healthline	0808 800 2073
Kent and Medway Mental Healthline	0808 808 3333
KCA (formerly Kent Council Addictions, UK)	01474 567581
Surestart	
Dartford	01474 357569
Gravesend	01322 276317
Homestart	01474 325300
Advocacy Network (Dartford and Gravesham)	01322 285234
Racial Equality Council	
Dartford	01474 369329
Gravesend	01322 287251

Samaritans	01474 536222
Jobcentre Plus (Benefits Advice)	
Dartford	01474 592600
Gravesend	01322 488800
Gravesham Borough Council	
Housing	01474 564422
Homelessness	01474 337587
Dartford Borough Council	01322 343822
National Numbers/ Helpline:	
Domestic Violence Helpline (24 hour)- Freephone	0808 2000 247
Refuge Crisis Line (24 hour)	0808 808 9999
Women's Aid (24 hour)	0808 2000 247
National Society for the Prevention of Cruelty to Children (NSPCC)	0800 096 7719
Asian Child Protection Helpline	0800 096 7719
Shelterline	0808 800 4444
Law Society	0870 606 657
Community Legal Services	
Direct Helpline	0845 345 4345
Asian Specific Services	
Asian Deaf Women's Association	0208 221 0581
Asian Women's Refuge 'RAVI'	01634 581771 07808 733676
Newham Asian Women's Project	0208 552 5524
Southall Black Sisters	0208 571 9595

