

Plus Dane Housing

Domestic Abuse Policy

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1 Policy Statement

We believe that none of our tenants should live in fear of domestic abuse, and we will take steps to assist and support any tenant in this situation. We take all reports of domestic abuse seriously and will collaborate with persons experiencing domestic abuse to establish appropriate solutions.

Through this policy we will make sure that our staff are trained and aware not only how to deal with reports of domestic abuse but to also identify signs of abuse.

We have adopted the definition of domestic abuse in line with the Domestic Abuse Act 2021. Under Section 1 of this Act 'domestic abuse' is defined as:

- The behaviour of a person ('A') towards another person ('B') is 'domestic abuse' if:
 - a. A and B are each aged 16 or over and are personally connected to each other, and
 - b. 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.

- 'Economic abuse' means any behaviour that has a substantial adverse effect on B's ability to
 - a. Acquire, use, or maintain money or other property, or
 - b. Obtain goods or services.
- For the purposes of this definition, as per the Domestic Abuse Act 2021, A's behaviour may be behaviour 'towards' B despite the fact it consists of conduct directed at another person (for example, but not limited to, B's child)
- People are to be considered 'Personally connected' to each other, in line with section 2 of Domestic Abuse Act 2021, if any of the following apply:

- 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 the agreement has been terminated).
- d) They have entered into a civil partnership agreement (whether 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, either as a direct parent or as a person with parental responsibility for the child

For the purposes of the above, there is no legal definition for controlling and or coercive behaviour. The purposes of this Policy, 'controlling behaviour' is to be considered as:

- Behaviour encompassing a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting 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 to be considered as:

- An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten a survivor.

For the avoidance of doubt, this includes so called 'honour-based violence,' female genital mutilation and forced marriage, and remains clear that survivors are in no way confined to any one gender, and or ethnic group.

We acknowledge that domestic abuse is universal, crossing a variety of people from diverse backgrounds and who live in different circumstances, all of whom have the right to quiet enjoyment of their home without fear.

Throughout this policy we use the terms survivor and perpetrator to illustrate the relationship.

We will in no way discriminate against survivor of domestic abuse as set out, regardless of any gender and or ethnicity group.

For this policy, we refer to people who have experienced domestic abuse as survivors of domestic abuse. We also refer to those perpetrating domestic abuse as the perpetrator.

2 Policy Aims

The aims and objectives of this policy are to:

- deal efficiently and effectively with all reports of domestic abuse incidents, whether reported as a single incident or reported as a course of conduct.
- raise awareness amongst staff of domestic abuse that includes how to identify abuse and respond to reports.
- signpost or make a referral to relevant support services
- ensure we provide those experiencing domestic abuse with appropriate advice about their housing options and about their legal rights and responsibilities.
- take all appropriate action against any of our tenants and/or all those affecting our tenants who are perpetrators of domestic abuse as far as we can as a housing provider

3 Links to Corporate Plan:

This policy will help to create, with current and future customers, an experience that is efficient and responsive, allows choice, and is tailored to individuals and their circumstance

4 Our Approach

Our approach as an organisation is a 'survivor centred' response once we received a report of and/or identify any act of domestic abuse.

We will actively encourage and support survivors to report the incidents to the Police to ensure effective action is taken. We will provide accurate and clear advice to both parties, where possible, when supporting those in a joint tenancy. We will provide referrals to our own floating support services where necessary and decide for any referrals we can facilitate to external support groups within which we work in partnership with.

These groups may include but are not limited to:

- Merseyside Domestic Violence Service
- Liverpool Domestic Abuse Service
- South Liverpool Domestic Abuse Service
- SafeNet- Domestic Abuse Services and Refuge in the Northwest
- Womensaid.org.uk
- Worst Kept Secret Helpline
- Cheshire East Domestic Abuse Hub

Please note that this list is not exhaustive

Our approach is intended to ensure that the full range of civil and criminal remedies are considered which may include legal remedies

such as considering injunction proceedings including potential exclusions, action available to us for any breaches of tenancy and considering bringing possession action against any tenant who is an abuser, where other members of the household have had to leave the home due to domestic abuse.

However, we do realise and appreciate that many survivors make reports to the Police but then retract their statements as they are fearful of further abuse if the proceed. We will always take a non-judgmental approach.

We will take reports of domestic abuse from anyone wishing to give us this information. However, where reports are anonymous there may be limitations to our investigation and therefore, the action we are able to take may be limited.

Where there is damage to our property because of domestic abuse, we will carry out repairs as a matter of urgency.

