

## **DRAFT DOMESTIC VIOLENCE** **POLICY AND GUIDELINES**

### **Policy Statement**

Rochford District Council recognises the serious effects Domestic Violence has on peoples lives, both emotionally and physically, and is committed to ensure that our clients have a good quality of life. Working in partnership with other organisations the Council has placed Domestic Violence as a key primary objective within the Crime and Disorder Reduction Strategy.

### **1 Legal Requirements**

Domestic Violence is a crime and as a Council we have a duty to protect our residents.

- 1.1 Under the Housing Act 1996, people have the right to apply to the Council if they feel it is unreasonable for them to occupy their current accommodation due to Domestic Violence. The Council is under a duty to provide housing advisory services to anyone who is threatened with homelessness, or is homeless, free of charge.

### **2 Definition :**

- 2.1 Rochford District's Domestic Violence Panel :-  
' Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between people who are, or have been intimate with partners or family members regardless of gender'
- 2.2 Domestic Violence is a misuse of power and the exercise of control by one partner or family member over another.
- 2.3 The abuse is usually by a man to a woman; in some occasions by a woman to a man. It also occurs in relationships of the same sex.

2.4 Domestic violence involves a pattern of **physical** and/or **emotional abuse**.

Physical abuse can range from :-

- Slapping
- Beating
- Rape
- Sexual degradation
- Punching
- Knife wounds
- Murder

Emotional abuse can range from :-

- Threatening behaviour or threats to cause harm
- Bullying
- Insults
- Constant criticism
- Intimidation
- Restricting partner of freedom i.e. seeing family and friends

### **3 Principle of the Policy**

- 3.1 To provide the best quality advice and information to individuals and their families.
- 3.2 To recognise that Domestic Violence is taken seriously by Rochford District Council.
- 3.3 To respect the victims right to choose the best course of action for their situation.
- 3.4 To recognise the importance of confidentiality.
- 3.5 To complement other corporate policies, procedures and strategies.

### **4 Good Practice for Staff (service delivery)**

When a victim of Domestic Violence approaches the Council for advice it has taken a lot of courage, especially to talk to a stranger about something so personal. For a client to get support, someone to recognise his/her needs and be provided with the correct advice will encourage them to feel happy to return to us.

- 4.1 When a client approaches the Council looking for advice and support he/she must be treated seriously.
- 4.2 All interviews should be carried out in a private area e.g. interview room.
- 4.3 To ensure the Council provides a good service the following practices should be observed:-
- Ensure that what the client tells you is treated with complete confidentiality. No information to be passed to another organisation without consent from the client.
  - Provide the client with information and telephone numbers of other agencies that specialise in Domestic Violence.  
(especially out of hours emergency numbers)
  - Be sensitive.
  - Reassure them it is not their fault.
  - Consult with either Community Safety Unit or specialist agencies if you are unsure of anything.
  - Refer to Housing Health and Community Care department for advice on Housing Options.
  - Ask the client for a contact number, it may not be safe to contact him/her at home.

Do not :-

- Endanger yourself or the client.
- Assume that only women experience DV.
- Ever underestimate the level of fear they may feel.
- Ever make choices for the client. He/she must make their own decision however hard it may be.
- Attempt to contact the abuser.
- Assume gender of perpetrator.

## 5 Children living with Domestic Violence

- 5.1 Children are deeply affected by witnessing/experiencing Domestic Violence. The effect of abuse in their lives can lead to physical and behavioural symptoms, such as :-

- Bedwetting
- Nightmares
- Failure to achieve at school
- Illness, eczema etc
- Eating problems
- Depression
- Aggression
- Lack of concentration
- Stress caused by living in fear

A child/young person witnessing Domestic Violence or being abused themselves can also lead to being an ABUSER or a future victim themselves.

- 5.2 If a member of staff is in any doubt that a child or a young adult is being abused, whether it being physical or emotional, consult with your Line Manager or Community Safety Unit as soon possible.
- 5.3 **NEVER** attempt to talk to the abuser. Contact Child Protection Team at Rayleigh Police Station or Social Services (Essex Direct) as soon as possible. Telephone numbers are in the directory at the back of the Policy.
- 5.4 Do not question the child/young person, Social Services and the Police are professionally trained to deal with these sensitive issues.

## 6. Staff living with Domestic Violence

The effect Domestic Violence can have on your life doesn't just stop at home, but can lead to problems at work e.g.

- Depression
- Poor concentration span
- Nervousness
- Lack of confidence
- Time off work due to sickness

- 6.1 A member of staff experiencing Domestic Violence will receive support from their Line Manager, Personnel or the Domestic Violence Officer (Community Safety Unit), if they have chosen to divulge information of a private nature to them.

