

Control Information	
<b>Policy Title</b>	Domestic Abuse
<b>Group Directorate</b>	Customer Operations
<b>Directorate</b>	Operations – Community Safety
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<b>Approval Group</b>	Customer Service Committee
<b>Date first approved</b>	June 2021
<b>Date last reviewed</b>	May 2024
<b>Next review date</b>	July 2026

## VERSION CONTROL

Version	Date	Author	Reason for New Version
2	01 June 2021	Charlotte Smith	Section 4.2 Inclusion of Domestic Abuse Act 2021  Section 5.1 Definition of Domestic Abuse in line with the Domestic Abuse Act  Section 7.5 Lifetime tenancies in line with the Domestic Abuse Act.
3	04 March 2022	Charlotte Smith	Format Change
4	20 May 2024	Charlotte Smith	Reviewed – no changes

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### 1. Policy Statement

Domestic abuse is an abuse of human rights, and in cases of physical and sexual abuse, it can be a criminal offence. It often escalates over time in frequency and severity and affects the victim's mental, emotional and physical wellbeing.

One Housing will treat all incidents of domestic abuse reported to us as high priority. We will always work with victims and respect their wishes and take action where we have the power to do so.

### 2. Objectives

2.1 We are committed to responding to incidents of Domestic Abuse in a responsive, victim-centred and supportive manner.

2.2 This policy sets out a clear definition of Domestic Abuse and outlines what measures One Housing may take to:

- Ensure that people experiencing domestic abuse can access appropriate services as early as possible and are given advice to allow them to make choices about what to do next.
- Support people who are / have experienced abuse to rebuild their lives by working in partnership with them and other support agencies.
- Ensure that where children and young people are affected by domestic abuse, they too have access to services as early as possible.
- Support victims to employ the use of civil and criminal laws which can offer them protection and also act as a preventative measure to avoid further abuse.
- Ensure that people experiencing abuse are not deterred from reporting abuse.
- Seek appropriate support solutions for perpetrators of domestic abuse to prevent abuse recurring.
- Follow the relevant Safeguarding Children procedures if we believe a child is at risk due to an abusive relationship.
- Follow the relevant Safeguarding Adults procedure if we believe a vulnerable adult is at risk due to an abusive relationship.
- Provide support and guidance to employees experiencing domestic abuse.

### 3. Key Policy Principles

- To promote the welfare of all victims of domestic abuse who come into contact with the One Housing.
- Create a safe environment where victims of domestic abuse feel they can approach us, are encouraged to talk and are listened to, thus enabling them to make informed decisions about their lives and live more independently.
- Provide timely and effective guidance by working in partnership with relevant agencies to respond to any cases of abuse that may arise. We seek to enhance the safety and security of

those involved and also support them to increase their confidence, resilience and empower themselves to live independently.

- Provide employees with clear and practical guidance to ensure we support and protect victims of abuse, allowing victims to have more information about their choices so that they feel empowered to fulfil their ambitions.
- Work in partnership to offer support to perpetrators of domestic abuse who recognise and seek to change their behaviour. We will work with perpetrators to increase their motivation, skills and knowledge and build confidence and resilience to combat their abusive behaviour patterns.

## 4. Cross References

4.1 This policy should be cross referenced with the following documents;

- Safeguarding Policy
- Safeguarding Procedure
- Safeguarding Strategy
- Equality & Diversity Policy
- Community Safety Policy
- Anti-Social Behaviour Procedure
- Health and Safety Policy
- Data Protection Policy
- Whistleblowing Policy

4.2 Legislation and Guidance

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Data Protection Act 2018
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2015
- The Care Act 2014
- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)
- Domestic Abuse Act 2021

## 5. Definitions

5.1 The cross-government definition of domestic abuse is: Behaviour of a person towards another person is domestic abuse if they are both aged 16 or over and are personally connected to each other and the behaviour is abusive.

Two people are “personally connected” to each other if any of the following applies—

- (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.

Domestic Abuse can encompass, but is not limited to, the following types of abuse:

**Physical Abuse** can include: hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, spitting, strangulation, choking.

**Sexual Abuse** can include rape and coerced sex, forcing a victim to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.

**Financial abuse** can include: controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim’s name, allowing no say on how monies are spent, refusing to allow them to study or work.

**Psychological and Emotional Violence and Abuse** has a profound impact upon victims and their children. It can leave a victim with little confidence that they can do anything to change the situation.

Examples include:

- Creating isolation e.g. not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them.
- Use of threats e.g. threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad.
- Putting them down – humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent.

