

(In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality of opportunity, environmental, financial, health, legal and human rights, personnel and property considerations.)

DERBYSHIRE COUNTY COUNCIL

IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES

4 September 2013

REPORT OF THE CHAIRMAN OF THE IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES

Review of Support for victims of Domestic Violence

1. Purpose of the Report

To inform the Committee of developments and progress made in the review of services and support for victims of Domestic Violence.

2. Information and Analysis

This Committee's Crime and Disorder Working Group is responsible for overseeing the activities of the County Council and its partner organisations in alleviating crime, disorder and associated issues. The working group is currently concentrating on reducing domestic violence, and the impact this has on victims and their families. The Committee Chair and Vice-Chair have had initial meetings with senior officers whose responsibilities link with those of this Committee. They met with the Council's Head of Community Safety who referred to a Department of Health initiative which encouraged large organisations to provide support to any of their employees who were victims of domestic abuse.

It was decided that this was an area which the working group should investigate further and a meeting was held with officers from the Human Resources Division and the Community Safety team to discuss the ways in which the County Council can offer support to its employees. The outcome of this initial meeting is set out below;

- The County Council's Domestic Abuse Policy (copy attached), published in June 2013, has been accepted by

the Council and gives background information on Domestic Abuse (its definition and National context) as well as setting out the Authority's response to domestic violence at a local level. The policy refers to the support services currently available to all victims in Derbyshire and the partnership structure in place to ensure joint-working. It also sets out the responsibilities of the Adult Care and Children and Younger Adults Departments in assuring the welfare of vulnerable adults and children who are in abusive domestic environments.

- A section of the policy (on pages 7 and 8) refers specifically to the County Council's responsibility towards employees who are experiencing domestic abuse. Support currently available included;
 - up to 6 face-to-face confidential counselling sessions
 - access to counselling telephone helpline
 - support of line managers in respect of safety in the work place, special leave (for example, to attend counselling sessions or interviews with Police or support services)
 - changes in the pattern of working hours, temporary re-location or redeployment
 - advances in pay when financial difficulties arise as a result of domestic abuse
- It was noted that there was no specific training for managers on domestic violence at present. It was suggested that The Department of Health publications "Responding to colleagues experiencing domestic abuse", which gave practical guidance to line managers, HR and employees, should be shared around the council as appropriate – with a condensed summary targeted to all managers.
- It was also suggested that the MARAC (Multi Agency Risk Assessment Conference) training courses should be opened to all line managers to help them develop a better understanding of the impact of domestic violence, which would help them support staff in their teams.
- The work of the MARACs was discussed in more detail and it was agreed that the working group Members would be offered the opportunity to attend future training sessions, as

well as observe a MARAC meeting in operation.

- In addition, a management “toolkit” was being devised to help line managers support their staff and it was intended that, in due course, a mobile phone “app” would be available to managers to access this information when support situations arose.
- Managers had already referred some employees in need of support to the Community Safety team, who had assisted in signposting individuals to the relevant agencies. However, there was no official route for helping staff in abuse situations as yet. This was something that should be addressed along with manager training.
- It would be helpful to establish areas of “best practice” within the Authority – ie. some managers may be very effective in supporting staff in abusive relationships and this managerial best practice should be explored with a view to embedding protocols throughout the organisation.
- In order to establish what support is most effective, the working group proposed to consult with employees (those who had, or were, experiencing domestic abuse) to ascertain their needs in respect of work based assistance. It was agreed that the Community Safety and HR Divisions would support this exercise and the results would be shared with them to help develop future support mechanisms.

RECOMMENDATIONS

- (a) that the Committee notes the recent work undertaken on the review of support for victims of domestic violence and the proposals for consultation with employees
- (b) that outcomes of the employee consultation exercise be used to develop recommendations for a final report to the Committee, and Cabinet, to provide a formal, Council-wide process to support employees who are subjected to domestic violence

Councillor Kath Lauro
CHAIR, IMPROVEMENT AND SCRUTINY – PLACES
COMMITTEE

Domestic Abuse Policy Derbyshire County Council

June 2013

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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.¹

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.

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

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

- 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.²

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 CJS 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 abuse³ identified a role for Local authority social services 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

² Hyperlink to be added once guidance complete.

³ [No Secrets: guidance on protecting vulnerable adults in care - Publications - Inside Government - GOV.UK](#)

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.²

Children & 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 2010)

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.²

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 (June 2011)⁴
- Derby and Derbyshire Safeguarding Children Procedures (September 2008)⁵
- Domestic Abuse and Safeguarding Children protocol (December 2008)⁶

⁴http://www.saferderbyshire.gov.uk/Images/Safeguarding%20adults%20policy%20and%20procedures%20V8_tcm14-105955.pdf

⁵http://www.derbyshirescb.org.uk/Images/V2.0%20Derby%20%26%20Derbyshire%20Safeguarding%20Children%20Procedures%20Final_tcm13-1608.pdf

- Derbyshire Multi Agency Risk Assessment Conference (MARAC) operating protocol⁷
- Multi Agency Practice Guidelines: Female Genital Mutilation (HM Government)⁸
- The Right to Choose: Multi Agency Statutory Guidance for dealing with Forced Marriage (HM Government)⁹

Meeting Derbyshire County Council's responsibility 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 by contacting them on 01629 536954. 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.

⁶ http://www.derbyshirescb.org.uk/Images/Domestic%20Abuse%20and%20Safeguarding%20Children%20Protocol_tcm13-132997.doc

⁷ To be added when available

⁸ <http://www.homeoffice.gov.uk/publications/crime/FGM?view=Binary>

⁹ <http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-right-to-choose>

Appendix A

New Partnership structure

