

Domestic abuse

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Introduction

Not everyone who has experienced, or is experiencing, domestic abuse chooses to describe themselves as a 'victim' and they may prefer another term, for example, 'survivor'. The terms 'victim' and 'survivor' are used interchangeably throughout this guidance and no additional meaning is intended if one of them is used in a particular context.

Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background.

Domestic abuse are problems in our society with damaging and far-reaching impacts. DWP has a range of measures designed to provide assistance and support for victims of domestic abuse.

An estimated 2 million adults aged 16 to 59 experience domestic abuse, which is approximately 6 in 100 adults. Data also shows women are around twice as likely to have experienced domestic abuse as men. Victims will have different experiences of domestic abuse and their support needs may be different.

Safety is the immediate need of every individual or family experiencing domestic abuse.

Victims of domestic abuse often flee their homes with few or no possessions and with no access to their own economic resources, or a financial safety net. Financial assistance through Universal Credit can be essential to provide for themselves - or themselves and their children.

What is domestic abuse?

The government definition of domestic abuse is 'any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse'. Both the person who is carrying out these behaviours and the person to whom the behaviours are being directed must be:

- aged 16 or over (abusive behaviour directed at a person aged under 16 would be dealt with as child abuse rather than domestic abuse)
- personally connected (for example, who are or have been intimate partners or family members regardless of gender or sexuality)

Domestic abuse can encompass (but is not limited to) the following types of abuse:

- **physical** - this can include shaking, smacking, punching, kicking, presence of finger or bite marks, bruising, starving, tying up, stabbing, suffocation, throwing things, using objects as weapons, genital mutilation or 'honour violence' (physical effects are often in areas of the body that are covered and hidden, for example breasts, legs and stomach)
- **sexual** - this can include forced sex, forced prostitution, ignoring religious prohibitions about sex, refusal to practise safe sex, sexual insults, passing on sexually transmitted diseases or preventing breastfeeding
- **psychological** - this can include intimidation, insulting behaviour, isolating the victim from friends and family, criticising, denying the abuse, treating the victim as an inferior, threatening to harm children or take them away or forced marriage
- **economic and financial**
- **emotional** - this can include swearing, undermining confidence, making racist, sexist or other derogatory remarks, making the victim feel unattractive, calling the victim stupid or useless or eroding their independence
- **controlling behaviour** - a range of acts designed to make a victim subordinate 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** - 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

This definition (which is not a legal definition) includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage. It is clear that victims are not confined to one gender or ethnic group.

Domestic abuse: economic and financial

Economic and financial abuse involves any behaviours that interfere with an individual's ability to acquire, use, or maintain money or other property, or to obtain goods or services.

Economic abuse can also be a form of controlling or coercive behaviour. It is important to be aware that economic abuse may take place or persist after the victim has separated from the perpetrator.

Examples of economic abuse might include the following:

- preventing a victim from claiming welfare benefits, or forcing someone to commit benefit fraud or misappropriating such benefits
- interfering with a victim's education, training, employment and career
- having sole control of the family income
- controlling the victims bank accounts, for example knowing passwords, holding on to all the bank cards
- refusing to give money, asking for an explanation of how every penny is spent
- making the victim ask for money or giving them an allowance
- to gamble or not paying bills
- not allowing or controlling a victim's access to a mobile phone, transport, utilities or food
- damage to a victim's property

Domestic Violence Disclosure Scheme

Agents should be aware of the Domestic Violence Disclosure Scheme (Clare's Law). For more information, see [Domestic Violence Disclosure Scheme fact sheet](#).

Identifying and protecting claimants at risk or abuse

When communicating with a claimant, they may display signs, behaviors and language or talk about a life event suggesting they may have complex personal circumstances, for example, fleeing domestic abuse.

If it becomes apparent that a claimant has been or is a victim of domestic abuse, and as soon as they feel able, a discussion about their circumstances must take place.

Talking about abuse can be difficult and emotional. Wherever possible (as a risk assessment measure) a claimant may feel more comfortable talking confidentially in a private room without any third parties present and they must be given this option if appropriate. If necessary, alert the appropriate authorities to safeguard the claimant or their children. See disclosing personal data.

Consider the following:

- the claimant may be fearful of being seen in the Jobcentre, either by their ex-partner or someone else who knows them
- don't be afraid to ask if they need support, if the claimant isn't ready to disclose, they won't
- reassure the claimant that their personal data is secure

If you need to seek help or support from colleagues, try not to leave the claimant alone as this can feel daunting if they are afraid or anxious.

Use the District Provision Tool and local Complex Needs Toolkit to signpost the claimant to specialist partner organisations who can provide further support.

Further support for victims of domestic abuse

If the claimant has access to the Internet, signpost them to the GOV.UK website.

The claimant can search the site for 'domestic abuse' to find information which will enable them to get the expert help and advice they need from specialist support services. Details can be printed from the site and issued to the claimant as appropriate.

