

Version: 2 FOI Status: Public	Domestic Abuse Policy	Issued: July 2014 Review Due: July 2016
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## Derbyshire County Council Adult Care and Children & Younger Adults

### Domestic Abuse Policy

#### Approval and Authorisation

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Authorised by:	Policy and Procedures Group	July 2014

#### Change History

Version	Date	Name	Reason
V 1	November 2013	Lisa Morris	New policy document
V 2	July 2014	Lisa Morris	Major review and update alongside new Domestic Abuse Practice Guidance

This document will be reviewed on a regular basis – if you would like to make any comments, amendments, additions etc please email Dawn Nash – Procedures and Information, [dawn.nash@derbyshire.gov.uk](mailto:dawn.nash@derbyshire.gov.uk)

## Contents

1. Introduction.....	3
2. Definition of domestic abuse.....	3
3. National Context.....	4
4. Local Context.....	4-5
5. Partnership structure.....	5
6. Adult Care responsibilities.....	5-6
7. Children & Younger Adults responsibilities.....	6
8. Relationship with other Policies & Procedures.....	7
9. Derbyshire County Council's responsibility towards employees experiencing domestic abuse.....	7-8
10. Appendices.....	9

## Introduction

### **Abuse and Violence against another person is not acceptable**

Every minute in the UK an incident of domestic abuse is reported to the Police and it is estimated that on average 1 in 4 women and 1 in 9 men will experience domestic abuse at some stage in their lifetime. Domestic abuse can take many forms including physical, emotional, financial, psychological, sexual and so called “honour based” violence.

According to Walby and Allen’s findings in March 2004, 64 per cent of women and 94 per cent of men subject to domestic abuse did not think that what had happened to them was a crime. It therefore stands to reason that the number of reported incidents is merely the tip of the iceberg.

The purpose of this policy is to ensure that all Derbyshire County Council staff are aware of the extent and seriousness of domestic abuse and have a working knowledge of the policy and practice guidance that the Council has adopted to deal with it. The objective of the policy is to keep all potential victims safe within Derbyshire.

## **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.”

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.”

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.”

## National Context

It is estimated that domestic abuse accounts for one quarter of all reported violent crime with 635,000 incidents of domestic and physical assault occurring in England and Wales each year. Research also suggests that approximately 750,000 children witness or experience domestic abuse on an annual basis.

Tackling domestic abuse continues to be a priority for Central government.

In 2008-09 the Home Office produced their National Domestic Violence delivery plan which outlined the Government's four key objectives in tackling domestic abuse:

- early identification and intervention
- build capacity to provide effective support to victims
- improve the criminal justice response to domestic abuse
- support victims through the Criminal Justice System and manage perpetrators to reduce risk.

These objectives saw the introduction of the community response model to domestic abuse, as well as Multi Agency Risk Assessment Conferences (MARAC), Independent Domestic Violence Advisors (IDVA) and the Specialist Domestic Violence Courts (SDVC). In addition funding was provided for the continuation of national support lines, housing related support and dedicated support for victims facing Forced Marriage. Details of these services are outlined below.

Further work in this area came from the new Government in 2010, when the Home Office produced the new Violence against Women and Girls (VAWG) strategy. <sup>1</sup>

This Strategy outlines four key objectives for tackling violence against women and girls:

- prevent violence from happening by challenging the attitudes and behaviours which foster it and intervening early where possible to prevent it
- provide adequate levels of support where violence does occur
- work in partnership to obtain the best outcome for victims and their families
- take action to reduce the risk to women and girls who are victims of these crimes and ensure that perpetrators are brought to justice.

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<sup>1</sup> <http://www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/vawg-paper?view=Binary>

## Local Context

In 2011/12 there were approximately 19,673 incidents of domestic abuse reported to the Police in Derbyshire, indicating that more than 1 in 13 crimes in Derbyshire are domestic abuse related. Of those crimed incidents 80% were against female victims compared to 20% against male victims.

Multi Agency Risk Assessment Conference (MARAC) is a multi-agency approach to managing cases of domestic abuse where the victim has been identified as being at high risk of serious harm or homicide. MARACs were established across Derbyshire in September 2008. The number of referrals into MARAC in 2011/12 was 284 which is a decrease of 31% compared to 410 in 2010/11. The number of repeat referrals into MARAC has also decreased in 2011/12 by 5%, going from 98 in 2010/11 to 53 in 2011/12.

We currently have the following support services available within Derbyshire for victims of Domestic Abuse:

- Independent Domestic Violence Advisors - Dedicated support for high risk victims of domestic abuse
- Outreach support – individual support for medium risk victims of domestic abuse e.g Women’s Aid and Next Step
- Victim Support –support to low risk victims of domestic abuse
- Multi Agency Risk Assessment Conference (MARAC)
- Specialist Domestic Violence Courts (SDVC)
- Derbyshire Support and Advice for Men (DSAM) – telephone advice line
- Hadhari Nari – Black & Minority Ethnic (BME) specialist service
- Derbyshire Friend - Lesbian, Gay, Bisexual & Transgender (LGBT) service
- Children’s services – commissioned by Derbyshire County Council to provide support to children experiencing domestic abuse
- Derbyshire Domestic Abuse Helpline – 24 hour helpline
- Emergency accommodation for those fleeing domestic abuse.

Please see [Derbyshire Domestic Abuse & Sexual Violence Practice](#) Guidance for further information.

