



## CAERPHILLY HOMES TASK GROUP – 11TH DECEMBER 2014

**SUBJECT: DOMESTIC ABUSE POLICY**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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### 1. PURPOSE OF REPORT

- 1.1 The report is provided in response to a Task Group member's request for information on what Housing Policies are in place to prevent offences relating to domestic abuse. The report requested was agreed at the Caerphilly Homes Task Group meeting of the 18th September 2014

### 2. SUMMARY

- 2.1 The Domestic Abuse Policy for Caerphilly Homes is contained within the Statement of Policy and Procedure for Anti-Social Behaviour. As domestic abuse cannot be tackled by one lone agency, the policy makes reference to the key agencies involved in addressing, responding to and tackling domestic abuse throughout Caerphilly. A copy of the Anti-Social Behaviour Policy, Procedure and Summary is available on the intranet on Directorate, Housing, Quick links and is also available on the Internet on [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)
- 2.2 The report refers to the above and explains what is new and what changes are likely to follow in the near future.
- 2.3 The Domestic Abuse Policy is intended as a cross-reference to all other housing policies and procedures which enables service users and staff to readily access the information when required.

### 3. LINKS TO STRATEGY

- 3.1 The overarching aims of Caerphilly County Borough Council (CCBC) in relation to anti-social behaviour and crime reduction are detailed in Caerphilly Delivers – The Single Integrated Plan 2013 - 2017. They are as follows:-

#### Prosperous Caerphilly

P2 – Improve standards of housing and communities, giving appropriate access to services across the county borough.

#### Safer Caerphilly

S1 – Reduce incidents of anti-social behaviour and reduce fear of becoming a victim of anti-social behaviour for residents.

S2 – Reduce crime and the fear of crime for the residents of the county borough.

S4 – Ensure people are supported to live in their own homes and communities in safety.

3.2 The Council's Local Housing Strategy "People, Property, and Places" has the following aims:-

Aim 6 - To provide good quality, well-managed houses in communities where people want to live, and offer people housing choices, which meet their needs and aspirations.

Aim 11 – To promote sustainable and mixed communities that are located in safe and attractive environments.

3.3 The Anti-Social Behaviour Act 2003 and the Code of Guidance provided by Welsh Government to assist social landlords in their development of a policy and procedure, encouraged and emphasised a 3-strand strategy for dealing with nuisance and anti-social behaviour – prevention, support and enforcement. The CCBC Housing Division, Statement of Policy and Procedure for Anti-Social Behaviour produced and followed by the Tenancy Enforcement Section is consistent with the overarching corporate aims and reflects the 3 strand strategy, emphasises an incremental approach to investigating and dealing with ASB and reflects good practice in this field.

3.4 The Council's Strategic Equalities Plan has the following aim:-

Equality Objective 1 – Tackling Identity Based Hate Crime: – To reduce the levels of real or perceived instances of identity based abuse, bullying, harassment and violence, hate crime and hate incidents in the county borough.

#### **4. THE REPORT**

4.1 The domestic abuse policy followed by Caerphilly Homes was last updated in September 2011. Since this time there have been a lot of changes and improvements to how domestic abuse is responded to by Caerphilly Council, Gwent wide and on a national level in Wales.

4.2 The current policy is in need of updating but due to the ongoing changes to the way domestic abuse incidents are responded to in Gwent and the pending Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill 2014 currently going through the Welsh Assembly, it is important to wait until these changes and this legislation is finalised before drafting a new policy. This will ensure that all the changes are included in the updated policy.

4.3 The current policy accurately reflects the position of how domestic abuse is responded to by various agencies. No agency should respond to complaints of domestic abuse in isolation, and the current policy reflects this. The recent changes have focused on this aspect and significant improvements have been made to improve the service provided to victims of domestic abuse. The main responder to reported incidents of domestic abuse is the Police and it should not be forgotten that domestic abuse is a criminal offence and is not gender based.

4.4 From a housing perspective the policy correctly reflects how housing staff should and do respond to an individual approaching the housing service for advice/ help/ assistance if they are experiencing domestic abuse. All front-line housing staff have received awareness training on domestic abuse and were made aware of the Welsh Domestic Abuse 24 hour helpline telephone number. This helpline is advertised on the CCBC website and staff have access to discrete items that can be provided to victims that will not arouse suspicion and have this telephone number on them as a bar code. The policy indicates the path(s) to be followed by staff in the above instance.

