



# Responding to Domestic Abuse

## Policy November 2021

### Basildon Borough Council

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## 1. Foreword

Supporting victims of domestic abuse to live a healthy and active life, free from this appalling crime and the devastating impact it has on families is an ambition of the council.

The Responding to Domestic Abuse Policy demonstrates how the Council will work together and in partnership with other specialist services to ensure that all victims who approach the Council are supported to feel safe and secure in our Borough.

It is important that we also support those perpetrators who recognise they are abusive and seek to change, and we will do this through working with our partners across Essex to address their behaviours.

It is equally important to support the victims wholeheartedly and to ensure that those who choose not to recognise their abuse are dealt with to the full extent of the law

I welcome the Domestic Abuse Act 2021 as it gives the Council the chance to strengthen its approach to domestic abuse, creating opportunities for change and better meet the needs of victims and their children.

Our message is clear: JUST DON'T

**THE LEADER OF THE COUNCIL,  
Councillor Andrew Baggott**

## 2. Introduction

The Council is committed to protecting victims of domestic abuse, including their children, to live in the Borough without fear of harm, intimidation or abuse and to support those who seek to change their abusive behaviour. This commitment is embedded within this policy, which sets out more explicitly Basildon Council's approach to supporting those affected by domestic abuse.

Any resident in the borough, regardless of protected characteristic, and including their children, could be impacted by this policy at a time when connected persons (see definition below) relationships are strained or break down for whatever reason, and abuse becomes a factor. The council recognises that even after the relationship ends, the abuse doesn't necessarily end, and in these cases the council also commits to supporting victims and their children.

## 3. Policy Statement

The purpose of this policy is to demonstrate our commitment to ensure that our residents are aware of the signs of domestic abuse and where to go to for help. The council will work across services and with our partners to ensure that victims are supported, and also, where a perpetrator of domestic abuse recognises their behaviour and seeks help to change that support is offered through the relevant systems.

Domestic abuse changes lives – those of the victims, perpetrators and their children, often in tragic ways. This policy aims to ensure that a culture of zero tolerance to domestic abuse exists and is embedded within all council services and that (relevant) employees, members, those delivering contracts on behalf of the council and volunteers understand their role and responsibilities in supporting all residents to live a life free from fear, intimidation and abuse from this heinous act.

Alongside our safeguarding responsibilities, we will create an environment where all staff are trained to an appropriate level and encouraged to think of the welfare of victims of domestic abuse, along with the impact upon their children, as being their responsibility, understanding the need for them to play a full and active part in the delivery of the council's response. We will also create an organisational culture whereby staff encourage victims to report domestic abuse and support them to do so.

For those who perpetrate domestic abuse, and who want to change their behaviour, the council will ensure that referrals are made to relevant agencies support programmes.

The council believes that all individuals, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation, should have the greatest possible control over their lives, and not have control forced upon them. They should be able to make informed

decisions, or be supported to make these decisions if unable to do so themselves, without fear of harm, intimidation, or abuse from others.

This policy adheres to all relevant domestic abuse and safeguarding legislation, data protection legislation and government guidance to date.

#### 4. National Context

In the period prior to the Covid-19 pandemic, national policy designed to tackle domestic abuse had undergone significant development. Moreover, as the pandemic hit, several new legislative and policy developments were either in process or planned. This culminated in the introduction of the Domestic Abuse Act 2021, which received Royal Assent on 29 April 2021.

The Domestic Abuse Act 2021 (the Act) provides further protections to those affected by domestic abuse, including children, and strengthen measures to tackle perpetrators.

1 in 5 adults and 1 in 5 children are affected by domestic abuse across our communities. In the year ending March 2017, the social and economic cost of domestic abuse in England and Wales was estimated at around £66 billion.<sup>1</sup>

Since March 2020, important evidence has emerged that the response to the pandemic – notably the recurring ‘stay at home’ lockdowns - has amplified both the drivers and experience of Domestic Abuse.

McDonald (2020)<sup>2</sup>, writing in the Guardian, reports on a BBC Panorama investigation which found that “two-thirds of women in abusive relationships have suffered more violence from their partners during the pandemic” and under statistics obtained from UK police forces under Freedom of Information law, “there was one domestic abuse call every 30 seconds during the first seven weeks of lockdown”. Further, Slack and Newbery (2020)<sup>3</sup>, writing for the BBC, report that the national domestic abuse helpline, run by Refuge, experienced “a 10-fold increase in visits to its website” in the two weeks to 26 May 2020.

The Government reports, in its policy paper Statutory Definition of Domestic Abuse Fact Sheet<sup>4</sup>, that in the year ending March 2020, an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse in the last year (1.6 million women and 757,000 men).

The NSPCC reports<sup>5</sup> that 12% of under 11s and 17.5% of 11–17s have been exposed to domestic violence between adults in their homes during childhood. The report also

<sup>1</sup> Oliver et al., (2019). *The Economic and Social Cost of Domestic Abuse: Research Report 107*. London: Home Office.

<sup>2</sup> McDonald, (2020). *Domestic abuse surged in lockdown, Panorama investigation finds*. The Guardian.

<sup>3</sup> Slack and Newbery, (2020). [Coronavirus: Domestic abuse website visits up 10-fold, charity says](#). BBC News.

<sup>4</sup> Home Office, (2021). *Statutory Definition of Domestic Abuse Fact Sheet (Updated 28 July 2021)*. London: Home Office.

<sup>5</sup> Radford, L. et al., (2011). *Child abuse and neglect in the UK today*. London: NSPCC.

highlights the impacts upon children witnessing or experiencing domestic violence in the home. “Witnessing domestic violence was also related to poorer emotional wellbeing. Experiencing physical violence from a parent or guardian and witnessing domestic violence were also associated with higher levels of delinquent behaviour.”

In a recent report, Age UK<sup>6</sup> highlighted the lack of data on victims of domestic abuse from age 75+ and called on the Office of National Statistics (ONS) to collate this data with the advent of the Domestic Abuse Bill. From the statistics that were available for older people under 75, the report quoted the Crime Survey for England and Wales from 2018 – 2019. Around 180,000 older women aged 60-74 and 98,000 older men aged 60-74 were victims of domestic abuse during the previous year.