**5.2 Discriminatory Abuse** may manifest itself as any of the other categories of abuse, however what makes discriminatory abuse distinctive is it is motivated by oppressive and discriminatory attitudes towards a person’s:

- Disability

- Physical appearance
- Learning disability
- Mental ill-health
- Sensory impairment
- Race
- Religion
- Gender/ gender identity
- Age
- Culture
- Sexual orientation
- Appearance

The definition also includes honour-based abuse, forced marriage and female genital mutilation. The impact of domestic abuse can range from loss of esteem to loss of life. Coercive and controlling behaviour underpins all forms of domestic abuse and is explained as a range of purposeful behaviours including intimidation, isolation, emotional abuse and manipulation.

These behaviours are often used as the primary mechanisms for achieving power and control in an abusive relationship and these behaviours reinforce the threat or reality of physical abuse.

**5.3 Family and Inter-Generational Abuse** Domestic abuse approaches have traditionally focused upon heterosexual partner abuse and more recently have been seen to address abuse in lesbian, gay, bisexual and transgender relationships.

More focus is required to address family and inter-generational abuse, and how it differs from partner abuse, for example if the perpetrator is the victim's teenage or adult sibling, child or grandchild. Careful consideration is required when dealing with family and inter-generational abuse due to the complexities of family composition and safeguarding implications.

**5.4 Elder Abuse** Research has found that domestic abuse is experienced by both women and men regardless of age, disability and ethnic background. Elder abuse can be even more detrimental to a victim's wellbeing due to problems with mobility, mental health and social isolation.

Older people may have come to accept some aspects of domestic abuse as the 'norm' dependent upon their generation. For example, in the past the male of the relationship may have been the only one to work and was traditionally seen as the breadwinner and thus have control of their finances and limit their partners' access to money, we would now accept this as financial abuse.

**5.5 Online Abuse** Online platforms are increasingly used to perpetrate domestic abuse. Online domestic abuse can include behaviours such as monitoring of social media profiles or emails, abuse over social media such as Facebook or Twitter, sharing intimate photos or videos without your consent, using GPs locators or spyware.

## 6. Scope

This policy is intended for the use of the Community Safety Team, and staff at One Housing. It is also available to residents, the Police, local authorities. It may be made available to other individuals, groups or organizations upon request, at the discretion of the Head of Community Safety and Safeguarding.

We will meet our statutory safeguarding requirements in line with our existing policies and procedures where there are safeguarding concerns about a vulnerable resident or customer.

In cases of suspected child abuse staff will refer to our Safeguarding Children policy. In all cases of domestic abuse, staff will refer to our Safeguarding Adults policy.

## **7. Policy**

### **7.1 Responding to a report of domestic abuse**

There are a number of ways that we might receive a report of domestic abuse taking place in one of our properties. It may be made by the individual experiencing the abuse or by the perpetrator disclosing their own behaviour. It may be by a concerned neighbour, relative, or the police.

Suspected cases may be brought to our attention by repeat repairs, repeated reports of loud noises, banging or shouting or a member of staff noticing a change in behaviour of a resident.

We treat all reports of domestic abuse seriously, sympathetically and in confidence. We endeavour that our residents are safe in their homes. All cases are different, and depending on the situation, staff will respond accordingly, ensuring at all times that any action is resident led.

It might be that more information is needed, this is true especially where it has been brought to our attention by a third party or suspected domestic abuse taking place due to noise reports or repeated repairs.

When an individual experiencing domestic abuse discloses this to a member of staff, we will:

- Ask them if they are in immediate danger, if there is immediate threat to life staff will encourage the individual to call the police, or call the police on their behalf.
- Find out if there are any vulnerable adults or children living at the property.
- If staff believe there is a safeguarding concern of an adult at risk or a child at risk living in the property where the domestic abuse is taking place, we have a duty of care to raise this concern with the Local Authority.
- Offer to meet the individual at a place that they feel safe, it is important to offer the resident to meet with a member of staff that they feel comfortable with, it may be that they would prefer to meet with someone of the same or opposite gender.
- Find out the safest way to contact them going forwards
- Find out the name of the perpetrator and their relationship to the individual
- Let them know of local and national support agencies, and where they can find more information on agencies to help them.

### **7.2 The perpetrator**

We provide general housing advice to perpetrators when requested. Where the perpetrator is willing to confront their abusive behaviour, we refer them to appropriate support services. If the perpetrator is the tenant of the property, we will consider taking appropriate tenancy action including possession action.

### **7.3 Privacy Impact**

Domestic abuse cases are particularly sensitive. We take extra care to maintain confidence of information. However, where there are safeguarding concerns or a crime has been committed we will follow our duties with sharing this information with the relevant authorities.

Where possible, we will seek to establish information sharing protocols with relevant external agencies to help in managing domestic abuse cases. Personal or sensitive data will be processed in line with the Data Protection Act 2018 (as amended) and One Housing's Data Protection Policy.

## **7.4 Working in partnership**

We endeavour to work with other agencies, such as the police, local authorities, domestic abuse agencies, and health services to tackle domestic abuse.