The Domestic Abuse Policy is not intended to be a prescriptive process for staff to follow. It is to be used as a guide for staff on where they can direct a person who requires assistance. If a person is directed to the Housing Advice Service they will follow the statutory guidance contained in the Housing Act 1996 as amended by the Homelessness Act 2002 in relation to the homeless process. If a person requires a transfer or move to another council property staff will follow the Council's Housing Allocations Scheme. The proposed new recharge procedure also contains a section on damage to properties caused by domestic incidents.

The decision on whether to recharge is at the discretion of the Manager based on the information provided about the incident.

- 4.5 Significant improvements have been made over the past 2-3 years on how housing interacts and exchanges information with other agencies in relation to incidents of domestic abuse to improve the service provided to victims. Caerphilly Homes has made a commitment to participate on the daily Domestic Abuse Conference Call (DACC) facilitated by Heddlu Gwent Police. DACC calls take place across Gwent in the 5 Local Authority areas.

Housing staff have participated in the Caerphilly DACC for over 2 years. The purpose of the call is to discuss all incidents categorised as a domestic abuse incident 24 hours after the incident has taken place. The main focus is to provide an effective, quick and appropriate response to all incidents based on the information available at the time, to assess risk, safety plan, protect victims and reduce risk of further harm and escalation of incidents. The other agencies that participate on the Caerphilly DACC are Probation, Social Services, Llamau Women's Services and Aneurin Bevan Health Board. Other agencies/organisations have access to the DACC information on the secure web site, but do not participate on the call. The Tenancy Enforcement Section took responsibility for participating on the call in April 2013. From April 2013 to March 2014 the Tenancy Enforcement Section discussed 1786 separate incidents during the DACC of which 597 involved council tenants as victims.

- 4.6 The DACC process feeds in to the Multi Agency Risk Assessment Conference (MARAC) where all high-risk cases of domestic abuse are discussed. Many different factors can determine if a domestic abuse case is categorised as high risk such as someone being a repeat victim, scoring 14 or more points on the DASH (Domestic Abuse, Stalking and Honour Based Violence) risk assessment, escalation of risk and frequency of incidents and professional judgement. A Housing representative has attended the Caerphilly MARAC since its inception in Gwent over 3 years ago. The Tenancy Enforcement Section has taken responsibility for attending these fortnightly meetings since July 2013. Between April 2014 and 15 October 2014, the Tenancy Enforcement Section have attended 14 meetings where 154 cases were discussed, giving an average of 11 cases being discussed at each meeting.
- 4.7 The benefit of participating on the DACC and attending the MARAC has been that Housing have a better knowledge of those tenants that may be the victims, repeat victims or perpetrators of domestic abuse and where appropriate through a risk management plan with other agencies can offer support and assistance and help to reduce and/or prevent further incidents occurring.
- 4.8 Gwent Police Domestic Abuse Unit will attempt to contact every person that has been the victim of a domestic abuse incident. They will offer the victim updates on the situation, access to support services, confirm consent to share details and will also visit to take more information. TES have made joint visits with the Domestic Abuse Unit to victims that are council tenants.
- 4.9 Very soon Gwent Police will be rolling out to all divisions the authority to use new legislation introduced by the Crime & Security Act 2010. This is a Domestic Violence Police Order (DVPO). It is currently a pilot in another part of Gwent. Under a DVPO a perpetrator can be removed from his/her property for up to 28 days – even if the property is a joint tenancy or jointly owned. A Police Officer can apply for a DVPO without the consent of the victim. Evidence used to support the DVPO can include hearsay, neighbours accounts, children's accounts, property damage, previous calls, etc. The evidential requirement is the balance of probability as a DVPO is a civil remedy. The application is authorised by a Superintendent and must be brought before the court within 48 hours. The purpose of the DVPO is to provide a cooling off period for the perpetrator but more importantly it will allow immediate protection from further harm and allow support services to work with the victim without the victim having to fear the imminent return of the perpetrator.
- 4.10 Llamau Womens Service will make contact with every victim that has consented to their information being shared with other agencies. Once contact is made and the victim agrees to

accept support from this service, whether the perpetrator still lives in the same property, Llamau can offer some form of support. They have caseworkers who can provide support, help, assistance and a shoulder to lean on. They offer the Freedom Programme which explains the process of domestic abuse, so that victims can learn to recognise the behavioural patterns to help them to take steps to protect themselves and they offer refuge facilities for those wishing to leave an abusive partner. They will help victims with rehousing, sorting out benefits, changing children's schools, doctors etc.