The national domestic abuse charity, Women’s Aid, reports on its website<sup>7</sup> that there is no evidence to suggest that women from some ethnic or cultural communities are any more at risk from experiencing domestic abuse than others. However the form of abuse it takes may vary, for example, it may include forced marriage or female genital mutilation.

The latest Office of National Statistics (ONS)<sup>8</sup> data release on victims of domestic abuse for the year ended March 2020 states that the highest prevalence of victims comes from those whose marital status is classed as separated, 16.4%, closely followed by those who have divorced/legally dissolved partnership, 11.4%.

The measures contained within the Act arrived at a significant time in tackling this increase in domestic abuse, and to support people affected by domestic abuse in the future.

## 5. Local Context

The council believes that everyone, regardless of age, sex, race, religion/belief, disability, sexual orientation, gender reassignment, pregnancy/maternity, and marriage/civil partnerships, should be allowed to live free from domestic abuse. The introduction of a stand-alone domestic abuse policy will strengthen this belief and enhance the services the council and its partners deliver to those affected by domestic abuse in the borough.

The council has always supported those affected by domestic abuse and delivers services in partnership with the South Essex Domestic Abuse Hub (SEDAH or the Hub), Southend, Essex and Thurrock Domestic Abuse Board (SETDAB) and Changing Pathways, a local domestic abuse charity.

<sup>6</sup> Henderson, R. et al., (2020). *No Age Limit: the blind spot of older victims and survivors in the Domestic Abuse Bill*. London: Age UK

<sup>7</sup> Women from BME communities – Women’s Aid

<sup>8</sup> Office for National Statistics. *Domestic abuse in England and Wales overview: November 2020*.

During 2019/20 there were 326 approaches, of these 14 were referred to the Anti-social Behaviour Team and 93 referred were referred to Housing Solutions for support from the Council.

There was a significant increase in the number of approaches being made during 2020/21 with 405 victims seeking support, of these 13 were referred to the Anti-social Behaviour Team and 92 were referred to Housing Solutions.

The number of approaches reflects the national picture during the lockdown period, and coupled with this, the cases that were handled by SEDA were more complex and more support was provided sourcing emergency accommodation than at any time previously, and since.

The council's partner, Changing Pathways, recorded 973 approaches for support during 2020 – 2021, compared to 942 approaches during 2019 – 2020, which is more in line with the national picture. The council expects that approaches for support from council services during 2020 – 2021 are under reported, or that victims went elsewhere for help during this time.

According to Essex Police performance data for the Basildon district, 392 offences were categorised as high-risk domestic abuse for the year to end of July 2020, compared to 379 offences for the same period for 2021, a 3.3% decrease. Medium risk domestic abuse offences have decreased from 461 to 385 over the same comparable period, a 16.5% decrease. Standard risk offences have remained broadly the same from 2020 – 2021 (2777 to 2781). Although different date ranges have been used, it would appear that domestic abuse has been under reported to Essex Police during the pandemic.

The SETDAB Annual Report 2020 - 2021 states that within the last 18 months it has secured an additional £2,072,503 to support domestic abuse services and interventions throughout the County, made up of emergency Covid funding for victim support services, additional Independent Domestic Violence Advocates (IDVAs), as well as funding for perpetrator interventions.

## 6. Definitions

### *Domestic Abuse*

Under the Act domestic abuse is defined as:

Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if -

A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive. Behaviour is “abusive” if it consists of any of the following:

- (a) physical or sexual abuse;
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;



- (d) economic abuse;
- (e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

“Personally connected” means:

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child;
- (g) they are relatives.

Under the Act a child (under 18) is a victim of domestic abuse where they are related to either person A or B and where they see, hear or experience the effects of the abuse.

### ***(Specific) Offences involving Abusive or Violent Behaviour***

#### *Controlling or Coercive Behaviour*

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 pattern of acts of assault, threats, humiliation and intimidation, or other abuse, that is used to harm, punish, or frighten the victim.

#### *Disclosure of private sexual photographs or films*

Disclosure, or threats to disclose private sexual photographs or films in which an individual appears, with intent to cause distress is an offence under the 2021 Act where the individual did not give consent for disclosure.

#### *Offences Against the Person*

Strangulation or suffocation – Intentionally strangling or acting in a way to suffocate or restrict a person’s breathing where the intention was, or the recklessness resulted in, a person suffering serious harm. Serious harm relates to grievous bodily harm, actual bodily harm or wounding, within the 1861 Offences Against the Person Act.

Consent to serious harm for sexual gratification is not a defence under the 2021 Act, where serious harm relates to grievous bodily harm, actual bodily harm or wounding, within the Offences Against the Person Act 1861

### ***Other Types of Abusive Behaviour***

#### *Physical or Sexual Abuse*

Physical abuse is a non-accidental infliction of physical force that results, or could result, in bodily injury, pain or impairment.

Sexual abuse is the involvement in sexual activity without consent. A victim could be unable to consent or be pressured or induced to consent or take part.

#### *Economic Abuse*

This relates to behaviour which has a substantial adverse effect on person B's ability to acquire, use or maintain money or other property, or to obtain goods or services. Economic abuse can also be towards person B even if the behaviour is directed towards another person. (e.g. a child)

More than the control of a partner's access to money and finances (financial abuse), perpetrators may also interfere with things that money can buy, including food, clothing, transportation and a place to live (economic abuse). It can also include restricting access to essential resources such as denying the means to improve a person's economic status (for example, through employment, education or training), controlling access to money or resources such as stopping a victim working, taking their wages or putting them into debt.

Economic abuse is designed to limit someone's freedom. This type of abuse can create economic instability and/or make one partner dependent on the other, thus preventing victims from leaving and rebuilding their lives.

#### *Honour Based Abuse, Forced Marriage and Female Genital Mutilation*

Honour Based Abuse (HBA) is violence and abuse in the name of honour, covering a variety of behaviours (including crimes), mainly but not exclusively against females, where the person is being punished by their family and/or community for a perceived transgression against the 'honour' of the family or community, or is required to undergo certain activities or procedures in 'honour' of the family. This can also include harmful cultural practices such as breast ironing.

Honour Based Abuse is not a crime itself, however the practices used to punish individuals are criminal acts, i.e. abduction, assault and murder and includes physical abuse, sexual abuse, emotional and/or psychological abuse, financial abuse, forced marriage and female genital mutilation.