- 6.2 Any member of staff who approaches a department for specialised advice will be guaranteed the same confidentiality offered to the public. If a member of staff wishes to speak to the department's manager only, that can be arranged.
- 6.3 The appropriate list of agencies and emergency numbers, which will be attached to the DV Policy, should be provided to the member of staff.
- 6.4 Managers should give consideration for leave to be taken for solicitors, doctors, or housing advice appointments within work time (depending on leave available and staff cover).
- 6.5 The effect of Domestic Violence can easily be increased if the victim works with the perpetrator, whether it is in the same office or another department. The council already recognises this and covers it in the **Harassment at Work Policy**, section 1, and item 4.

## **7. Monitoring & Statistics**

- 7.1 According to Home Office statistics, as many as 5.7 million incidents of domestic violence occur every year.  
Research was carried out and it was found that in England in a 24-hour period there were 1,150 calls to the police reporting DV.
- 7.2 Rochford District Council's statistics from April 2000 to date, show that 88 domestic violence cases perpetrated by people known or a family member have approached the Council. This averages to 3 cases per fortnight, 27% of these have been since April 2002, which shows an increase.
- 7.3 Staff to complete the attached monitoring forms, following an enquiry at the front desk, telephone enquiry, housing advice, homeless application, housing or transfer application.
- 7.4 The form is to be sent in a sealed envelope marked private and confidential to Julia Mitchell, Assistant Community Safety Officer

## **8. SOCIAL HOUSING**

- 8.1. Any allegation that a tenant has been the victim of DV will be investigated sensitively and taken seriously. Information and evidence will be collected to support any legal action, as the Tenancy agreement (clause 3.12)

- prohibits a tenant or visitors from threatening or committing violence towards any other person
- 8.2. Consideration will be made to undertake legal proceedings against the perpetrator where the Legal Division advises that there is sufficient evidence to effect an eviction. A Notice Seeking possession under Ground 2A, Schedule 2 to the Housing Act 1985 is required, where one partner has left because of violence or threats of violence by the other. The violence must be the real or effective reason for leaving and must be particularised on the notice and in the pleadings.
  - 8.3. As a last resort one tenant may end a joint tenancy under common-law, by serving a Notice to Quit, ending the tenancy and occupation rights of all tenants (under *L.B.Greenwich v McCrady* [1982]). However it must be remembered that such action may exacerbate bad relations between the parties, putting one party at an increased risk of retaliation and may affect any homelessness application. If this method is used, the property may be offered to the aggrieved party, if considered appropriate or alternative accommodation will be provided.
  - 8.4. Tenants or applicants wishing to move, who have experienced DV, will be awarded 10 additional points under the Letting Policy for Social housing, supported by a report from Police, Doctors, Social Services. If the incident has not been reported, contact other sources with permission from client. If the case is considered very serious, then additional points under Social/Welfare points.

**Monitoring Form**  
**Domestic Violence**

Client's Name: \_\_\_\_\_

Client's Address: \_\_\_\_\_

\_\_\_\_\_

Safe Contact Number \_\_\_\_\_

Residential Status: Council tenant/ Private rented/ Owner occ/  
Sheltered housing/ Housing association

Identify which category best describes the relationship with perpetrator:

Married	<input type="checkbox"/>
Agree to marry	<input type="checkbox"/>
Cohabitants/have been cohabitants	<input type="checkbox"/>
Related (i.e. Mother, father, brother)	<input type="checkbox"/>
Associated through child	<input type="checkbox"/>

Children involved, if yes, how many and state gender: \_\_\_\_\_

Please describe briefly the incident type:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Would the client like a visit from the Assistant Community Safety Officer? if so,  
please state the safest address or telephone number they can be contacted on:

\_\_\_\_\_  
\_\_\_\_\_

Please briefly describe why the client approached the Council and what advice  
was  
given: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Complete the following details about the client:

Male ☐

Female ☐

Date of birth \_\_\_\_/\_\_\_\_/\_\_\_\_

Age range: under 21 ☐ 21–30 ☐ 31–40 ☐ 41–50 ☐ over 50 ☐

Please tick appropriate box:

<b>Asian or Asian British</b>	<b>Black or Black British</b>	<b>Chinese or other ethnic group</b>	<b>Mixed</b>	<b>White</b>
Indian	Caribbean	Chinese	White and Black Caribbean	British
Pakistani	African	Other	White and Black African	Irish
Bangladeshi	Other		White and Asian	other
Other			Other	

Completing Officer Name: \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_

**Please forward form to Julia Mitchell, Assistant Community Safety Officer in a sealed envelope marked private and confidential.**



## WHERE TO FIND HELP AND ADVICE

**Name:** ChildLine  
**Tel:** 0800 1111

**Times open:** 24 Hours

**Brief overview of services:** The helpline is for young people and children, they will be able to help with any kind of problems, including abuse. If anyone is worried about a friend they can ring this number or write at: **Freepost 1111, London N1 OBR**

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**Name:** Citizens Advice Bureau  
**Address:** Back Lane, Rochford, Essex, SS4 1AY  
**Tel:** (01702) 545552

**Address:** Civic Suite, Hockley Road, Rayleigh, Essex  
**Tel:** (01702) 770782

**Brief overview of service:** Free advice service on all aspects; will offer support, financial advice and guidance where required.

