

THH Domestic Violence and Abuse procedure

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Domestic Violence and Abuse

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1. Definition

Domestic Abuse is '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, physical, sexual, financial or emotional.' This includes issues of concern to black and minority ethnic (BAME) communities such as 'honour based violence' (HBV), female genital mutilation (FGM) and forced marriage (FM). Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or step family. Domestic Violence (DV) and Domestic Abuse (DA) are interchangeable words used in the definition.

2. Service Provider

All staff including Neighbourhood Housing Officers (NHOs), Neighbourhood Team Leaders (NTLs), and Anti-Social Behaviour (ASB) Officers will record and refer reports according to this procedure. They will record and action advice from the Housing Options Service action taken against perpetrators, tenancy changes, rent freezes, and private sector rent deposits. In cases where there are joint tenants, ensure legal advice is sought and powers used to evict anyone who is clearly established as a perpetrator of DA. Monitor actions taken to inform improvements to service provision; make appropriate & effective referrals to support agencies; ensure information for customers is up to date and on display at all front line offices; work in partnership with LBTH DV Team to ensure best practice is incorporated to service provision; attend appropriate DA forums & panels.

The Housing Options Service will advise on emergency re-housing options and other advisors are listed in the Information Directory.

The DV Team at Tower Hamlets Council will monitor the Service; coordinate the borough Multi-agency Domestic Violence Forum and Multi-Agency Risk Assessment Conference (MARAC); and provide advice and guidance to front-line staff on specific cases.

3. Service Description

This procedure outlines how we will support and assist victims of DA. Tower Hamlets Homes will refer victims of DA to the relevant agencies using the DV1 form. (See the DA [intranet](#) page for guidance in completing the DV1 form).

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- We will provide up to date public information on DA and relevant services.
- Support and promote local campaigns to reduce social tolerance of DA.
- Support staff who are victims of DA.
- Advise the victim to contact appropriate partner agencies for emotional support, advocacy and counselling services. The Domestic Violence Information Directory can be located on the intranet. (Our partner agencies are located in the Domestic Violence Information Directory).
- Advise on housing options available, and arrange for any necessary repairs or additional security subject to the tenancy status and the perpetrator being excluded from the victim's home.
- Respond to enquiries and incident reporting of DA, using the DV1 form to refer, and store information confidentially, as well as referring high risk cases to MARAC. The NHO will carry out tenancy enforcement, action against perpetrators as and when necessary, including seeking legal advice. All DA cases with child protection issues should be referred to social services through the THH Safeguarding procedure.

4. Responsibilities

The Director of Neighbourhoods at Tower Hamlets Homes is responsible for DA at Strategic Management level.

All staff will be responsible for the actions contained in this procedure. NHOs will be responsible for maintaining copies of all correspondence and DV1 forms in a secure folder with supervision by Neighbourhood Team Leaders and/or the Domestic Abuse and Safeguarding Coordinator.

DV1 forms should **not** be stored on the tenancy file for confidentiality reasons. **There should be no mention of DA on any files (this includes Comino and Northgate) apart from the secure folder.**

All repairs needed as a direct result of DA will be prioritised in line with the repairs policy. If a lock needs to be changed, it is not normally best practice to change the locks without alerting the tenant. However, if the risk is such that the victim feels unsafe without the lock being changed, then a housing officer may use their discretion to ensure the victim's safety.

5. Application forms and guidelines

Domestic Violence

- DV1 Form: DV1 – Domestic Violence Referral 2018.doc with consent from the victim.
- Guidance on Completing the DV1 form.doc
- Violence Against Women and Girls Referral Pathway.doc
- Multi-Agency Risk Assessment Conference (MARAC) Domestic Violence Risk Assessment (DASH): MARAC DASH Risk Assessment Template - Jan 2019.doc
- Multi-Agency Risk Assessment Referral: MARAC Referral form – Jan 2019.doc
- THPP Information Sharing without consent Form Information Sharing without Consent Form: MARAC Info Sharing without Consent Form - Final Sept 13.doc
- Consent For Referral To The Tower Hamlets Multi Agency Risk Assessment Conference: MARAC Victim Consent Form - Final May 09.doc
- MARAC Victim Information Sheet.doc
- MARAC Research Form.doc
- MARAC Information Pack for Professionals.doc
- 3rd Party Report Template for MARAC Partners.doc
- Sanctuary Referral Form (SF1).doc
- Domestic Abuse Information Service Directory.doc