A Forced Marriage (FM) “is a marriage conducted without the valid consent of both parties, where duress is a factor” (‘A Choice of Right’ by HM Government 2000). Duress can involve physical, psychological, sexual, financial and/or emotional pressure. Under the ASB Crime & Policing Act 2014 it is illegal to:

- a. use violence, threats or any other form of coercion for the purposes of causing another person to enter into a marriage; and
- b. believe, or ought reasonably to believe, that the conduct may cause the other person to enter into the marriage without free and full consent.

Duress can involve physical, psychological, sexual, financial and/or emotional pressure.

Female Genital Mutilation (FGM) is a collective term for illegal procedures which include the removal of part/all external female genitalia for cultural or other non-therapeutic reasons. The practice is not required by any religion. It is painful, medically unnecessary and has serious health consequences at the time it is carried out and in later life. The procedure is typically performed on girls of any age but is also performed on new-born girls and on young women before marriage/pregnancy.

A number of girls die as a direct result of the procedure, from blood loss or infection. FGM may be practised illegally by doctors or traditional health workers in the UK, or girls may be taken abroad for the operation.

Where HBA and/or FGM takes place between personally connected individuals both HBA, FM and FGM can also be classed as a form of Domestic Abuse.

### *Stalking*

The Suzy Lamplugh Trust (or the National Stalking Helpline) describes stalking as a pattern of unwanted and persistent behaviour that is motivated by a fixation or obsession that causes a victim to suffer alarm, distress or a fear of violence. It can be perpetrated by men or women. Stalking is also becoming more common through the use of technology and is often referred to as cyberstalking. This can include sending emails and posting messages on social media sites.

It is illegal for a person to pursue a course of conduct that they know or ought to know amounts to stalking. A course of conduct refers to two or more incidents of unwanted behaviour.

Under the Stalking Protection Act 2019 victims, along with any connected persons, can be protected from the risks associated with stalking.

### *Safe Accommodation*

The Domestic Abuse Act 2021 provides for victims being supported in safe accommodation. Under the Ministry of Housing, Communities & Local Government draft statutory guidance for local authorities (June 2021), safe accommodation relates to:

- Refuge accommodation – a refuge offers accommodation and intensive support which is tied to that accommodation. Victims, including their children, have to be refuge residents to access expert emotional and practical support.
- Specialist safe accommodation – refuges for BAME, LGBTQ+, and disabled victims and their children, which may provide single gender accommodation with dedicated specialist support to victims who share a protected characteristic(s) – including services that are led by those that also share the protected characteristic (also known as ‘by and for’) - and/or have complex needs.
- Dispersed accommodation:
  - i. Safe (secure and dedicated to supporting victims of domestic abuse), self-contained accommodation with the same level of specialist domestic abuse support as provided within a refuge but which may be more suitable for victims who are unable to stay in a refuge with communal spaces due to complex support needs or for families with teenage sons for example.
  - ii. Safe (secure and dedicated to supporting victims of domestic abuse), self-contained ‘semi-independent’ accommodation which is not within a refuge but with support for victims who may not require the intensive support offered through refuge, but are still at risk of abuse from their perpetrator/s.
- Sanctuary Schemes – properties with local authority installed Sanctuary Schemes or other similar schemes which provide enhanced physical security measures within a home. A Sanctuary Scheme is a survivor centred initiative which aims to make it possible for victims of domestic abuse to remain in their own homes, where it is safe for them to do so, where it is their choice, and where the perpetrator does not live in the accommodation. This is done by providing additional security to the victims’ property or perimeter.
- Move-on and/or second stage accommodation - interchangeable terms for projects temporarily accommodating victims, including families who no longer need the intensive level of support provided in a refuge, but would still benefit from a lower level of domestic abuse specific support for a period before they move to fully independent and secure accommodation. There is no expectation that every victim will require this. Many victims are ready to move straight to a secure new home from refuge. However, move-on and / or second stage accommodation may be helpful in some cases.
- Other forms of domestic abuse emergency accommodation – i.e. a safe place with appropriate support. To give victims an opportunity to spend a temporary period of time to [consider and] make decisions in an environment which is self-contained and safe. This would include access to wrap around support and

specialist support for victims with complex needs (including mental health needs and substance misuse). An example of ‘other’ forms of safe accommodation would be the ‘Whole Housing Approach’<sup>9</sup>

According to the emerging Essex County Council Domestic Abuse Commissioning Strategy 2021 - 2024, there are 5 refuges within the county of Essex. County-wide dispersed accommodation consists of houses, 2-bedroom flats, single bed units and privately owned flats.

## 7. Information Sharing and Confidentiality

In order to keep people safe from harm, professionals will share relevant information across geographical and professional boundaries as required by law, in particular Section 115 of the Crime and Disorder Act 1998, and in accordance with the council’s Information Management Policy; Section 1.1.1 Personal data as defined in the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (“UK GDPR”) and the Data Protection Act 2018 (“DPA 2018”); and relevant partner Information Sharing Protocols.

When there is a reasonable cause to believe that a child, young person or adult with care and support needs may be suffering, or may be at risk of suffering harm, consideration will always be given to referring these concerns to the relevant authorities under the council’s safeguarding responsibilities.

## 8. Outcomes and Priorities

The council will work towards the following policy objectives by 2026:

**Outcome: Raise awareness and understanding about the impact of domestic abuse on victims and their families irrespective of any protected characteristic(s)**

- Priority 1: Develop a communications strategy to raise awareness amongst all communities
- Priority 2: Provide materials aimed at school children including young people
- Priority 3: Promote materials used by our partners on the council social media platforms
- Priority 4: Support the prevention of domestic abuse by challenging the attitudes and behaviours which foster it, and creating interventions to prevent it from continuing, recurring or escalating
- Priority 5: Promote and raise awareness with housing providers and service providers

<sup>9</sup> The Whole Housing Approach (WHA) endeavours to improve the housing options and outcomes for people experiencing domestic abuse so that they can achieve stable housing, live safely, and overcome the abuse and its harmful impacts.