## **7.5 Alternative housing options**

Where the individual experiencing the abuse is unable to remain in their home owing to the ongoing presence of the abuser or the threat of future abuse, we ensure they are aware of various housing alternatives available to them to access.

There may be occasions when temporary sanctuary / emergency accommodation is required whilst safety measures are implemented. If emergency accommodation is required, the Community Safety Team can liaise directly with relevant agencies.

If permanent rehousing is agreed, then a transfer application will be assessed and considered with the appropriate priority banding. When re-housing an existing lifetime social tenant, or offering them a new sole tenancy in their own home, we will grant a new lifetime tenancy if we and/or the local authority is satisfied that the tenant or a member of their household has been a victim of domestic abuse and the new tenancy is granted in connection with that abuse.

Where appropriate and possible we collaborate with other registered providers as part of the Pan-London Housing Reciprocal agreement to find alternative accommodation in areas that are safe for them, whilst allowing them to keep the same security of tenure.

## **7.6 Tenancy Agreements**

**Joint Tenancy** - Although there is no statutory requirement for One Housing to re-house victims of domestic abuse, we will always consider this an option in certain circumstances in agreement with the resident. Rent arrears should never prevent a person experiencing domestic abuse from moving, however rent arrears cannot be ignored and a repayment plan will need to be discussed at a later date.

When the relationship has broken down as a result of domestic abuse, and there is a joint tenancy we may seek to re-house the perpetrator with their agreement, this is not a means of condoning their behaviour but rather has significant benefits for the person experiencing abuse and One Housing, which can include:

- Quick removal of the perpetrator from the home, which also enables us and other agencies to make the house safe and secure.
- Monitor their residence/ location and where data sharing allows we can provide this information to other agencies e.g. the Police.
- Monitor their behaviour more effectively by placing them on a starter tenancy.

- Engage with the perpetrator and offer support to change their behaviour.
- Enabling the victim to stay in their home allows them to remain in contact with any support around them, avoiding potential isolation

Neither the victim nor perpetrator should be advised to terminate their tenancy. Each case will be judged on its individual circumstances and should be discussed with the Community Safety Team. The person experiencing abuse may be able to access Family Law remedies to remove a perpetrator from the home and we are able to signpost to relevant agencies.

**Tenancy in Perpetrator's Name** - Where the tenancy is in the perpetrators sole name, staff should ask the victim to complete a housing application and refer them to their local authority. The duty to provide immediate temporary accommodation lies with local authorities under the Housing Act 1996 and Homelessness Act 2002. A person experiencing abuse who is not a One Housing tenant should be referred to the local authority, but advice and support can be offered through the Lettings and Onboarding team.

**Tenancy in Victim's Name** - When the tenancy is in the sole name of the person experiencing domestic abuse then the Community Safety Team can provide guidance on the options available to them. If the person experiencing the abuse wants the perpetrator to leave the home then we will provide support to them, in conjunction with our partners such as the Police.

Often a request to leave will be resisted by the perpetrator, especially if it is a family home and may also heighten the risk of further abuse, therefore this process needs to be managed carefully and be risk assessed.

Perpetrators may try and return to the home, therefore the Community Safety team will liaise with our legal department and the customer to explore available options to keep them safe. One Housing is able to provide lock changes and extra security measures to victims of domestic abuse, this can include extra window locks and bolts and chains to doors.

## 7.7 Raising awareness

We are committed to raising awareness of domestic abuse and a key part of this is ensuring that our residents and communities are clear on our position. This includes giving information in newsletters, resident communication and on our website.

We will regularly publicise on internal staff platforms and external resident platforms and provide relevant training for staff. Our dedicated Community Safety & Safeguarding team will champion domestic abuse across the business as subject matter experts providing, advice, support and guidance to residents and staff.

## 8. Accountability and Responsibility

8.1 The Director of Customer Operations has overall responsibility for this policy and the Head of Community Safety and Safeguarding has operational responsibility for this policy.

The Community Safety Team Manager is responsible for ensuring that Community Safety Team members are aware of this policy and use the same appropriately.



The Head of Community Safety and Safeguarding is responsible for ensuring that instructions are given to the appropriate persons to enable Community Safety Team.

8.2 Any action requiring the approval of a particular individual may be approved by a Group Director if necessary. In exceptional circumstances, approval may be granted retrospectively by a person of appropriate seniority.

## **9. Monitoring and Auditing Controls**

9.1 The Head of Community Safety & Safeguarding will regularly provide reports in relation to caseload, progress, reporting trends and risk to the Safeguarding Panel, executive Team and Board when required.

9.2 Regular case audits will be carried out by the Community Safety Manager and Head of Community Safety and Safeguarding respectively.

9.3 All cases of domestic abuse are recorded and monitored to ensure appropriate action is taken based on information provided by residents. We analyse this data in order to:

- Increase our understanding of who is experiencing domestic abuse
- Tailor our services according to the needs of our residents
- Identify performance issues and make improvements where needed.