- 4.11 It should be noted that it is very difficult for any service to work with or offer support to a victim when the perpetrator still lives in the same property, or frequents the family home. This can often put the victim and other family members, such as children, at more risk of harm and every care must be taken to prevent this. Sometimes support can be arranged through a third party such as a doctor, friend or family member, but this is often difficult.
- 4.12 Since March 2014 the Tenancy Enforcement Section has provided target hardening equipment to persons who either have an open complaint with the Section or have been brought to their attention via the DACC or MARAC process. The target hardening equipment includes door alarms, personal alarms, door wedge alarms, window alarms, CCTV stickers, door bars etc. The purpose of providing these items is to help people feel safe, secure and protected in their homes, something that everyone should be entitled to feel.
- 4.13 Since July 2014 the provision of target hardening has been rolled out across the housing service and Estate Management Officers, Rents Officers, Tenancy Support Officers and Housing Support Officers now have their own supply of target hardening equipment that they can provide to anyone whom it would assist to feel safer in their home. The provision of target hardening equipment is to be further rolled out to the Tenant Liaison Officers in the WHQS team in the near future.
- 4.14 A commitment has been made by Caerphilly Homes to offer target hardening items to all persons housed from a womens refuge or homeless accommodation as a result of fleeing domestic abuse.

Since March 2014 – 86 tenant households have received some form of target hardening equipment from Caerphilly Homes. The breakdown of provision is as follows:-

Anti Social Behaviour	-	39
Housed from Refuge	-	8
Vulnerable Person	-	12
Domestic Abuse	-	27

A survey of the effectiveness of the provision of target hardening is to be undertaken for those persons assisted from March – September 2014. The budget for the purchase of the target hardening equipment is managed by the Tenancy Enforcement Manager.

The target hardening is funded out of the strengthening anti-social behaviour service budget, and a proportion of the annual budget has been allocated to fund this year on year.

- 4.15 The pending Gender-Based Violence, Domestic Abuse and Sexual Violence (Wales) Bill 2014 (the title seems likely to change back to the White Paper title of Violence Against Women, Domestic Abuse and Sexual Violence) is currently going through Welsh Assembly and is nearing the end of Stage 1 scrutiny. The draft Bill is quite a bit different from the White paper consultation and it is unclear what the final Bill will be.

One of the most significant aspects of the Bill is the introduction of a National Training Framework which is to be established across Wales, for all those who work in the domestic abuse arena. This will include those who have direct contact with victims, up to persons who have responsibility for the strategic focus of how to tackle domestic abuse. From a Housing perspective this will mean its likely all front line housing staff who deliver accommodation services will have to undertake training as prescribed by the proposed framework.

There are many other changes being proposed including a focus on the provision of target hardening homes to create safe accommodation, but until the Bill is finalised it is difficult to accurately state what affect this will have on the housing service. Once the Bill is finalised and commenced then the policy for domestic abuse will be updated in due course to reflect these changes and the other changes as described above.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 In addition to the issues covered in section 4 of this report, it should also be noted that Domestic Abuse and Equalities issues are very closely linked, as all domestic abuse to varying degrees contains for example, aspects of gender, age, disability, race or sexual orientation, even where this is not the primary reason for that abuse. Where these issues are a primary part of the abuse however, additional support is available in Wales.
- 5.2 The organisation called Victim Support has been tasked nationally to be a point of contact where hate crime or incidents occur, and some domestic abuse does cross into that area. Monitoring of victims helps identify the greatest areas of concern and any patterns or trends.
- 5.3 Victim Support works with police forces, community cohesion officers and local authorities to co-ordinate support.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications

## **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no personnel implications arising from the report.

## **8. CONSULTATIONS**

- 8.1 Consultation has taken place with Officers listed as Consultees.

## **9. RECOMMENDATIONS**

- 9.1 The report be noted.

## **10. REASON FOR RECOMMENDATIONS**

- 10.1 The purpose of the report is for information only.

## **11. STATUTORY POWER**

Housing Act 1996  
Anti-Social Behaviour Act 1996

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Background Papers:

Caerphilly Delivers – Single Integrated Plan 2013 – 2017  
Local Housing Strategy – People, Property and Places  
Statement of Policy and Procedure for Anti-Social Behaviour  
Code of Guidance for Local Authorities – Anti-Social Behaviour Policies and Procedures  
Strategic Equalities Action Plan  
Welsh Government White Paper – Consultation on Legislation to End Violence Against Women,  
Domestic Abuse and Sexual Violence (Wales)

Appendices:

Appendix 1 Extract of the Domestic Abuse Policy Section from the Statement of Policy and  
Procedure for Anti-Social Behaviour