**Outcome: Strengthen the support for victims of abuse and their children in the community, in refuges and other safe accommodation**

- Priority 1: Review current support measures to ensure they are appropriate to meet the needs of all victims in the borough regardless of their housing situation
- Priority 2: Ensure a sensitive, consistent, confidential and prompt response in service delivery
- Priority 3: Try to break the cycle of repeat victims with informed advice, support networks and effective and close partnership working
- Priority 4: Provide a range of services to assist people to live safely
- Priority 5: Ensure that services are accessible to all and that any barriers to access, such as language, sex, culture and disability are heard and addressed
- Priority 6: Work with partners to ensure housing options address the needs of victims, their children and, where possible, provision for their pets
- Priority 7: Harvest data that can provide profiles of potential victims and perpetrators so resources can be targeted appropriately
- Priority 8: Create Domestic Abuse Champions for enhanced and complex cases of domestic abuse and multi-agency case management contacts

**Outcome: Create and monitor a housing pathway for victims and their children**

- Priority 1: Review the current housing pathway for victims and their children. Particular attention will be paid to meeting legislative requirements
- Priority 2: Monitor the need for spaces for those with complex needs to ascertain future provision requirements
- Priority 3: Support families with older children or pets who are not suitable to access a refuge
- Priority 4: Undertake an annual monitoring and evaluation of the pathway to ensure it is meeting need

**Outcome: Support and disrupt perpetrators to change their behaviour and break the cycle of domestic abuse**

- Priority 1: Reduce the risk to victims by ensuring that perpetrators are supported to change their behaviour
- Priority 2: Signpost perpetrators to support programmes which address their mental health issues and substance addiction
- Priority 3: Work with partners around housing options for perpetrators who are engaged in a behaviour change programme
- Priority 4: Monitor domestic abuse cases where dementia is identified in either the victim, the perpetrator, or both and work with other agencies to support the dementia sufferer(s)

**Outcome:** Invest in domestic abuse training for council employees, members and community groups, including a raised awareness and understanding of coercive control

Priority 1: Provide basic e-learning domestic abuse training to all council staff at induction, refreshed every three years or sooner if required by changes in legislation

Priority 2: Provide enhanced level domestic abuse training to members and officers, at a level appropriate to their role, ensuring a victim trauma approach is adopted to deal with the most complex cases

Priority 3: Support local communities and community hubs to access domestic abuse training programmes, such as signposting to e-learning and promoting J9

Priority 4: Work with Safer Basildon Partnership to promote and raise awareness of healthy relationships in children and young people

**Outcome:** Adopt a strong partnership approach with agencies working within this field

Priority 1: Collaborate with Essex County Council and our Safeguarding Partners (Social Care, Police and the local Clinical Commissioning Group) in the fulfilment of their duties

Priority 2: Work in partnership with Safer Basildon to promote responses to domestic abuse

Priority 3: Support both local and national agencies and the police to co-ordinate responses at strategic and operational levels

Priority 4: Work within the SETDAB framework

Priority 5: Reinforce signing up and engagement with the MARAC process

#### *Who is affected by the policy*

Any resident in the borough, regardless of protected characteristic, and including their children, could be impacted by this policy at a time when connected persons relationships are strained or break down for whatever reason, and abuse becomes a factor.

Evidence suggests that this policy is needed more now than ever for residents from all diverse communities in the borough.

According to the latest ONS data release for England and Wales for the year ending March 2020, women (aged 16 to 74) were twice as likely to have experienced domestic abuse than men (aged 16 to 74), 7.3% compared with 3.6%. This equates to 1.6 million women and 757,000 men. When broken down into age groups, the highest prevalence of victims was aged 16 to 19, 9.5%. The same release indicates that disabled people are more than twice as likely to suffer from domestic abuse as non-disabled people (where the definition of disability is used from the Equality Act 2010), 11.8% compared to 4.6%.

A 2010 study by A. Roch, et al.<sup>10</sup> suggested that 80% of transgender people had experienced emotionally, sexually or physically abusive behaviour from a partner or ex-partner. A study by M. L. Walters et al.<sup>11</sup> released in 2013, found that bisexual women are almost twice as likely to be abused as straight women.

A public consultation conducted by the council during September 2021<sup>12</sup>, on the policy objectives above, showed overwhelming agreement from participants, as shown below:

Objective 1 (Raise awareness) = 92%  
 Objective 2 (Strengthen support) = 95%  
 Objective 3 (Create and monitor a housing pathway) = 90%  
 Objective 4 (Support and disrupt perpetrators) = 84%  
 Objective 5 (Training) = 91%  
 Objective 6 (Strong partnership approach) = 97%

The highest percentage of responses came from people who classed themselves as: female (72%), aged 40-64 (57%), married (41%), heterosexual (81%), not pregnant, or having a child in the last 12 months (94%), with an ethnic origin of English, Welsh, Scottish, Northern Irish or British (89%), and whose religion was selected as Christian, including Church of England, Catholic, Protestant, all other Christian denominations (54%).

The consultation also demonstrated that 41% of respondents were not aware of the Domestic Violence Disclosure Scheme (Clare's Law),<sup>13</sup> suggesting that the council will need to work with Essex Police to promote the scheme more widely to equip residents with more knowledge to keep them safe from entering violent relationships, and the impact thereafter.

69% of respondents had not used a council service to seek support in relation to domestic abuse, and this may be because they have not needed use of a service, as only 10% stated that they did not know who, or where to go for that support within the council. Although 10% is a small number of people, the council will ensure that it continues to promote its support services in relation to domestic abuse in order to protect as many residents, and their families, as possible.

When asked about support programmes for victims, 86% thought equally that Independent Domestic Violence Advisers and support for children should be available, closely followed by counselling and therapeutic services and mental health services each with 78%.

<sup>10</sup> Roch, A. et al., (2010). *Out of sight, out of mind? Transgender experiences of domestic abuse*. LGBT Youth Scotland and the Equality Network.

<sup>11</sup> Walters, M.L. et al., (2013). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation*. Centers for Disease Control and Prevention.

<sup>12</sup> Sample size of 100 participants

<sup>13</sup> See Roles and Responsibilities – Essex Police, below.



When asked about support for perpetrators, 74% thought anger management programmes should be available, closely followed by mental health support 73%.

