

Domestic Abuse Policy

Linked strategies	Live Proud Live Happy
Version	1.1
Date approved by (State by whom and when)	EMT (January 2022)
Policy level	2
Date effective (Subject to staff consultation)	February 2022
Date of next review	February 2025
Policy Owner	Head of Housing and Neighbourhoods

1 Policy Statement

- 1.1 Greatwell Homes does not tolerate domestic abuse in our homes and communities. This policy sets out our 'victim centred' approach that will ensure those who have experienced incidents of domestic abuse receive the support they need when reporting or experiencing domestic abuse.
- 1.2 Our Support Services Manager will be our appointed lead for domestic abuse for Greatwell Homes and will be supported by our Community Safety Team and Neighbourhood Housing Team.

2 Scope

- 2.1 This policy applies to all customers of Greatwell Homes, regardless of their tenure. This policy also applies to all staff at Greatwell Homes, particularly those staff who come into contact with customers and their families (such as neighbourhood housing officers, income recovery officers, and Greatwell Works Operatives)
- 2.2 We recognise that staff members may also experience domestic abuse, whether they are customers of Greatwell Homes or not. We have a separate 'Domestic Abuse Policy for Staff' which details the support we will offer colleagues, should they experience domestic abuse.
- 2.3 This policy should be read in conjunction with our 'Domestic Abuse Support for Employees Policy' where survivors of domestic abuse are also customers of Greatwell Homes.

3 Definitions

- 3.1 The Domestic Abuse Act (2021) provides a statutory definition of domestic abuse that we will adopt for this policy. That definition is set out below.

'Abusive behaviour' is defined in the act as any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional, or other abuse

For the definition to apply, both parties must be aged 16 or over and 'personally connected'.

'Personally connected' is defined in the act as parties who:

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

3.2 **Multi-Agency Risk Assessment Conference (MARAC)** – The MARAC is a partnership meeting attended by the Police, the Local Authority, Housing Providers, Healthcare Professionals, Independent Domestic Violence Advisors (IDVA's) and other agencies from the statutory and voluntary sectors to support those survivors of domestic abuse that are at the highest risk of harm.

3.3 **Occupation Order** - Occupation orders are orders made by the courts to enforce or restrict rights to occupy the family home under the Family Law Act (1996). Their main use in domestic abuse cases is to exclude someone on a short-term basis from the home or from a specified area around the home

3.4 **Non-Molestation Order** – a non-molestation order is an order granted by the courts under the Family Law Act (1996) to prevent molestation of an associated person or relevant child. In domestic abuse cases, they are used to protect survivors of threats of violence, actual violence, harassment or abuse.

4 **Responding to Reports of Domestic Abuse**

4.1 We will respond to all reports and concerns relating to domestic abuse, whether these are made by the survivor themselves, neighbours, partner agencies (such as the Police, the Local Authority), partnership forums (such as the Northamptonshire MARRAC) or staff or contractors working for or on behalf of Greatwell Homes

4.2 We will treat all reports of domestic abuse seriously, sympathetically and in confidence (unless there are safeguarding concerns that we need to raise – refer to section 5.3)

- 4.3 Upon receiving a concern from a staff member, partner agency or neighbour, the relevant neighbourhood housing officer (NHO) will attempt to contact the survivor and discuss the concern.
- 4.4 If, following this contact, the survivor requests assistance, or when we receive a report from a survivor, we will always open a case and record it on our housing management system.
- 4.5 We will always record the risk of harm to the survivor using the Domestic Abuse, Stalking and Honour based risk identification checklist (DASH) and record the outcome on our housing management system.
- 4.6 We will advise survivors of both local and national support services available, and where they can find further information on these agencies.
- 4.7 If the survivor discloses that they are in immediate danger, we will encourage the survivor to contact the Police, or call the Police on their behalf.
- 4.8 We will ensure that survivors of domestic abuse can discuss their concerns in a safe environment. This may be outside of their home, or with the support of an interpreter or with an officer of the same (or opposite) gender.