## Partnership Structure

On an annual basis, Derbyshire Constabulary, in partnership with Derby City Community Safety Partnership and the Derbyshire County Council Safer Derbyshire Partnership undertakes a joint strategic threat and risk assessment. This assessment process identifies the priority areas in relation to crime and community safety for the partnership to focus on over the following 12 months. Domestic abuse, rape and serious sexual assault consistently feature in the top ten priorities across the city and county.

Following on from the last threat and risk process it became apparent that Domestic Abuse and Serious Sexual Violence were areas of work where a collaborative approach by both Derbyshire County and Derby City partnerships would be beneficial. Collaborative working has given us the opportunity to share a wide range of knowledge and experience for best overall effect. We are able to agree shared local priorities and targets/ambitions; share resource and streamline cross agency processes and ensure a clearly identifiable Criminal Justice System with all agencies playing their part and working together.

In order to facilitate this collaborative approach a new governance structure was developed in conjunction with the Local Criminal Justice Board. The new structure can be seen at *Appendix A*.

## **Adult Care Responsibilities**

Adult Care is committed to providing coordinated services which safeguard children and young people and vulnerable adults at risk of harm. This is inclusive of those affected by domestic abuse.

The document, No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse<sup>2</sup> identified a role for Local authority Adult Care departments to play a co-ordinating role in developing the local policies and procedures for the protection of vulnerable adults from abuse.

Adult Care staff have a responsibility to ensure that all adults within Derbyshire who maybe being subjected to any form of violence are able to access services outlined above, that they are risk assessed in line with MARAC guidelines, and signposted to the relevant service provision.

Please see Derbyshire Domestic Abuse & Sexual Violence Practice Guidance for further information.

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<sup>2</sup> [No Secrets: guidance on protecting vulnerable adults in care - Publications - Inside Government - GOV.UK](#)



## Children and Younger Adults Responsibilities

The Director of Children's Services, under section 18 of the Children Act 2004, has responsibility for ensuring that a local authority meets their specific duties to organise and plan services and to safeguard and promote the welfare of children.

Domestic violence affects both adults and children within the family. Prolonged and/or regular exposure to domestic abuse can have a serious impact on children's safety and welfare, despite the best efforts of parents to protect them. An analysis of Serious Case reviews found evidence of past or present domestic abuse present in over half (53%) of cases.

Domestic abuse rarely exists in isolation. Many parents also misuse drugs or alcohol, experience poor of physical and mental ill health and have a history of poor childhood experiences themselves. The issues, which co-exist, compound the difficulties parents experience in meeting the needs of their children, and increase the likelihood that the child will experience abuse and/or neglect. ([Working Together to Safeguard Children 2013](#)). Please also see [the Derby and Derbyshire Safeguarding Children Board Procedures](#).

The police are often the first point of contact with families in which domestic abuse takes place. When responding to incidents of abuse, the police are required to ascertain if there are any children in the household. They should see any children present in the house to assess their immediate safety. A multi agency protocol has been developed which all staff should adhere to. ([Multi agency protocol](#))

Please see [Derbyshire Domestic Abuse & Sexual Violence Practice Guidance](#) for further information.

## Relationship with other Policies and Procedures

Where there is a concern that someone may be experiencing domestic abuse, agencies should firstly refer to the Derbyshire Domestic Abuse & Sexual Violence Practice Guidance document. However other policies and procedures may be of relevance including:

[Derbyshire Safeguarding Adults at Risk Partnership – Safeguarding Adults Policy and Procedures](#)

[Derby and Derbyshire Safeguarding Children Procedures](#)

[Domestic Abuse and Safeguarding Children protocol](#)

[Derbyshire Multi Agency Risk Assessment Conference \(MARAC\) operating protocol](#)

Multi Agency Practice Guidelines: Female Genital Mutilation (HM Government)<sup>3</sup>

The Right to Choose: Multi Agency Statutory Guidance for dealing with Forced Marriage (HM Government)<sup>4</sup>

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<sup>3</sup> <http://www.homeoffice.gov.uk/publications/crime/FGM?view=Binary>

<sup>4</sup> <http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-right-to-choose>

## Meeting Derbyshire County Council's Responsibilities towards Employees Experiencing Domestic Abuse

### Employees

Employees experiencing domestic abuse are urged to raise the issue with their line manager or confide in an HR officer or trade union representative, with confidentiality guaranteed.

Employees can use the Council's confidential telephone counselling service – more information on the counselling service is available here on dnet:

[http://dnet/working\\_for\\_us/your\\_wellbeing/workplace\\_options/default.asp](http://dnet/working_for_us/your_wellbeing/workplace_options/default.asp). If telephone contact is not sufficient, up to six face-to-face counselling sessions may be available, depending on individual circumstances.

Employees who fear they could be at risk from their abusive partner or family member whilst at work are encouraged to discuss security issues with their managers, health and safety officers and the risk manager.

Where financial difficulties arise as a result of domestic abuse, employees may ask for an advance in pay.

### Managers

Managers should be aware of signs which could indicate that a person is experiencing domestic abuse. Return to work discussions after an absence and subsequent review meetings or actions managing stress may reveal employees are experiencing domestic abuse.

Managers are able to use existing policies to help people with time off for example special leave or flexi leave.

Managers will be able to consider temporary changes in hours, shifts or duties and the possibilities of temporary relocation or redeployment.

Information about an employee who is experiencing domestic abuse may be recorded on FWi if they are receiving services from either Adult Care or Children and Younger Adults departments. Managers should be mindful of the accessibility of this information and ensure confidentiality.

## Appendix A – New Partnership Structure