#### *What is not covered by the policy*

Anything out of the scope of the Act, as enacted, is not covered by this policy, this includes:

- A register for serial domestic abuse perpetrators and stalkers – high risk offenders are managed through MAPPA
- Access to provision of support for migrants with ‘no recourse to public funds’ or with insecure immigration status
- Legal aid – the Act does not cater for non means tested legal aid
- Not all modes of economic abuse are covered by the Act

## **9. Roles and Responsibilities**

### *Domestic Abuse Commissioner*

The Act provides for a new role of Domestic Abuse Commissioner. The Commissioner represents the view of victims and survivors, raises public awareness, monitors the response of local authorities, the justice system and other statutory agencies and holds them to account in tackling domestic abuse. The Domestic Abuse Act provides the Commissioner with the statutory powers to publish reports and lay them before Parliament. These reports will hold local commissioners, statutory agencies and national Government to account and make recommendations on how they can improve their response.

### *Essex County Council*

As a Tier One local authority, Essex County Council (Essex CC) has a statutory duty under the Act to provide support to victims of domestic abuse and their children residing in refuges and other safe accommodation.

Essex CC also has a responsibility to assess the need for accommodation-based support for all victims and their children, including those from outside Essex, and to develop and publish a strategy for this provision, based on the assessment of need.

Essex CC also has a duty to co-operate with the Domestic Abuse Commissioner and to create a Domestic Abuse Local Partnership Board (DALPB). The DALPB will focus on the new duties and commissioning under Part 4 of the Act.

Essex CC is also part of the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB), see below with responsibility for the overarching Domestic Abuse Strategy for the county of Essex.

### *Basildon Borough Council*

As a Tier 2 local authority, the council's response to domestic abuse is in recognising, advising and supporting victims and their families and in signposting them to additional services depending on their needs, i.e. services provided by our partner organisations. The council also has a duty to provide advice and support to anybody who is homeless or at imminent risk of homelessness.

As Essex CC has responsibilities as the Children's Services Authority and the Social Services Authority for Essex, the council will report all domestic abuse concerns, incidents and allegations regarding the welfare of a child or adult with care and support needs (under the Care Act 2014 definition) to them, through the appropriate referral mechanisms.

Under the Domestic Abuse Act, the council will work with the Tier 1 authority, Essex County Council, in its statutory roles, above. Basildon Council also recognises its duty to co-operate with the Domestic Abuse Commissioner upon request, for the purposes of the Commissioner's functions, under the Act.

The council will provide a new secure tenancy to victims of domestic abuse, in accordance with Section 79 of the Act.

### *South Essex Domestic Abuse Hub (SEDAH)*

SEDAH is a partnership between Basildon Borough Council, Castle Point District Council, Rochford District Council, Brentwood Borough Council, Changing Pathways, South Essex Rape Incest Crisis Centre, the Safer Basildon Partnership and Basildon Citizen's Advice Bureau. SEDAH provides advice and support to victims residing in the Basildon, Brentwood, Castle Point and Rochford areas who are experiencing the signs of domestic abuse, including help to find safe accommodation.

SEDAH is the main entry point for Basildon borough residents seeking support.

### *Changing Pathways*

Changing Pathways is a local domestic abuse charity who provide counselling and advocacy services to victims of domestic abuse and stalking, amongst other services. It also sources and supports victims into refuge accommodation, where necessary and works closely with SEDAH. The charity also runs a Children and Young People IDVA service for Basildon residents aged from 13 to 19 experiencing domestic abuse, with an option to extend to age 21 in special circumstances.

### *Southend, Essex and Thurrock Domestic Abuse Board (SETDAB)*

SETDAB is made up of representatives from agencies and organisations working to join up and better facilitate the local authority areas of Southend, Essex and Thurrock's vision to enable everyone to live a life free from all forms of domestic abuse. The Board

is responsible for designing and implementing the Domestic Abuse Strategy across the county of Essex. SETDAB provides strategic leadership to address domestic abuse by providing a multi-agency framework, common ethos and co-ordinated approach to innovate, drive change and address domestic abuse.

SETDAB co-ordinate Domestic Homicide Reviews (DHR) on behalf of the local Community Safety Partnership (Safer Basildon Partnership) and are published on the SETDAB website. Under the Act, SETDAB has a duty to send a copy of DHR reports to the Domestic Abuse Commissioner.

According to Home Office guidance<sup>14</sup>, a DHR is a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by a person a) to whom they were related or with whom they had, or had been, in an intimate personal relationship or b) a member of the same household as themselves, held with a view to identifying the lessons learnt from the death.

### *Essex Police*

Essex Police is the lead agency for investigating and prosecuting reported cases of domestic abuse and other criminal behaviour, i.e. stalking. It is also a key partner of SETDAB and the Safer Basildon Partnership.

Domestic Abuse Investigation Teams (DAIT) were created by Essex Police to provide a dedicated response to the investigation of domestic abuse crimes. DAIT investigate offences that occur out of domestic situations and support victims through the initial investigation process of incidents graded as medium or high risk. DAIT target perpetrators and support victims as their cases proceed through the criminal justice system.

Domestic Abuse Problem Solving Teams (DAPST) work to understand the issues that trigger incidents, address victims' concerns and enforce protection orders against perpetrators.

DAPST aim to break the cycle of domestic abuse by focusing on; reducing the number of victims who are unsupportive of police prosecution, reducing the number of offences encountered by repeat and serial victims of abuse, and reducing the frequency of offending by repeat and serial domestic abuse perpetrators.

DAPST take a victim-focused approach to protect those victims graded as medium and high risk, building trust and confidence. The team also take a problem-solving approach to identify and overcome individual and structural barriers preventing victims from breaking the cycle of abuse. Wherever possible victims will be empowered to improve their own situation and take their own decisions. Enforcement activity with perpetrators will be carefully balanced with the needs and wishes of the victims.

<sup>14</sup> Home Office, (2016). *Multi-Agency Statutory Guidance for the Conduct of Domestic Homicide Reviews*. London: Home Office.

The Domestic Violence Disclosure Scheme, or Clare's Law enables the police to disclose information to a victim, or potential victim, of domestic abuse about their partner, or ex-partner's previous abusive or violent offending. Guidance on Clare's Law has been made statutory under the Domestic Abuse Act 2021.

Under the Domestic Abuse Act the police have the powers to issue Domestic Abuse Protection Notices, providing victims with immediate protection.

