



Domestic Abuse & Harmful Practices
April 2021

1st Draft

0.	DOCUMENT CONTROL		
0.1	SUMMARY		
0.2	DOCUMENT INFORMATION		
Role	Name/Position	Date	
Author			
Approved by			
Document Reference			
0.3	DOCUMENT STATUS HISTORY		
Version	Date	Change owner	Reason for Update
0.4	DOCUMENT REVIEW DATE		
Review Due			
Responsible Officer			
0.5	CONSULTATION		
0.6	DISTRIBUTION		
Name / Department	Title		
0.7	ASSOCIATED DOCUMENTS		
Ref:	Title:		
Ref:	Title:		

Contents

Page

1. Scope	4	
2. Policy Statement	5	
3. Implementation	6	
4. Consultation	7	
5. Responsibility	7	
6. Diversity & Inclusion	9	
7. Monitoring and Review	9	
Appendix 1	Definitions	11
Appendix 2	Safeguarding Structure Leadership and Performance Management	14

1. Scope

This policy applies to all employees and workers of Torus, including secondees into and out of the organisation, volunteers, trainees, contractors, and temporary workers, including those working on a bank or agency contract.

For ease of reference, all employees and workers who fall under these groups will be uniformly referred to as 'staff' in this document.

2. Policy Statement

This Domestic Abuse & Harmful Practices Policy is designed to give clarity and guidance to all Torus staff in responding to domestic violence and abuse and harmful practices when promoting the welfare of adult victims, young people, children and families. This Policy is designed to ensure that all staff working for or on behalf of Torus provide a consistently high standard of service delivery to the adults, young people, children and families within their care.

For ease of reference, domestic abuse, domestic violence and harmful practices will be uniformly referred to as domestic abuse in this document. Definitions are detailed within Appendix 1.

Torus recognises that domestic abuse is a crime, the impacts of which cut across all social and cultural groups. It is a crime generally committed in private behind closed doors and is under-recorded. It is however, far from being a private issue as domestic abuse impacts on the emotional, physical and psychological wellbeing of the people who are abused and the children who live with them. This can take many forms and has no boundaries in society.

This policy recognises that both men and women can be victimised through domestic abuse, although a greater proportion of women experience all forms of domestic abuse, and are more likely to be seriously injured or killed by their partner or ex-partner.

The effects of domestic abuse can be wide-ranging and people experience it regardless of their social group, gender, age, ethnicity, marital status, disability, sexuality or lifestyle. In particular, domestic abuse has significant cost and health implications including serious injury, exacerbation of other medical conditions, stress and mental illness.

Research into disabled women's experiences has found that the effect of being both disabled and a woman places disabled women at significant and higher risk than women in the general population. More than 50 per cent of disabled women in the UK may have experienced domestic abuse in their lives, and may be assaulted or raped at a rate that is at least twice that of non-disabled women.

Compared to the general population, men and women with severe mental illness experienced a substantially increased risk of domestic and sexual violence, as well as higher prevalence of family violence and adverse health impacts following victimisation.

Although disabled women are twice as likely to experience domestic abuse as women without disabilities and are more likely to be at high risk of serious harm, statistics collated by Co-ordinated Action Against Domestic Abuse (CAADA) about people identified as being at high risk from domestic abuse show relatively low numbers of people with health and social care needs.

This may be because for this group, domestic abuse is even more under-reported or recognised than in the general population.

Research has found that domestic abuse is experienced by women regardless of age, disability, ethnic background or mental health. The majority of perpetrators of interpersonal abuse in domestic circumstances are men, most of whom are themselves older people. The eldest women are found to be at greatest risk of neglect whilst men over 65 are more likely to experience financial abuse. Most perpetrators of financial abuse are younger people of both genders. More incidents of domestic abuse homicide where the perpetrators are children or grandchildren on parents or grandparents is also being reported.

As a phenomenon, domestic abuse is a 'hidden harm' that takes place 'behind closed doors' across all age groups. Similar to younger age groups, older people rarely access statutory agencies directly, in cases where domestic abuse is detected it is usually a third party report that discloses the abuse to statutory agencies. Often younger victims of domestic abuse will access specialist domestic abuse services from the third sector, however older people do not appear to access support from these specialist services either. Consequently, older people are under-represented across both statutory and third sector service provision and thus these sectors have limited knowledge about older people's needs.

There is a growing recognition that domestic abuse may occur at a similar rate within LGBT relationships as it does within heterosexual relationships. Women may experience abuse from women, and men from men. People experiencing domestic abuse in a same-sex relationship may have previous experience of or fear homophobia from agencies.