4.1 Examples of Domestic Abuse

Domestic abuse can take a variety of different forms and is rarely a one-off incident. Domestic abuse is a criminal offence and can consist of but is not limited to:

- **Murder/Domestic homicide**
- **Physical abuse Psychological and emotional abuse:** Any behaviour which elicits fear or neglect such as threats of harm, abandonment, humiliation or ridicule, verbal, or racial abuse
- **Sexual abuse:** inappropriate or unwanted touching, rape, incest or forcing people to watch or do things they do not want to; pornography, prostitution, or trafficking
- **Economic and financial abuse:** examples of this form of abuse may include controlling or preventing reasonable access to finances or misuse and/or withholding income or possessions, dowry related abuse
- **Honour based violence** (including forced marriages) which is committed to protect or defend the honour of a family and / or community where an abuser believes that a relative has shamed a family and / or community by breaking an honour code
- **Coercive behaviour:** an act or patterns of acts of assaults, threats, humiliation, and intimidation used to harm or punish a person
- **Controlling behaviour:** acts designed to make a person subordinate and or dependent by isolating them from support or depriving a person of independence
- **Neglect:** denying access to support agencies, medication, food, dignity and privacy, inadequate heating, or light

This list is not exhaustive and is designed to highlight the types of behaviours we may come across and deal with as domestic abuse. In some instances, it is possible that multiple forms of abuse may be experienced at the same time.

4.2 Reporting Domestic Abuse

We recognise that it is often difficult and distressing for those experiencing domestic abuse to report or talk about the abuse.

All reports of domestic abuse will be taken seriously and shall be responded to within one working day.

When we receive a report of domestic abuse where possible we will agree to meet at a place convenient to the complainant. We will discuss a preferred contact method so reports to us are not compromised by us contacting them at their home.

We will encourage survivors of domestic abuse to allow us to share information with other agencies; this might include the Police. In line with our Safeguarding Policy any reports of domestic abuse where children are household members, we will refer to Social Services. When referring to other agencies for support we will always try to obtain the survivors consent except when referring to Multi Agency

Risk Assessment Conference (MARAC) when we can use our professional judgement to make the referral if this is made explicit on the referral form.

Where appropriate we will signpost to support services and/or other agencies to enable survivors to obtain the necessary support and make informed decisions. We will endeavour to provide as much support as is reasonably practicable for us to do so to any person who we identify as a survivor of domestic abuse.

Staff will be trained to recognise signs of domestic abuse and with skills to help them to reach out to ask probing questions when they feel that this is necessary. We will try to operate a pro-active response if our staff identify domestic abuse and offer support as we see fit in those circumstances.

4.3 Multi Agency Risk Assessment Conference (MARAC)

We work with MARAC in the Local Authority areas where we own properties. The purpose of MARAC is to provide a multi-agency response to high-risk survivors of domestic abuse. The aim of MARAC is to reduce risk by sharing information and providing actions to support the survivor of domestic abuse and their family. Survivors in most cases should consent to their case being referred to MARAC. Officers can refer cases to MARAC and will also be asked to deal with discuss cases referred by other agencies. If an Officer feels that a tenant is at

risk, they should refer to MARAC regardless of their permission to do so by using professional judgement. This must be made explicit in the referral to MARAC.

We will support the partnership work of other agencies and organisations in relation to domestic abuse and will support actions any of our partner agencies see fit in the face of domestic abuse allegations, including but not limited to Domestic Violence Protection Notices and Domestic Violence Protection Orders.

4.4 Support during the case

Our primary concern is the safety of the survivor and any other household members affected by abuse.

Tenants may be accompanied by an advocate at any stage during the process. Where appropriate we will signpost to specialist agencies that can offer advice and assistance to abusers and survivors of domestic abuse and offer appropriate support through the entire process and for an agreed period afterwards as required by the survivor.

Where it is practicable for the tenant to remain in their home, every effort will be made to check that doors and windows are secure, including offering lock changes to main doors in situations where access may be an issue. In extreme cases we will consider offering those in potentially dangerous situations help in the form of surveillance such as doorbell cameras. This will be assessed on a case-by-case basis and is dependent on the circumstances.

It may become apparent during investigations that the survivor wishes to remain in the relationship, in which case we will direct both parties to agencies who can help support the abuser to modify their behaviour and address any support needs they may have. Notwithstanding this, we may still consider acting against the perpetrator of domestic abuse if this behaviour continues at one of our properties and this causes nuisance and or annoyance, or a disturbance to people in the locality of the property, and or other tenants and residents directly or indirectly.