Prostitution

- Prostitution Multi-Agency Meeting Referral & Monitoring Form.doc
- Prostitution MARAC Information Sharing Consent Form .doc
- Prostitution MARAC Information without Consent Form: THPP Information Sharing without consent Form.doc

Sexual Exploitation

- MASE Referral Form.doc
- Guidance on completing the MASE referral form.doc

Trafficking

- Information on the National Referral Mechanism: Information on Trafficking.doc

6. Multi Agency Working

The council has a DV team and reviews the Violence Against Women and Girls Referral Pathway and procedures. The council also publishes the Domestic Violence Information Directory, where we can access details of all partner organisations.

Tower Hamlets Homes will attend the Multi-Agency Risk Assessment Conference (MARAC). The MARAC reviews and coordinates service provision in high-risk DA cases.

Tower Hamlets Homes also attends the Violence Against Women and Girls (VAWG) and Domestic Abuse Strategy Group, which is an inclusive forum for networking, consultation and information sharing about DA issues. The Head of Neighbourhoods attends on behalf of Tower Hamlets Homes.

Tower Hamlets Homes will also be guided by the THH Safeguarding procedure when considering risks to children.

6.1 Third party reporting

It is clear that we cannot force anyone to complete DV1 and there are many reasons why there is resistance to do so, i.e., direct to landlord or police may result in immediate safety repercussions. However it may be prudent at this stage to advise complainant of third party reporting facility within the borough & list the sites where they can do so.

6.2 Why the need for third party reporting

Recommendation 16 of the Stephen Lawrence Inquiry states that “all possible steps should be taken by Police Services at local level in consultation with local Government and other agencies and local communities to encourage the reporting of racist incidents and crimes. This should include the ability to report at locations other than police stations and the ability to report 24 hours a day”. It was recognised that there are many barriers to reporting Hate Crime and Third Party Reporting is an important way to overcome this.

6.3 Third Party reporting centres

A list of up to date third party reporting centres in Tower Hamlets can be found by contacting the LBTH Hate Crime team on 0207 364 6015 or by emailing hatecrim@towerhamlets.gov.uk

Victims of DA are subject to frightening and potentially dangerous abuse to which they are trying to find solutions. Asking for help is never easy. Your response could be a crucial factor in enabling the victim to make decisions about their future safety.

The following is taken directly from ‘Domestic Abuse – No Excuse’ directory:

- **Take it seriously**

Pay attention - remember how difficult it is to disclose DA and ask for help. Interview in private. Treat the client with dignity and respect. Take the time to listen and understand the current situation and explain how

you can help within the limitations of your role. Keep an appropriate confidential record of the case.

- **Be sensitive to your client's needs**

Offer a worker of the same gender and ethnicity if possible. Use women interpreters whenever needed. Check that agencies you refer to can meet their language and access needs. Do not use children as interpreters or conduct the interview in front of children.

- **Prioritise safety**

Remember that your client may be facing life-threatening violence - find out about the current circumstances - what threats have been made? Do they have a safe place to go? What are their specific fears? Always check this out before making an appointment for them to come back later – it may not be safe for them to do so. Remember that if someone is not safe to return to their home the Council has a responsibility, through the Homeless Services, to provide temporary accommodation.

- **Maintain strict confidentiality**

Abusive partners can go to great lengths to track down their (ex) partners. Never disclose information about your client or their whereabouts without their explicit agreement. Ensure that any records you hold are kept securely. Never disclose the address of a Women's Refuge, even to a work colleague. Information on DA cases should be shared on a very strict need to know basis.

- **Consider the safety of children**

If there are children in the family they could be at risk of significant harm. Even if they do not directly witness the violence they will almost always know what is happening. If there are infants under 1 year old in the family they could be particularly vulnerable. Children's Social Care can undertake an assessment of the child's needs and put a package of services in place to protect the child and the adult victim. A referral to Children's Social Care through a safeguarding referral should always be made if children could be at risk due to DA.

- **Never mediate**

Never mediate (or offer to pass on messages/hold joint meetings) unless you are a fully trained and accredited mediator working with appropriate supervision.

- **Be informed and aware**

Refer to and follow policies and procedures on DA. Make use of training opportunities open to you. Keep up to date information on key local services, and only give information you know is accurate. Consult the LBTH DV Team (0800 279 5434 or ext. 4986) if you are not sure what to do.