Some claimants may have an appointee. Alternatively, the claimant can be asked to give consent for a support worker to assist in maintaining and managing their Universal Credit account. For information that can be provided to third parties, see Consent and disclosure.

The following is a list of organisations available that may be able to assist the claimant:

- the **National Domestic Abuse Helpline** – is run jointly with Women's Aid and Refuge and is a 24 hour, free phone national service (claimants can contact the National Domestic Abuse Helpline on: 0808 2000 247 or

- National Domestic Abuse Helpline . Staff can also use the helpline to obtain guidance from professionals
- for local area support services, search the Domestic Abuse Directory
 - In **Wales** call the All-Wales 24 Hour Live Fear Free Helpline 0808 80 10 800 or visit the Welsh Women's Aid website
 - in **Scotland** call the Freephone 24 Hour Domestic Abuse and Forced Marriage Helpline 0800 027 1234 or visit the Scottish Women's Aid website
 - **Karma Nirvana** is the specialist helpline for forced marriage and honour based abuse. It is open from 9am to 5pm Monday to Friday 0800 599 247 or visit Karma Nirvana
 - **Galop** is the LGBT and anti-violence charity which runs the National LGBT+ Domestic Abuse Helpline on 0800 999 5428
 - Victim Support on 0808 16 89 111 open 24/7 or visit victimsupport.org.uk
 - Revenge Porn Helpline, open 10am to 4pm, Monday to Friday 0345 6000 459, or visit Revenge Porn Helpline
 - the National Stalking Helpline provides guidance and information to anybody who is currently or has previously been affected by harassment or stalking – claimants can contact the National Stalking Helpline on 0808 802 0300 or email <mailto:advice@stalkinghelpline.org>
 - **Male Advice (and Enquiry) Line** – offers help to male victims of domestic abuse and advice to perpetrators – claimants can contact the Men's Advice and (Enquiry) Line on 0808 801 0327 or Men's Advice Line
 - **RESPECT** – offers information and advice to people who are abusive towards their partners and want help to stop (claimants can contact respect on: 0808 8024040 or Respect
 - GOV.UK Report Domestic Abuse provides a list of organisations that victims can talk to and report domestic abuse and violence
 - Bright Sky - is a free to download mobile app and website which provides support to anyone in an abusive relationship and information for those concerned that someone they know is experiencing domestic abuse (DWP agents can find more content on Bright Sky)

This is not a complete list.

Providing assistance to claimants

A range of measures can be put in place to support claimants who are victims of domestic abuse depending on their circumstances.

A claimant who has been financially abused may need support to manage their money. The discussion must explain what assistance can be given, for example:

- Split Payments may be appropriate to enable the claimant to have access to an independent income, though any risks must be taken into account to allow the Alternative Payment Arrangement to be delivered safely
- help to cope with managing money on a monthly basis and paying bills on time via signposting to money guidance and debt advice where appropriate
- Advances to provide immediate financial support for victims fleeing abuse, or help with buying essential household items or rent in advance – see Complex needs, Financial hardship section under ‘Advances’
- signposting claimants to Debt Management Service (DMS) when they request deductions to repay an advance be waived due to being unaware the advance had been applied for or coerced in to applying for the advance
- Assisted Digital Support or Help to Claim to make a claim for Universal Credit and to maintain their account by online self-service
- Exemption from removal of spare room subsidy for those given assistance under the sanctuary scheme. See guidance on social rented sector for more information
- paying rent for two homes if the claimant has fled their home through fear of violence but intends to return – see Paying for two homes
- establishing if the claimant meets the criteria to have their work-related requirements switched-off
- considering if alternative methods of payment available if the claimant does not have access to a bank account
- identity verification if the claimant has fled abuse and is unable to provide documentation
- where appropriate, signposting to GOV.UK Making a Child Maintenance arrangement for Child Maintenance Services including the waiving of the application fee and setting up a direct payment arrangement so that no contact is required with the paying parent (see also Child Maintenance guidance)
- exceptions will apply to a third or subsequent child or qualifying young person who is likely to be born as a result of non-consensual conception, or at a time when the claimant was subject to ongoing control or coercion by the other parent of the child – see additional amount for children for more information
- GOV.UK provides information on Help available from DWP for people who are victims of domestic abuse
- if the claimant is homeless, we must also consider a referral to the local authority under ‘Duty to Refer, see Homelessness and at risk of homelessness and Spotlight on: homelessness ‘Duty to Refer’ to a local authority (England only)

Claimants may change their mobile numbers frequently due to a fear of an ex-partner finding out where they are. Advise the claimant that they can:

- choose their preferred method of contact
- keep their contact details up to date in their Universal Credit account

The District Provision Tool and local Complex Needs Toolkit can also help to provide the appropriate support for claimants with other additional complex needs.