Under Operation Encompass, Essex Police provide information to school safeguarding leads where a pupil has been exposed to domestic abuse. This enables schools to make reasonable adjustments and appropriate support measures for pupils who have been affected; thus helping to reduce the adverse impact of domestic abuse on children and their childhood experiences.

### *Criminal/Family Courts*

Under the Act, the courts can hand out Domestic Abuse Protection Orders to help prevent offending by forcing perpetrators to take steps to change their behaviour, including seeking mental health support and drug and alcohol rehabilitation.

Victims will also be able to provide evidence via video, using protection screens, or other measures in Criminal Courts, thus avoiding any intimidation and further trauma. Under the Act, perpetrators will no longer be able to cross-examine victims in Family and Civil Courts.

### *Safer Basildon Partnership*

The Safer Basildon Partnership is the Borough's local Community Safety Partnership (CSP) and is a statutory body required by the Crime and Disorder Act 1998 to formulate a strategy to reduce crime and disorder, combat substance misuse and reduce re-offending and be responsible for the delivery of this.

The Safer Basildon Partnership Board is the responsible authority group, consisting of senior managers from the following agencies:

- Basildon Borough Council
- Essex Police
- NHS Basildon and Billericay Clinical Commissioning Group
- Essex County Council
- Essex County Fire and Rescue Service
- The Probation Service

The partnership prioritises domestic abuse and focuses its efforts and resources to implement plans to protect vulnerable people and play a key role in safeguarding people from abuse, harm and exploitation.

### *Domestic Homicide Reviews*

CSPs are responsible for conducting Domestic Homicide Reviews in accordance with the statutory requirement set out in Section 9 of the Domestic Violence, Crime and Victims Act 2004.

The review must, according to the Act, be a review 'of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by:

- (a) A person to whom he was related or with whom he was or had been in an intimate personal relationship, or
- (b) A member of the same household as himself, held with a view to identifying the lessons to be learnt from the death'.

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 policies and procedures as appropriate
- Prevent domestic violence and homicide and improve service responses to 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 possible opportunity
- Contribute to a better understanding of the nature of domestic violence and abuse
- Highlight good practice.

### *Multi-Agency Risk Assessment Conference (MARAC)*

MARAC is a regular meeting to discuss how to help high risk victims of murder or serious harm identified through completion of a Domestic Abuse Stalking and Harassment, 'Honour'-based violence (DASH) model.

Various agencies are involved in MARACs, including an independent domestic abuse advisor (IDVA), police, children's social care, health and other relevant representatives. They share information about the victim, their children and perpetrators to formulate an action plan to reduce the risk for the victim.

The council will continue to follow the DASH model, and where relevant officers identify high risk victims, make MARAC referrals. Council housing representatives also attend MARAC upon request. Where concerns for the welfare of children and/or adults with care and support needs are also identified, officers will continue to follow safeguarding duties and also make referrals to the appropriate agencies.

According to the SETDAB Annual Report 2020 - 2021, MARAC referrals across the county of Essex increased from 2,400 in 2017 – 2018 to 2,767 in 2018 – 2019 and then reduced to 2498 in 2019 – 2020 and again in 2020 – 2021 to 2139.

### *Multi-Agency Public Protection Arrangements*

Multi-Agency Public Protection Arrangements (MAPPA) is the set of arrangements through which the Police, Probation and Prison Services work together with other agencies to manage the risks posed by violent and sexual offenders living in the community, in order to protect the public.

MAPPA is not a statutory body in itself but is a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner.

### *The Probation Service*

The Probation Service is a statutory criminal justice service that supervises high-risk offenders released into the community.

The Probation Service works with the Her Majesty's Prison and Probation Service, who carry out sentences given by the courts, in custody and the community, and rehabilitate people in their care through education and employment, ensuring interventions that reduce reoffending, and working with victims of serious crime, to help them on their journey to recovery.

Under Section 7 of the Domestic Abuse Act 2021, the Probation Service has a role in the management of offenders of domestic abuse and in polygraphing offenders released on license.

### *Clinical Commissioning Groups (CCGs)*

CCGs, overseen by NHS England, commission most of the hospital and community NHS services in the local areas for which they are responsible; this is the Basildon and Brentwood CCG, for the local area.

Commissioning involves deciding what services are needed for diverse local populations and ensuring that they are provided.

All GP practices belong to a CCG, which also includes other health staff, i.e. nurses.

Services CCGs commission include:

- Most planned hospital care
- Rehabilitative care
- Urgent and emergency care (including out-of-hours)
- Most community health services
- Mental health and learning disability services

### *Health and Wellbeing Partnership*

The Health and Wellbeing Partnership is a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities.

As a member of the Basildon Health Partnership, the Council plays an active and leading role in identifying ways it can contribute to and influence the achievement of better health and wellbeing outcomes for all residents. The three key issues for the Borough are:

- Reducing the prevalence of adult and child obesity
- Improving mental health and wellbeing
- Reducing health inequalities by tackling poverty

## 10. Corporate Knowledge

### *Corporate Plan ambitions 2021 - 2024*

**People.** We want Basildon to be home to healthy and active local communities able to support themselves and each other.

**Place.** We want Basildon to offer a high quality of life for all residents through attractive, liveable, accessible and safe neighbourhoods and towns along with the provision of enduring facilities, green spaces and town centres that meet the needs of the community.

**Prosperity.** We want Basildon to have a thriving, dynamic and diverse economy where all our communities benefit from increased opportunity and our workforce has the right skills for our local economy and beyond.

The council will work with its partners to proactively tackle domestic abuse, by disseminating public information and offering support and advice to local people who are at risk of, or currently experiencing abuse, and to those whose relationships have broken down and who continue to experience abusive behaviour, i.e. stalking.

With changes to the Priority Need thresholds, the council anticipates an increase in approaches from single people, which will pose significant challenges and pressure

upon the Homelessness service. As such, the council will work closely with Essex County Council, and safe accommodation providers in the borough to support all residents into a place to call home.