The consequences of not accessing support can be fatal. 'Standing Together' (National Charity) reports that of 32 Domestic Homicide Reviews that took place between 2012 and 2014, eight related to disabled and older people, three were mothers killed by adult sons, four were older women killed by their older husband/male partner; and in one case an older man was killed by his younger male partner.

In order to protect and safeguard tenants and service users, it is acknowledged that there is a need to share information and work in partnership with other agencies with greater experience of domestic abuse in order to reduce the risk of harm to victims.

Torus believes that residents and service users and those living with our residents and service users should not live in fear of violence or abuse from a partner, former partner or any other member of their household and is committed to supporting residents and service users at risk.

Where a child, young person and or a vulnerable adult is experiencing domestic abuse, employees need to follow this policy and associated procedures.

Responsibilities for safeguarding are enshrined in legislation. This policy has been informed by all relevant guidance (statutory and non-statutory) that seeks to protect adults at risk including:

- The Children Act 1989
- The Children Act 2004
- The Care Act 2014
- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children 2018
- Modern Slavery Act 2015
- HM Government Violence Against Women and Girls 2010
- The UN Convention on Rights of the child (1992)

- The Human Rights Act 1998
- Equality Act 2010
- The Serious Crime Act 2015
- Female Genital Mutilation Act 2003
- Mandatory reporting of female genital mutilation: - Procedural information 2015
- Public Interest Disclosure Act 1998
- Domestic Violence Crime & Victims Act 2004
- Domestic Violence Crime & Victims Amendment 2012
- Domestic Violence Disclosure Scheme (Clare's Law)
- Forced Marriage Act 2007
- Handling Cases of Forced Marriage Ministry of Justice 2009
- Serious Crime Act 2015
- Sexual Offences Act 2003
- Sex Offenders Act 1997

3. Implementation

3.1 Multi Agency Approach

Torus will work with key partner agencies to ensure individual cases are responded to in the most effective way for the victim and their families.

As a Housing Provider, Torus plays a key role at the Multi Agency Risk Assessment Conference (MARAC).

3.2 Advice & Support

As a Housing Provider, Torus has a crucial role to play in raising awareness and enabling residents experiencing domestic abuse to seek help and remain safe.

Torus will seek to keep tenants and service users at risk of domestic abuse safe by:

- Ensuring a structured and systematic approach to safeguarding
- Ensuring everyone in the organisation understands their role and responsibilities in relation to domestic abuse and is provided with appropriate support to recognise, identify and respond to signs of domestic abuse
- Ensuring appropriate action is taken in the event of an incident or concern being raised and support provided to those who raise or disclose the concern
- Providing clarity regarding roles, accountability and responsibility from 'Board to Floor' in safeguarding adults at risk (Appendix 2)
- Providing effective management for staff and volunteers through providing supervision, support, training and quality assurance measures
- Recording and storing information safely and securely and sharing information about domestic abuse with tenants and service users, their families, carers and staff and volunteers via leaflets, discussion and / or training as appropriate
- Sharing concerns, along with relevant information, with agencies who need to know
- Agreeing outcome measures and systems such as audit and case review to identify when safeguarding interventions are effective and to underpin quality improvement

4. Consultation/Resident Involvement

Consultation with residents, service users and operational staff has been established throughout the development of this policy at several stages and the policy content has been influenced by their feedback.

5. Responsibility

Roles and Responsibilities

5.1 Torus Board

The Board has ultimate responsibility for ensuring that this policy and associated procedures are in place and complied with to protect tenants and service users.

The Board will assure itself of compliance with this policy through the accountability arrangements delegated to the Chief Operating Officer and via consideration of the metrics described within the Torus Safeguarding Dashboard and associated reports to the Audit and Risk Committee.

The Board has ultimate responsibility for ensuring that an effective system for managing any risks associated with domestic abuse exists within Torus and that all staff working in Torus are aware of and operate within this policy.

The Board will assure itself of compliance with this policy through the accountability arrangements delegated to the Strategic Safeguarding Group and via consideration of an annual report prepared by the Safeguarding Lead supported by the Safeguarding Operational Group.

5.2 Chief Executive (CEO)

The CEO of Torus provides strategic leadership, promoting a culture of supporting good practice and excellence with regard to Safeguarding (domestic abuse) within the organisation and promotes collaborative working with other agencies.

5.3 The Chief Operating Officer

The nominated Director at board level responsible for reporting to the Board on safeguarding (domestic abuse) issues, providing assurance that the organisation is meeting its safeguarding requirements on an annual basis, promoting initiatives to ensure that Torus has robust arrangements for safeguarding and providing leadership in the long term.

The Chief Operating Officer has individual responsibility for ensuring that a Domestic Abuse and Harmful Practices Policy and associated procedures (Domestic Abuse Toolkit) exist; that both are implemented effectively; that all staff are aware of and operate within the requirements of the policy and procedures and that systems are in place for the effective monitoring of the standards contained within the policy.