- **Respect your client's right to make their own choices in their own time**

The decisions involved in dealing with DA are complex and can be far reaching. It's no easier to leave an abusive relationship than it is to leave a non-abusive one, and leaving isn't the only option. It is unfair to expect anyone to make life changing decisions without careful thought and planning. The client may want the abuse to stop and the relationship to continue. They may be afraid of the consequences of taking action against the perpetrator, and need time to think through the implications. This does not mean that the abuse is not serious or that they do not deserve a professional service.

- **Do not judge or blame**

We all have the right to live free from violence, threats, intimidation and abuse. Victims of DA often feel that they are in some way to blame for the abuse they are suffering. Workers should never collude with this blaming. The reality is that the abuser is 100% responsible for their abusive behaviour and should be held accountable for it. If someone is at risk it is your job to help them get safe and find appropriate support, it's not your job to stand in judgement over them or their lifestyle.

- **Refer appropriately**

Never just fob someone off with a leaflet. If you cannot provide what is needed within the limitations of your role make an appropriate referral with the client's prior permission. Check with the agency you want to refer to that they can respond as needed, and fix up an appointment if possible.

- **Give clear information about what follow-up action you will take**

If you will be taking any further action make sure that your client is clear what this will be and what timescales are involved. Ensure they have a way to contact you again if they need to. Follow up with the victim once you have made a referral to ensure they have the support they require.

- **Keep thorough and accurate records**

Of the disclosure and the action you have taken. Ensure your records are kept in a secure, confidential file.

- **Ask for a safe address or telephone number**

Where you can send letters or leave messages without the perpetrator knowing (a neighbour or friend may be able to help) if you, or your agency, will need to contact them in the future.

- **Look after yourself**

Dealing with DA can be very stressful. You may feel very worried, shocked or helpless about what you have been told. Make sure that you deal with these issues with your supervisor/line manager or team members.

7. Procedure – step by step guide

7.1 Tenants

The NHO will interview the victim in a Private Interview Area. They will refer to the Violence Against Women and Girls Referral Pathway when they talk with victims.

Staff will listen to the victim to fully understand their situation and requirements and will then explain what further appropriate advice agencies are available, most of which are advertised in the LBTH Domestic Abuse Information Directory. Staff should try to understand exactly what it is that the victim wants.

They will then:

- Offer to make a referral to Victim Support using the DV1 form. They will need to victim's consent and should send the referral to idva.towerhamlets@victimsupport.org.uk

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- Make a safeguarding children's referral if children have been harmed or are at risk.
- The NHOs will make a file note for the Secure Folder with the supervision of their Team Leader or the Domestic abuse and Safeguarding Coordinator, including any outstanding actions/deadlines, and chase up actions (no details will be placed on the tenancy file).
- Discuss referrals to any other organisations that could provide specialist support.

7.2 Leaseholders and other THH residents

The victim will be advised that options available in addition to the above, depending on a range of factors, such as;

- Whether the victim is a leaseholder, in which case the member of staff will refer for legal advice to a family law solicitor to seek to exclude the perpetrator (no matter who is the legal owner of the property).
- Whether they are a sole tenant, a joint tenant, private tenant of a leaseholder or a shared owner (or they may have no tenure at all).
- Their income; the size of accommodation they require, and whether they are subject to immigration control.
- Whether the victim wishes to know about Legal Remedies, we will advise that they should seek legal advice from advice agencies as contained in the Domestic Violence Information Directory.
- Whether injunctions are in place, in which case these will be noted and acted upon by members of staff based on advice received from our partner agencies, for e.g. Homeless Services, Community Safety Team and ASB Caseworkers, the Police, the victims themselves.
- Whether management Transfers, evictions, private sector rent deposits, rent freezes can be considered in which case Officers from Homeless Services will inform the NHOs who will make the necessary notes on the SX3 system, and will take the necessary action e.g. secure the property, or commence eviction proceedings, instructing legal where necessary.

7.3 High risk cases

Tower Hamlets Homes will ensure that where victims of DA who are at high risk of serious harm or domestic homicide are identified, their cases will be referred to the MARAC.

The DASH multi-agency risk indicator checklist should be used for assessing risk to victims of DA. The DASH should be completed in all cases where 4 or

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more risk factors have been flagged on the DV1 form, although it is good practice to complete it with every case.