Staff may also find it challenging to respond to claimants who experience domestic abuse, for example, they may experience domestic abuse themselves. For support, staff can talk to their line manager, a trusted colleague and the DWP Employee Assistance Programme as well as the organisations listed below.

Victim of domestic abuse (surplus earnings)

Surplus earnings must not be taken into account in respect of a claimant who has, or had at the time the old award terminated, recently been a victim of domestic abuse.

Switching-off (easement) – criteria for victims of domestic abuse

A claimant's circumstances could mean work-related requirements need to be temporarily switched-off (easements). There is a specific list of circumstances for when the switch-off (easements) can apply and this includes when a claimant is or has been a victim of domestic abuse.

The switching-off of work-related requirements applies in relation to domestic abuse (actual or the threat of) by the claimant's current or former partner(s), or by certain family members of the claimant, their partner or former partner. Step relatives are also included as family members.

See Switching-off requirements (easements) for Labour Market regime interventions.

Any claimant (in any conditionality regime) who states that they have been a victim of domestic abuse is eligible to have their work-related requirements switched-off as long as:

- the incident or pattern of domestic abuse has occurred within the previous six months
- the incident or pattern meets the definition of domestic abuse

- they are not living at the same address as the abuser, see Domestic Emergency instructions
- they have not had a previous domestic abuse switch-off within the last 12 months
- they provide written evidence within one month of notifying Universal Credit

The switching-off requirements period starts on the date the claimant notifies Universal Credit. A claimant may notify an incident of domestic abuse within 6 months but may not be seen by an agent until after the time limit has expired. In these circumstances, the switching-off requirements period will start from the date they first made contact.

If the claimant remains in the same household as the person who inflicted or threatened the domestic abuse they are not eligible for the domestic abuse switching-off requirements (easement). In these circumstances, and if relevant evidence is provided, the Domestic emergency switching-off requirements (easements) can be used where it is appropriate to switch-off all requirements for a period of time.

If the claimant is in a refuge or other emergency accommodation, they may need time to sort out alternative accommodation. If no relevant evidence is provided the Domestic Emergency switching off (Easement) is considered due to homelessness along with any other support being received. See Homelessness and at risk of homelessness for further information.

Switching-off (easement) – relevant evidence

Relevant evidence is written evidence from a person acting in an official capacity showing that:

- the claimant's circumstances are consistent with those of a person who has had domestic abuse inflicted upon them (or has received threats of abuse) during the 6 months prior to the claimant notifying Universal Credit
- the claimant has made contact with the person acting in an official capacity in relation to such an incident which occurred during that period

A person acting in an official capacity means:

- a healthcare professional
- a police officer
- a registered social worker (or Social Care Wales)
- the claimant's employer or a representative of their trade union
- any public, voluntary or charitable body which has had direct contact with the claimant in connection with domestic abuse

For the full 13-week domestic abuse easement to apply, the claimant must provide evidence within 1 month of the date of the notification. If evidence is not supplied within this time limit, the easement ends after 1 month from the date of the notification.

Duration of the switch-off (easement) period

Switching-off requirements is vital to victims of domestic abuse as they often face significant barriers to employment, for example:

- economic abuse often means they are prevented from working and barred from access to education, training and employment over a long period of time
- most survivors will have experienced severe trauma as a result of psychological, emotional and physical abuse both during the relationship and after it has ended and will want access to work when they are ready
- a regular travel pattern to work for residents in a refuge would compromise the refuge's secret location if they were followed

There are some differences in the length of time any switching-off requirements will apply and which work-related requirements must be switched-off depending on the claimant. For the domestic abuse easement, these are as follows:

- all claimants in any conditionality regime:
 - must not have work-related requirements imposed for up to 13 weeks
 - any requirements undertaken must be on a voluntary basis and no sanction will apply within this 26-week period if a claimant does not undertake any work-related requirement
- a responsible carer of a child, in the Intensive Work Search regime:
 - must not have work search and availability requirements imposed for a further 13 weeks (bringing the total up to 26 weeks)
 - after the first 13 weeks, claimants must be offered voluntary review to see whether they want to take up the offer of work-related support on voluntary basis
- a responsible carer of a child in any other conditionality regime:
 - must not have any work-related requirements imposed for 26 weeks

Domestic abuse can have a significant effect on children which may be damaging and often long lasting. The child's health, development, ability to learn and their physical and mental well-being can be affected.

Domestic abuse is also the most common factor where children are at risk of serious harm. The claimant's ability to fulfil work-related requirements in these circumstances are likely to be severely impacted.

If the claimant is not eligible to have their work-related requirements switched-off because of domestic abuse, a main carer may still be eligible to have work search and availability requirements switched-off if they are dealing with a child in considerable distress.

Domestic abuse awareness video

This domestic abuse video contains sensitive subject matters which may affect some people, please ensure that you take time out after watching the video to reflect, discuss and debrief with your line manager, particularly if you are affected by its content.

Domestic abuse awareness video (8min 44secs)