5.4 The Safeguarding Strategic Group

The Safeguarding Strategic Group will promote safe and sustainable safeguarding practice within the organisation, provide assurance to the Audit and Risk Committee and in turn the Board on how its statutory obligations are met.

4.5 The Operational Lead for Safeguarding Adults

The Operational Lead for Safeguarding Adults will provide operational leadership and expert practice and support to manage any serious domestic abuse issues, will strategically lead operational improvements, innovations and best practice, monitoring the quality and effectiveness of services against performance indicators and standards.

The Operational Lead will ensure participation in the work of the multi-agency subgroups of the Local Safeguarding Adults Boards and active participation in the work of Community Safety Partnerships regarding domestic homicide and associated multi-agency review.

The operational lead will co-ordinate and oversee Torus participation in a multi-agency Domestic Homicide Review (DHR) including the Individual Management Review Report (IMR) if required. The final IMR will receive scrutiny and endorsement by the Chief Operating Officer.

The Operational Lead will maintain management oversight of significant incidents where there are issues of domestic abuse and ensure dissemination of lessons learnt from multi-agency domestic homicide reviews and advise on the implementation of recommendations. This will be reported via the Safeguarding Dashboard through to the Audit and Risk Committee.

The Operational Lead will encourage and nurture a culture of case discussion, reflective practice and the monitoring of significant events at a local level

5.6 The Safeguarding Operational Group (SOG)

Torus Safeguarding Operational Group (SOG) will be responsible to drive the implementation and monitoring of this policy to ensure adults at risk are safeguarded whilst accessing services provided by Torus.

5.7 The Domestic Abuse Steering Group (Task and Finish)

The Domestic Abuse Steering Group (Task and Finish) has been established to provide operational leadership and support to the Torus Group safeguarding improvement agenda and organisational response to Domestic Abuse (to include Harmful Practices) and, by doing so, improve outcomes for tenants, service users, their families, their children and young people experiencing, having experienced, or at risk of Domestic Abuse (to include Harmful Practices).

- To enable the voice of tenants and service users, children and young people to input into the development and delivery of Domestic Abuse and Harmful Practices policies, procedures and training plans
- To provide specialist input, scrutiny and quality assurance of Torus Domestic Abuse Policies and Procedures when required
- To identify and promote good practice and integrate new ways of working, for example related to legislative changes or evidence-based practice. (NB. Domestic Abuse Bill 2020)

- To influence and support a consistency of approach across all service areas
- To influence the development and delivery of the Domestic Abuse component(s) of Torus Safeguarding Training Strategy and training plan by agreeing and advising on the level of competence required by staff groups
- To quality assure Domestic Abuse training programmes commissioned by Torus.
- To ensure that learning from Domestic Homicide Reviews and Serious Case Reviews (where Domestic Abuse is a factor) impact on improvements in operational delivery across services
- To work in collaboration with the Dashboard Task and Finish Group and establish robust data collation and analysis of DA activity and performance across Torus service areas
- To report to the Safeguarding Operational Group (SOG) quarterly on DA activity analysis
- To ensure that multi-agency, joined up interventions, resources and services are known to families and staff and that this is reflected in policies and procedures.

5.8 Line Managers

Line managers will be responsible for:

- Contribute to the dissemination and implementation of this policy
- Develop and promote training needs and priorities and contribute to the delivery of training for staff
- Provide/ensure provision of effective safeguarding appraisal, support, peer review and supervision for staff
- Ensure all staff within their department are aware of this policy and the process to be followed in the event of suspected domestic abuse
- Ensure all staff have access to the appropriate level of training as defined in the Torus safeguarding training strategy and training needs analysis
- Provide routine management supervision assuring core competencies in safeguarding (domestic abuse) practice
- Manage any immediate safeguarding and protection issues
- Co-ordinate referral and safe transfer of responsibilities
- Co-ordinate any alternative action plans
- Make decisions about referrals to local authority Safeguarding Services and MARAC and apply conflict resolution processes in cases of disagreement regarding thresholds for intervention
- Ensure staff in their areas meet mandatory training requirements in safeguarding (domestic abuse) and provide support to those making safeguarding referrals

5.9 All Staff

All members of staff (including contractors and volunteers) have responsibility for adherence to this policy and associated procedures (toolkit). All staff are responsible for recognising and responding to allegations of domestic abuse by ensuring that they discuss their concerns with their line manager, refer their concerns or assist in the referral and complete an incident report in accordance with Policy.

All staff should contribute to whatever actions are needed to safeguard and promote the welfare of tenants and service users and take part in regularly reviewing outcomes against specific plans and outcomes.