There are two thresholds for referral to the MARAC. The first is 14 ticks on the DASH indicator. Referrals can also be made on professional judgement where there are factors of particular concern i.e. significant risk to children or high number of previous incidents. To make a referral staff should complete the MARAC referral form and forward this along with the DASH risk assessment to domesticviolence@towerhamlets.gov.uk.

The Tower Hamlets Homes nominated representative to link into the local MARAC will be the Domestic Abuse and Safeguarding Coordinator. The nominated representative will receive details of all MARAC referrals and check these to see if they are known to THH. The NHO, with support from the Domestic Abuse and Safeguarding Coordinator, will attend the fortnightly MARAC meeting for any cases which have been referred by THH. The NHO will be responsible for completing and reporting back on any actions allocated to them.

Staff should also consider the risks to any children present in the household. The DASH risk indicator checklist contains supplementary questions around risks to children. Where there are concerns about risks to children from DA, staff must make a referral to Children's Social Care through the THH Safeguarding procedure.

8. Housing Options

Housing Options for victims of domestic violence include the following:

- **Remain within the home with the perpetrator**

Victim Support can support victims to put a safety plan in place. A basic safety checklist can be given, see the Domestic Violence Information Directory.

- **Remain within the home and exclude the perpetrator from the home using criminal or civil law remedies**

The victim can also apply for a civil injunction to gain some protection from their abuser.

Civil law protection advice should be sought from a specialist Family Law solicitor. There is a drop in Family Law Clinic at 104 Roman Road every Tuesday from 4:30pm. To access criminal law protection the abuse must be reported to the police.

Enhance safety and security through the installation of the Sanctuary Project. The Sanctuary Project offers victims of DA the option to remain safely and securely in their home through the installation of free, tailored home security (the perpetrator must be excluded from the property and the victim must be the sole tenant). Further details on the scheme are available at from the LBTH DV team. A referral can be made on the SF1 form to domesticviolence@towerhamlets.gov.uk

- **Leave the home and go to a Women’s Refuge, seek re-housing as a statutory homeless applicant, or find alternative accommodation using transfer of tenancy/mutual exchange/private sector renting/witness protection scheme.**

Anyone seeking emergency re-housing should be advised to go to any nationwide Homeless Persons Unit and Housing Advisory Service to discuss an application. Alternatively they can contact the National Domestic Violence Helpline on 0808 2000 247.

The NHO will explain the full range of housing options with the victim and refer to the Tower Hamlets Domestic Abuse Directory for a full range of options. If a transfer is being sought the NHO must refer the case to the Housing Management Panel.

The One Stop Shop happens every Thursday from 9:30-12:30 at Whitechapel Idea Store, 321 Whitechapel Road, E11BU. Key members from the Community Safety Unit – Police, LBTH Domestic Abuse Team, Housing Options, Victim Support and a solicitor – are present to provide advice and information and sign post victims of domestic abuse.

- **Owner-occupiers**

Owner-occupiers and leaseholders are entitled to assistance through the Housing Options Service if they are unable to remain in their home because of violence or threatened violence, subject to general eligibility requirements. They can be provided with emergency accommodation, and a statutory homelessness assessment can be conducted. Victims of DA in this situation should be advised to seek legal advice from a solicitor to deal with the property issues.

9. Legislation

- Housing Acts 1985 and 1996
- The Housing Act 1996
- The Anti-Social Behaviour Act 2003
- Homelessness Act 2002 Section 10

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- The Protection from Harassment Act 1997
- Criminal Justice and Public Order Act 1994
- Crime and Disorder Act 1998
- Equality Act 2010
- Family Law Act 1996
- The Police and Justice Act 2006
- The Domestic Violence Crime & Victims Act 2004
- Forced Marriage (Civil Protection) Act 2007
- Civil Partnership Act 2004
- Children Act (1989) (2004), Adoption and Children Act (2002)
- 'Clare's Law' 2012

10. Training

All staff will be offered training to be fully equipped and trained to support a victim of DA and complete the referral procedure including completing all appropriate forms and ensuring the victim is contacted after a referral has been made.

New staff will undergo DA awareness training as part of their induction at Tower Hamlets Homes.

Existing staff will undergo refresher DA awareness training every 3 years in line with legislation and the Care Act 2014.

Line managers are responsible for ensuring that their staff complete training and undergo refresher training as well as identify further training needs.

