

DOMESTIC ABUSE POLICY

Relevant Portfolio Holder	Cllr Shirley Webb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community & Housing Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	No
Key Decision / Non-Key Decision	No

1. SUMMARY OF PROPOSALS

- 1.1 The purpose of this report is to recommend the approval and adoption of the Bromsgrove District Council Domestic Abuse Policy set out in Appendix A.
- 1.2 The Domestic Abuse Bill 2020 passed by the House of Commons on 6th July will introduce a new law when it is due to come into force in April 2021. The new law will place a duty on councils to support victims of domestic abuse, including amongst other legislation, a requirement for councils to assess and provide support and safe accommodation to victims and their children.
- 1.3 Thousands more people are expected to be helped when the new law comes into force and this draft policy reflects Ministry of Housing, Communities & Local Government (MHCLG) guidance; which states that housing authorities should have policies in place to identify and respond to domestic abuse. The guidance also states that alongside their role in tackling homelessness, councils should take an active role in identifying abuse victims and referring them for help and support.
- 1.4 Alongside this, under the Homelessness Reduction Act 2017, Housing Authorities must take account of the current cross-government definition of domestic violence and abuse when designing and delivering services and; under the Crime and Disorder Act 1998 the council has a statutory duty to work with the police and other partner agencies to reduce crime, ASB and re-offending in its area. Section 17 of the Act also places a duty on councils to do all that they reasonably can to prevent crime, disorder and ASB.

2. RECOMMENDATIONS

The Cabinet is asked to RECOMMEND that

- 2.1 **The draft Domestic Abuse Policy (as set out at Appendix A) is adopted.**
- 2.2 **The Head of Housing and Community Services be given delegated authority to update and amend the policy in line with any new legislation and guidance, as and when required.**

3. KEY ISSUES

Financial Implications

- 3.1 The cost of domestic abuse for victims in England and Wales for the year ending March 2017 was estimated to be approximately £66bn.
- 3.2 A Home Office research report into the economic and social costs of domestic abuse also states that the biggest component of the estimated cost is the physical and emotional harms incurred by victims (£47 billion), particularly the emotional harms (the fear, anxiety and depression experienced by victims as a result of domestic abuse), which account for the overwhelming majority of the overall costs.
- 3.3 The cost to the economy is also considerable, with an estimated £14 billion arising from lost output due to time off work and reduced productivity as a consequence of domestic abuse. Some of the costs are borne by statutory authorities such as the costs to health services (£2.3 billion) and the police (£1.3 billion). Some of the cost of victim services will also fall to local authorities, such as housing costs totalling £550 million, which includes temporary housing, homelessness services and repairs & maintenance. Victim services costs also include expenditure by charities and the time given up by volunteers to support victims.
- 3.4 It is clear that addressing Domestic Abuse early and effectively, as well as providing much needed support and care to victims and their children, could lead to reductions in costs to a variety of public services that respond to and deal with the consequences of domestic violence and abuse
- 3.5 There is a direct cost to the council associated with providing staff training required to implement the Domestic Abuse Policy. The cost of training will be met within existing training budgets.

Legal Implications

- 3.6 The Council has a number of legislative requirements to address Domestic Abuse and provide appropriate support to victims and their families. Alongside, the requirements of the forthcoming Domestic Abuse Bill, this policy also links to the Homelessness Reduction Act 2017.
- 3.7 The policy meets the requirements of the Public Sector duty of the Equality Act 2010 which provides a framework to ensure council services are not provided in a discriminatory manner, having due regard to eliminating discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations between people from all communities
- 3.8 The policy is underpinned by the Council's legal obligations under the Human Rights Act (1998) and the European Convention on Human Rights to protect life

and to protect individuals from inhuman and degrading treatment. A comprehensive list of wider legislation to be considered in implementation is contained within the policy document.

Service / Operational Implications

3.9 The Domestic Abuse policy directly supports a number of the council's strategic purposes such as, "Living independent, active, healthy lives", "Affordable and sustainable homes" and "Communities which are safe, well maintained & green". The policy also contributes to North Worcestershire Community Safety Partnership's priorities to "Reduce violence and abuse" and "Protect vulnerable communities".

3.10 Reducing crime and disorder and improving community safety is a corporate priority and introducing this policy will demonstrate how the council will appropriately and effectively support victims of domestic abuse, making the process clearer for staff, customers and service users.

3.11 The policy outlines the council's commitment to ensuring that domestic abuse is recognised as a potential risk and considered in employee's interactions with customers and service users. It seeks to ensure that staff are provided with the correct information and support to be able to minimise risk and promote recovery

3.12 The policy reflects the current cross-government definition of domestic abuse:

"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"

Recognising that abuse can be psychological, physical, sexual, financial, and emotional and can encompass tactics such as controlling and coercive behaviour, 'honour' based violence, female genital mutilation and forced marriage

3.13 The policy is clear on the council's commitment to preventing all forms of abuse and identifying concerns safely and sensitively wherever possible.

Customer / Equalities and Diversity Implications

3.14 The Council recognises that its staff provide a wide variety of services to people, some of whom may be affected by domestic abuse. A council officer or Councillor may be the first, or indeed only, person in authority who has recognised the abuse or received a disclosure. As such, all staff and Members are required to have due regard to the provisions of this policy in their dealings with customers, service users and colleagues who may be affected by domestic abuse.

3.15 The Equality Act 2010 provides people with a protected characteristic with safeguards from direct or indirect discrimination, harassment and victimisation.

The policy recognises and details how domestic violence and abuse can disproportionately impact on people with protected characteristics and how staff can ensure that they provide support to all victims, appropriately and with sensitivity.

- 3.16 Once the policy is agreed, communication and training for staff will be implemented focusing on how to recognise domestic abuse, appropriately identify risks and offer effective support and information to victims.

4. RISK MANAGEMENT

4.1 This policy demonstrates the Council's commitment to providing appropriate care and support to our customers and service users who may be experiencing abuse. It outlines how the Council's will respond when dealing with disclosures, ensuring this is carried out appropriately and safely as staff undertake their roles as providers of public services.

4.2 The policy seeks to ensure that all council staff are aware of their responsibilities towards anyone affected by domestic abuse, including customers, service users and fellow employees in order to support disclosures, assess and manage risk; keeping the victim safety at the forefront of all interactions with council services

4.3 An officer's failure to recognise a victim who may be at risk or staff not being aware of the signs and indicators of domestic abuse, when interacting with customers and service users presents a significant risk to the Council. This is significantly mitigated by having a robust policy, agreed procedures and regular training in place.

5. APPENDICES

Appendix A – Draft Bromsgrove District Council Domestic Abuse Policy

6. BACKGROUND PAPERS

Domestic Abuse Bill 2020 Overarching Factsheet - [Policy Paper - August 2020](#)

Homelessness Reduction Act 2017 - [Homelessness Code-of Guidance for Local Authorities - Chapter 21: Domestic Abuse](#)

The Economic and Social Costs of Domestic Abuse, Jan 2019 - [Home Office Research Report 107](#)

AUTHOR OF REPORT

Name: Judith Willis - Head of Community & Housing Services

Email: judith.willis@bromsgrovenandredditch.gov.uk

Tel.: 01527 534149 (Internal Ext:3348)