We will work through partnership structures to better co-ordinate joint action and secure good quality outcomes locally and in doing so demand good public services to ensure our communities feel safe. The council will work with families, making referrals to other specialist agencies best placed to respond to their needs and concerns where appropriate

## 11. Links to other Corporate Policies or Partner documents

Key corporate documents linked to this policy include:

- Corporate Plan 2021 – 2024
- Dealing with Domestic Abuse – PMP 6.16
- Domestic Abuse Procedures (to be drafted separately)
- Responding to Domestic Abuse - Strategy on a Page (SOAP)
- Responding to Domestic Abuse Action Plan 2021-2026
- Essex County Council Domestic Abuse Commissioning Strategy 2021 - 2024
- Safeguarding Policy 2019
- Safeguarding Strategy 2019
- Safeguarding Guide for Employees and Volunteers
- Housing Strategy 2018 – 2023
- Anti-Social Behaviour Policy 2021
- Inclusion & Diversity Policy 2020 - 2024
- Homelessness and Rough Sleeping Prevention Strategy 2019 - 2024
- Economic Development Policy
- Health and Wellbeing Policy 2018
- Local Plan
- Safer Basildon Partnership Strategy 2018 - 2021
- SETDAB Strategy 2020 - 2025
- SETDAB Annual Report 2020 - 2021
- [Domestic Abuse Commissioner](#)
- Victims Code of Practice (Revised April 2021)
- Home Office Multi-agency Statutory Guidance for the conduct of Domestic Homicide Reviews (December 2016)
- Ministry of Housing, Communities & Local Government draft statutory guidance for local authorities (June 2021)
- Department of Levelling up, Housing and Communities Statutory Guidance - [Domestic abuse support within safe accommodation](#) (October 2021)
- HMPPS Reducing Reoffending & Social Inclusion Plan – Probation Service East of England 2021 - 2024



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### **13. Appendices**

**Appendix 1: Glossary of Terms**

**Appendix 2: Relevant Legislation**

**Appendix 3: Domestic Abuse Procedures**

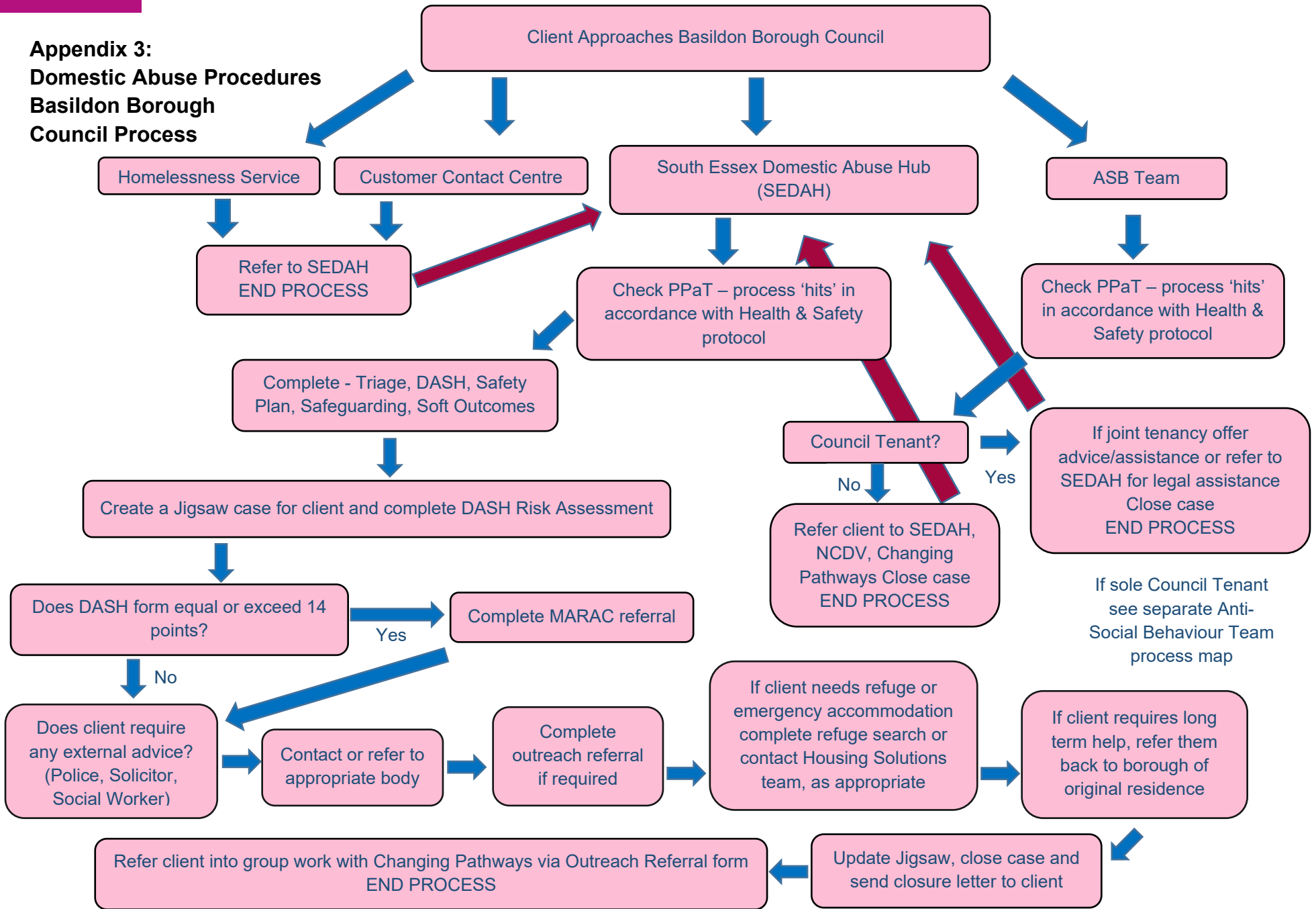
## Appendix 1: Glossary of Terms

ASB	Anti-Social Behaviour
CCG	Clinical Commissioning Group
CRU	Central Referral Unit
CSP	Community Safety Partnership
DAIT	Domestic Abuse Investigation Team
DALPB	Domestic Abuse Local Partnership Board
DAPST	Domestic Abuse Problem Solving Team
DASH	Domestic Abuse Stalking and Harassment, 'Honour'-based violence model
DHR	Domestic Homicide Review
GDPR	General Data Protection Regulation
GP	General Practitioner
HMPPS	Her Majesty's Prison and Probation Service
IDVA	Independent Domestic Violence Advisor
MAPPA	Multi-Agency Public Protection Arrangements
MARAC	Multi Agency Risk Assessment Conference
NCDV	National Centre for Domestic Violence
NHS	National Health Service
NSPCC	National Society for the Prevention of Cruelty to Children
ONS	Office for National Statistics
PASBO	Principal Anti-Social Behaviour Officer
PMP	People Management Procedures
PPaT	Persons Perceived as a Threat
SEDAH	South Essex Domestic Abuse Hub
SETDAB	Southend, Essex and Thurrock Domestic Abuse Board