11. Monitoring and control

Neighbourhood Area Managers are responsible for managing the performance of this procedure. The Domestic Abuse and Safeguarding Coordinator is responsible for coordinating cases and supporting NHOs when appropriate.

Neighbourhood Team Leaders are responsible for collating and providing the following performance information monthly:

- Number of DV1 forms used per month, and to which agencies.
- Number of referrals to the Sanctuary scheme for repair works per month.
- Number of tenancy changes and evictions instructed per month, source of instruction, and completed actions or pending actions.
- Referrals to the MARAC.

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- Outcomes for each case to be recorded. Neighbourhood Team Leaders are to obtain updates from referral agencies or the victim and report on these.

Neighbourhood Team Leaders will also collect all data for their Area Office in regard to actions taken, DV1s completed, risk assessments undertaken; referrals to MARAC and all this information should be captured in the secure file.

12. Equality and Diversity

The Tower Hamlets Homes Domestic Violence and Abuse procedure has been developed in line with the Tower Hamlets Homes Diversity Policy and Strategy and within the scope of the Equality Act 2010 and the Human Rights Act 1998. The Domestic Violence and Abuse procedure applies to anyone that has been subjected to DA regardless of their gender. The procedure applies equally to people in same sex relationships, and also includes other household members not in a partner relationship. We understand that people from all communities can experience domestic violence. People from every class, age, gender, sexuality, gender identity, race and religion are abused, as are disabled people.

THH will seek to enforce this procedure regardless of the protected characteristics of the victim or the perpetrator. We will use professional interpreters where necessary, and provide publicity about DA in other community languages and formats on request.

13. Data Protection

We will abide by our duties in the Data Protection Act 2018.

We will store and refer information related to DA in confidence.

The Data Protection Act 2018 sets out six principles to make sure that information is handled properly. Data must be:

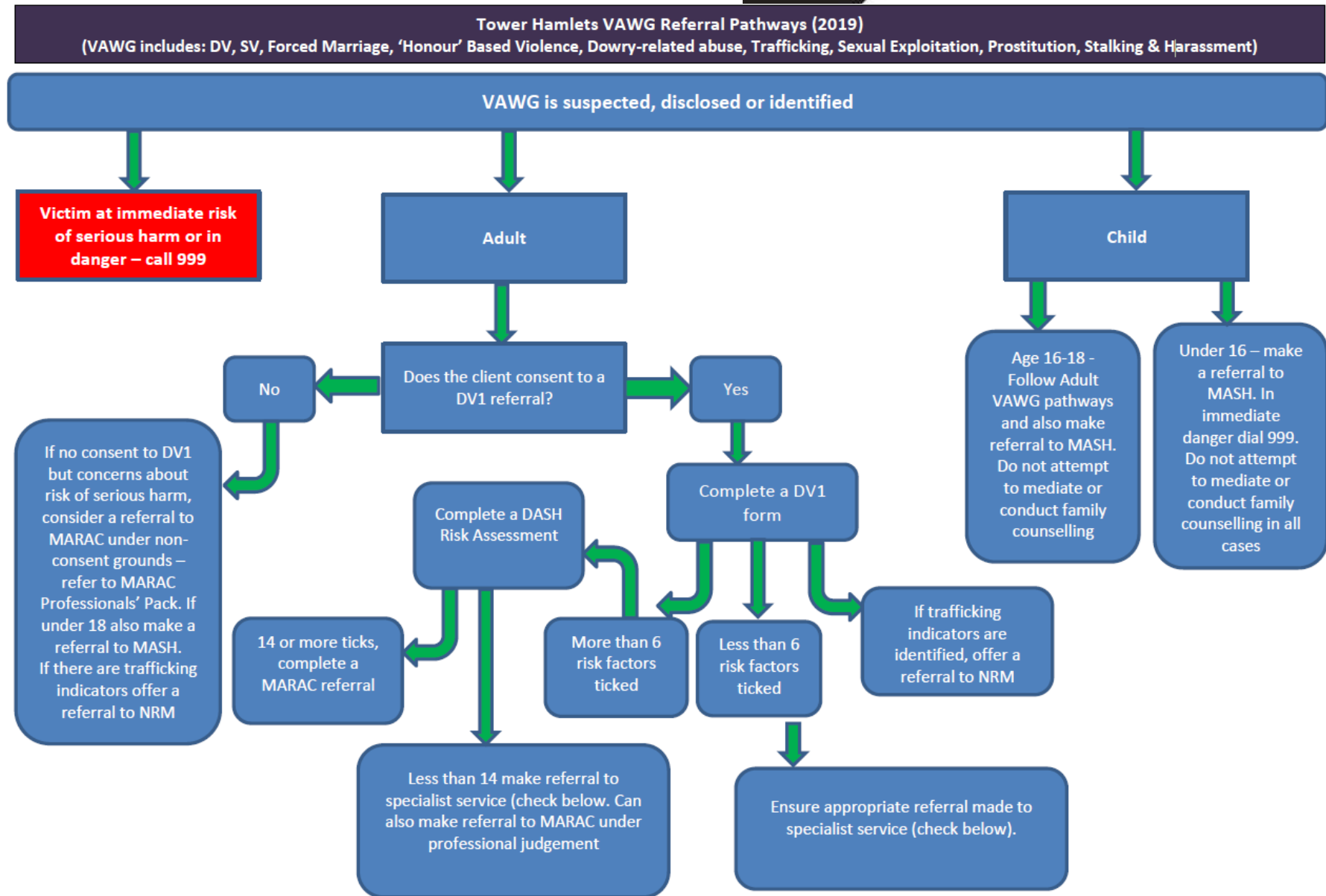
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- Fairly and lawfully processed and transparent.
- Processed for limited purposes in accordance with the Act.
- Adequate, relevant and not excessive.
- Accurate and kept up to date.
- Not kept for longer than is necessary.
- Kept secure.