Where a case proceeds through the criminal justice system, the safety and welfare of residents whose complaints form the basis of any action will, at every stage of the process, be our first consideration.

4.5 Re-Housing

Where there are extreme incidents of domestic abuse, survivors will be supported to secure emergency accommodation to remove them immediately from danger. In line with the choice based letting process in the area that they live, if required we will support the survivor to apply for rehousing and ensure that the correct banding is given in line with the circumstances of their application.

Where we have knowingly re housed a survivor of domestic abuse from another landlord, we will not intentionally re house the alleged abuser in the same area.

4.6 Confidentiality

We recognise that when dealing with domestic abuse, the importance placed on confidentiality is paramount as disclosure of information could result in a life-or-death situation. Details provided to us, and the names of agencies involved will be always kept confidential.

We will be particularly vigilant to ensure that any information we have about a survivor's whereabouts is not disclosed to any enquirer.

The only exception to this is where the safety or the protection of children or vulnerable adults from abuse is in question, in which case other protection services may need to be involved. Complete confidentiality cannot be guaranteed in these circumstances.

4.6.1 General Data Protection Regulations (GDPR)

We will record information on our CX system in adherence with the principles of our GDPR Policy.

4.7 Legal Remedies

When appropriate, we will not only work in conjunction with the Police and other authorities in relation to Domestic Violence Protection Notices, Domestic Violence Protection Orders and/or any criminal proceedings where necessary, but also use relevant and available civil legal proceedings to act in instances of domestic abuse as defined within this policy. The basis of the action will depend on the nature of each case, the wishes of the survivor and the evidence that is available to us. This will take the form of protecting the survivor and not rewarding the abusers

Examples of actions that may be considered are, but not limited to:

- Formal tenancy warnings.
- Injunction proceedings relating to breach of tenancy terms.
- Injunction proceedings relating to Anti-Social Behaviour, including the potential for us to seek exclusions from properties and/or localities in certain situations.
- Possession proceedings on any number of grounds, such as breaches of tenancy clause, and/or because of anti-social behaviour at the property, including potentially relying on a mandatory possession ground.

We will advise any person who has experienced domestic abuse to seek independent legal advice about their legal options and provide support for this where possible.

4.8 Action against perpetrators

We will not pre-judge abusers prior to the investigation but shall make them aware of the consequences of their actions. We will endeavour to investigate all reports fairly,

Where appropriate, we will adopt a multi-agency approach when dealing with abusers. This could include working with the Police and appropriate local authority departments but may involve other organisations and agencies.

We will take firm action against abusers within the legal framework available to us. This may include possession proceedings where other members of the household have left the home because of the domestic abuse.

4.9 Lettings Policy

As part of our general lettings policy, where possible, we will seek to ensure that survivors of domestic abuse that apply for accommodation and/or have presented as homeless because of domestic violence are given their appropriate priority banding.

Those who have been the known and/or convicted perpetrators of domestic abuse shall be considered to have behaved in an unsatisfactory manner and will not be allocated housing in line with our allocations policy.

5 Assurance

To ensure that all reports of Domestic Abuse are dealt with in line with this Policy the following measures are in place.

Closing a case

We will close cases when the situation is resolved, and the survivor is happy for us to do so. If there is any dissatisfaction with the service that we have provided survivors can make a complaint that will be investigated in line with our Customer Feedback Policy.

Customer Standards

The following standards agreed with customers are in place for this policy. We will:

- respond to complaints of domestic abuse within one working day.
- provide training to staff to ensure that reports are dealt with in a consistent way
- Agree during the first interview, a contact arrangement to regularly review the case.

- provide advice and information on what support is available.
- Where appropriate, take firm, prompt and appropriate action which may lead to eviction against any abuser who is our tenant.

This Policy is to be read in conjunction with any other relevant policy that shall be relevant to the set of circumstances

6 Equality Impact Assessment

An Equality Impact Assessment undertaken on this Policy has indicated there are no negative impacts arising from this Policy based on a customer's race, religion, disability, gender or gender identity, sexual orientation, marital or civil partnership status, pregnancy, or age.

7 Modern Slavery & Human Trafficking

Plus Dane has a zero-tolerance approach to human trafficking and modern slavery. As part of our commitment to the Modern Slavery Act, when we visit and interact our tenants, during these visits we will consider signs of modern slavery and human trafficking, as well as any other welfare concerns which tenants or members of their household may have. Where we have concerns, we will raise this concerns through our wider safeguarding approach.