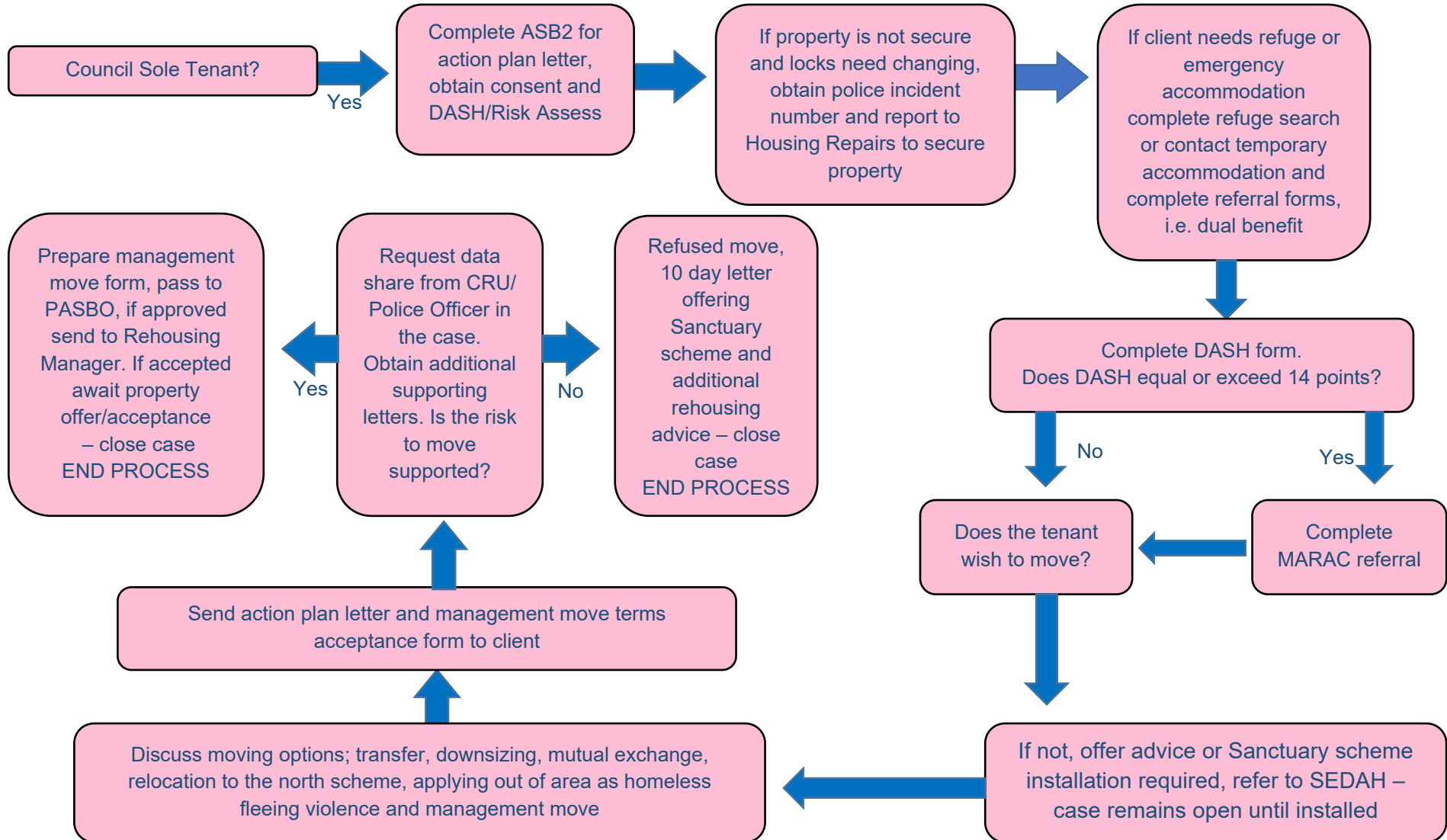
## Appendix 2: Relevant Legislation

Data Protection Act 2018  
Domestic Abuse Act 2021  
Statutory Guidance for Local Authorities across England: Delivery of Support to Victims of Domestic Abuse, including children in Domestic Abuse Safe Accommodation Services  
Domestic Abuse Support (Relevant Accommodation) Draft regulations 2021  
Domestic Abuse (Local Authority Strategies) Draft regulations 2021  
Domestic Violence, Crime & Victims Act 2004  
Equality Act 2010  
Human Rights Act 1998  
Serious Crime Act 2015  
Offences Against the Person Act 1861  
The Children Act 1989 and 2004  
Care Act 2014  
Mental Capacity Act 2015  
The Housing Act 1996  
Homelessness Act 2002  
Homelessness Code of Guidance  
Working Together to Safeguard Children 2018  
Violence Against Women and Girls: National Statement of Expectations  
Tackling Violence Against Women and Girls Strategy  
Stalking Protection Act 2019  
Crime and Disorder Act 1998  
Domestic Violence Disclosure Scheme and guidance (Clare's Law)  
Protection from Harassment 1997

**Appendix 3:  
Domestic Abuse Procedures  
Basildon Borough  
Council Process**



## Anti-Social Behaviour Team Process



Monday to Friday  
10am to 5pm



**Basildon Council**  
BASILDON • BILLERICAY • WICKFORD

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Kwa tafsiri, tafadhali piga simu (Kiswahili)

ਅਨੁਵਾਦ ਵਾਸਤੇ ਕਿਰਪਾ ਕਰਕੇ ਕਾਲ ਕਰੋ (Punjabi)

Kana muchida kuturikirwa, tapota ridzai runhare kuna (Shona)

Pre preklad prosim volajte (Slovak)

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