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Key Specialist Services			
Tower Hamlets Services		National/London Services	
Domestic Violence Team (Office hours) Email: domesticviolence@towerhamlets.gov.uk	0800 279 5434	National DV Helpline	0808 2000 247
One Stop Shop (every Thursday) Idea Store Whitechapel	9:30am -12:30pm	Men's Advice Line (Male Victims)	0808 8010 327
MARAC Coordinator	0207 364 4986	LGBT DV Helpline	0300 9995 428
Specialist DA Court Coordinator	0207 364 1653/ 07950848159		
Victim Support IDVA Service (High Risk Victims)	020 7364 7402/7957		
Look Ahead (Medium & Low Risk Victims)	020 3222 4027		
Multi-Agency Safeguarding Hub (MASH)/ Integrated Pathways and Support Team (IPST) Email: jpst@towerhamlets.gov.uk	020 7364 5606/5601	Forced Marriage Unit	0207 008 0151
Children Services Out-of-hours	0207 364 4079	Honour Network Helpline (Karma Nirvana)	0800 5999 247
Adult Social Care Email adult.care@towerhamlets.gov.uk	020 7364 5005	IKWRO (Support for harmful practices)	020 7920 6460
		FGM Helpline (NSPCC)	0800 0283 550
		Project Azure (FGM, Metropolitan Police)	020 7161 2888
		FORWARD (FGM)	020 8960 4000
Housing Options	020 7364 7000	Stalking Helpline	0808 802 0300
		Paladin (Stalking Advocacy)	020 3866 4107
Targeted Youth Support	020 7364 2707	National Rape Crisis	0808 802 9999
Beyond the Streets	0800 1337870	GALOP (LGBT)	020 7704 2040
East London Rape Crisis Centre (NIA) [14 plus]	020 7683 1210	RESPECT (Perpetrators)	0845 802 4040
The Haven, Sexual Assault Referral Centre (SARC)	020 7247 4787	Deaf Hope UK	SMS: 07970 350 366
IMECE (Turkish, Kurdish and Turkish Cypriot women)	020 7354 1359	Ascent Legal Advice Line (Rights of Women)	020 7608 1137

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Ashiana	020 8539 0427	Childline	0800 1111
London Black Women Project (Young People Support)	020 8472 0528	Southall Black Sisters	020 8571 0800
Safer London (CSE and gangs)	020 7021 0301	Survivors UK (Male victims of sexual violence)	0845 122 1201
NIA Project (Young People Support)	020 7683 1270	Modern Slavery Helpline	0800 0121 700
East London Out Project (LGBT)	020 8509 3898	Salvation Army (Trafficking and Modern Slavery)	0300 3038151
Women's Health and Family Services (FGM Advocate service)	020 7377 8725/ 07496 764 876		