6. Diversity & Inclusion

Equality, diversity and inclusion are important to Torus. Throughout the development of this document, due regard has been given to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited in the Equality Act 2010).

The following have also been referenced in the development of this document: European Convention on Human Rights, and the UN Convention on Rights of Persons with Disabilities.

This policy will not discriminate, either directly or indirectly, on the grounds of the nine protected characteristics (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex; and sexual orientation).

A statement linked to Torus' Diversity & Inclusion statement to ensure there are no adverse effects of the policy.

7. Monitoring & Review

The Safeguarding Operational Group via the Policy / Procedure / Audit Task and Finish Group and the Domestic Abuse Steering Group will monitor this policy through a system of audit and case review.

This policy document is due for review in two years unless new legislation, a Local Safeguarding Adults Board(s) directive or learning from a serious incident such as a Domestic Homicide requires earlier review.

Appendix 1 Definitions

Domestic abuse: Home Office (March 2018)	<p>Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between people aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but it is not limited to:</p> <ul style="list-style-type: none">• psychological• sexual (including female genital mutilation)• financial• emotional• forced marriage• honour-based violence. <p>A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced in the Serious Crime Act 2015. The offence imposes a maximum of five years imprisonment. The offence closes the gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse allowing for earlier identification, intervention and prevention.</p>
Controlling behaviour	<p>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.</p>
Coercive behaviour	<p>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.</p>
Coercive or controlling behaviour offence	<p>A coercive or controlling behaviour offence came into force in December 2015 (The Serious Crime Act 2015). It carries a maximum 5 years' imprisonment, a fine or both. Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their perpetrators to justice.</p> <p>The offence closes a gap in the law around patterns of controlling or coercive behaviour that occurs during a relationship between intimate partners, former partners who still live together or family members.</p> <p>Guidance for police and criminal justice officials</p>
Domestic abuse and young people	<p>In 2012, the changes were made to the definition of domestic violence and abuse to raise awareness that young people in the 16 to 17 age group can also be victims of domestic violence and abuse. By including this age group the government hopes to encourage young people to come forward and get the support they need, through a helpline or specialist service.</p>
Honour Based Violence (HBV)	<p>The terms "honour crime" or "honour-based violence" embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder where the</p>

person is being punished by their family or their community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour.

In transgressing this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the “shame” or “dishonour” of the family. It can be distinguished from other forms of abuse, as it is often committed with some degree of approval and/or collusion from family and/ community members. Victims will have multiple perpetrators not only in the UK; HBV can be a trigger for a **forced marriage**.

Forced Marriage

Forced marriage is a term used to describe a marriage in which one or both of the parties are married without his or her consent or against his or her will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents or a third party in identifying a spouse, although the difference between the two may be indistinct.

Forced marriages are generally made because of family pride, the wishes of the parents, or social obligation. A forced marriage is a marriage in which one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In the cases of some vulnerable adults who lack the capacity to consent, coercion is not required for a marriage to be forced.

The United Nations views forced marriage as a form of human rights abuse, since it violates the principle of the freedom and autonomy of individuals.

Female Genital Mutilation (FGM)

All procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. – World Health Organisation.

FGM provides no health benefits, it contravenes human rights, it is illegal in the UK and it is child abuse.

Domestic Homicide Reviews (DHRs)

Were established on a statutory basis under the Domestic Violence, Crime and Victims Act 2004.

A domestic homicide review is convened by the local community safety partnership when the defined criteria has been met following the death of a person aged 16 or over who’s death has, or appears to have, resulted from violence, abuse or neglect.

The purpose of a DHR is to:

- establish what lessons are to be learned from the domestic homicide regarding the way in which local professionals and organisations work individually and together to safeguard victims
- identify clearly what those lessons are both within and between agencies, how and within what timescales they will be acted on, and what is expected to change as a result
- apply these lessons to service responses including changes to inform national and local policies and procedures as appropriate

Multi-Agency Risk Assessment Conference (MARAC)

- prevent domestic violence and homicide and improve service responses for all domestic violence and abuse victims and their children by developing a co-ordinated multi-agency approach to ensure that domestic abuse is identified and responded to effectively at the earliest opportunity
- contribute to a better understanding of the nature of domestic violence and abuse highlight good practice.

A MARAC is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors.

After sharing all relevant information they have about a victim, the representatives discuss options for increasing the safety of the victim and turn these into a co-ordinated action plan.

The primary focus of the MARAC is to safeguard the adult victim. The MARAC will also make links with other fora to safeguard children and manage the behaviour of the perpetrator.

**Torus Safeguarding Structure
Leadership and Performance Management**