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**Name :** The Dove Project  
**Address:** 4 West Road, Westcliff-on-Sea, Essex  
**Tel:** (01702) 302333

**Brief Overview of services:** The Dove Project is a centre where women and children can drop in and have a chat with one of the trained staff. They can provide support & counselling whatever decision the client makes and give advice on any options available. The children are safely supervised for in a playroom.

Advice surgeries: Domestic Violence issues; Make an appointment to see a local solicitor (free initial consultation); Evening Advice Surgery; Training workshops to raise awareness for men and women; Fledgelings (child contact centre), which is a safe and supervised place for the children and parents (cases only referred by the courts).

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**Name:** Lesbian, Gay and BI-sexual persons (South Essex Switchboard)  
**Tel:** (01702) 344355

**Helpline is open: Monday & Thursday:** 7.00 p.m. – 10.00 p.m.

**Brief overview of services:** To provide support & information.

**Name:** NSPCC Child Protection Helpline  
**Tel:** 0800 800 500

**Times open:** 24 Hours

**Brief overview of services:** The helpline available for adults as well as young people and children. They will offer advice and take necessary action to stop the abuse.

**Name:** Rayleigh Police Station  
**Contact:** (Domestic Violence Liaison Officer)  
**Address:** 119 High Street, Rayleigh, Essex SS6 7QB  
**Tel:** (01702) 775533  
(01702) 798113 Direct

**Brief overview of service:** Advice on legal aspects of domestic violence; provide support throughout any legal action; accompany victims to court or to their property; liase with other Agencies on behalf of the victim.

**Name:** Relate  
**Tel:** (01702) 342901

**Times open:** Monday – Friday 9.00a.m. to 2.00p.m.  
Monday – Thursday 6.00 p.m. to 9.00 p.m.  
Saturday - 9.00 a.m. to 12.00 noon

**Brief overview of services:** Relate offers private & confidential service for both individuals and couples, over 16 years of age, who are experiencing difficulties in their relationship.

**Name:** Rochford District Council

**Contact:** Holly Johnson (Homelessness and Housing Advice Officer)  
**Address:** Council Offices, South Street, Rochford, Essex, SS4 1BW  
**Tel:** (01702) 546366 (Appointments Monday – Friday)

**Brief overview of Service:** Offers advice and assistance on Issues of Housing / Homelessness and legal rights.

## **DOMESTIC VIOLENCE ISSUES**

**Contact:** Julia Mitchell (Domestic Violence Co-ordinator)  
**Tel:** (01702) 312118 (available Mondays, Wednesday & Fridays)

**Brief overview of service:** Offer's advice on all aspects of Domestic violence; Legal advice; welfare benefits: visits carried out at home; accompanied visits to other organisation's, if required: Carry out training talks to secondary schools or any other organisation's.

## **Housing Benefit Issues**

**Contact:** Benefit Team  
**Tel:** (01702) 546366

**Brief overview of service:** A team of trained benefit staff will be able to offer advice on entitlements to and other options available.

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**Name:** S.H.E (Safe Haven East)  
**Tel:** (01702) 300006 **24-hour helpline**

**Brief Overview of services:** The project is managed by Southend Women's Aid and incorporated with The Dove Project. SHE can arrange to find bed space in a refuge for families across the South east England. The helpline will also be able to provide advice and support.

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**Name:** Social Services (Essex Direct)  
**Tel:** 01268 643333

**Brief Overview of services:** Essex Direct is a helpline for referrals of child abuse. They will refer the case to the suitable area office.

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**Name:** Southend Rape & Sexual Abuse Counselling Service  
**Tel:** (01702) 300064

**Helpline is open:** Tuesday: 7.00 p.m. – 10.00 p.m.  
Friday 12.00 p.m. – 2.30 p.m.

**Brief overview of services:** To provide advice and support.

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**Name:** Southend Women's Refuge  
**Tel:** (01702) 290006

**Brief overview of services:** The refuge is managed by Women's Aid and incorporated with The Dove Project, SHE (Safe Haven East) and Fledgelings.  
The property has 12 rooms all self contained with a kitchen, but shared bath facilities.  
The refuge is for women and children only.

**Advice:** Welfare benefits; Housing; legal rights; Domestic violence issues; general support and counselling; children's playscheme.

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**Name:** Victim Support  
**Address:** 15a Queens Road, Southend-on-Sea, Essex, SS1 1LT  
**Tel:** (01702) 333911

**Brief overview of service:** Offers free advice on all aspects. Provides personal support to people affected by crime; visits being made by trained volunteers.

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