5 Support for Survivors

5.1 Housing Options

- 5.1.1 Where the survivor is unable to remain in their home owing to the ongoing presence of the abuser or the threat of future abuse, we will ensure they are aware of various housing options available to them.
- 5.1.2 There may be occasions when emergency accommodation is required whilst safety measures are implemented. If emergency accommodation is required. We will liaise with local authority partners to facilitate this or consider a short term decant if appropriate.
- 5.1.3 When rehousing survivors of domestic abuse, we will ensure that the new property is in a good state of decoration prior to occupation, rather than issue a decorating pack.

5.2 Joint Tenancies

- 5.2.1 We recognise that survivors may be a joint tenant, with their abusive partner and recognise that this may be a cause of dispute.

We will provide survivors of domestic abuse with guidance to access legal advice relating to their tenancy.

- 5.2.2 We will comply with all occupation orders, and transfer of tenancy orders made by the courts under The Family Law Act (1996) upon provision of a true copy of that order by the survivor.
- 5.2.3 Where one joint tenant serves us with notice to quit for their joint tenancy, we will always endeavour to make the other joint tenant aware of this, and invite them to submit their reasons to stay, along with any supporting evidence they may have.
- 5.2.4 Our allocations panel shall consider any requests to remain and notify the applicant of their decision in line with our procedure on management moves.
- 5.2.5 In cases where the allocations panel decide to re-grant a new sole tenancy to a survivor of domestic abuse who was previously a joint tenant, we will ensure that the tenancy offered will have no less security than the tenancy the survivor previously had.

5.3 Safeguarding

- 5.3.1 If there are vulnerable persons in the household (including dependent children), or if the DASH risk assessment is shown to be a HIGH risk, then we will make a safeguarding referral in line with our safeguarding policy.

6 Action Against Perpetrators

- 6.1 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.
- 6.2 If the perpetrator is the tenant of the property, we will consider taking appropriate tenancy action including possession action using ground 14(a) of The Housing Act (1988)

7 Partnership Working

- 7.1 MARAC

7.1.1 We will ensure that we attend the local MARAC meeting and share information in accordance with the MARAC terms of reference. We will ensure that we work with partner agencies who attend the MARRAC to maximise the support available to survivors whos' cases are heard there.

7.1.2 We will work with local authority partners in discharging their statutory duties to rehouse survivors of domestic abuse and will consider the use of management moves where appropriate, or where it enhances the support to the survivor. When we re-house a survivor of domestic abuse via a management move, we will ensure that the tenancy offered will have no less security than the tenancy the survivor previously had.

7.2 Child Protection / Child in Need Meetings

7.2.1 We will attend and contribute to all meetings called by Social Services to protect the interests of children affected by domestic abuse.

7.3 Make a Stand Campaign

7.3.1 We have signed up to the Chartered Institute of Housing's 'Make a Stand' campaign and will.

- Embed a policy to support residents who are experiencing domestic abuse
- Make information about national and local domestic abuse support services available on our website, and in other places which are easily accessible to residents and staff
- Put in place a HR policy and procedure on domestic abuse to support members of staff who are experiencing domestic abuse.
- Appoint a champion in your organisation to own the activity we do to support people experiencing domestic abuse.

8 Implications for Customers and Staff

8.1 A PIA has been completed and a copy is available upon request.

8.2 Information will be shared with partner agencies subject to the conditions set out in the relevant data sharing agreements.

8.3 We will always try to gain the survivors consent prior to sharing information about them to partner agencies

8.4 We may share information without the survivors agreement where there is a safeguarding risk, or risk to children. This may be undertaken as a 'vital interest' or

'legal obligation' disclosure under schedule 8 of the Data Protection Act (1998) or a disclosure under The Children's Act (1989) & (2004)

9 Performance Management

9.1 There are no performance measures that relate to the activity contained in this policy.

10 Responsibility and Decision Making

10.1 The table below illustrates the structure for responsibility and decision making in relation to this policy

Person Responsible	Scope
Support Services Manager	<ul style="list-style-type: none"> • Overall responsibility for ensuring that all activities related to this policy are undertaken. • Responsible for actions relating to safeguarding referrals • Responsible for ensuring our commitments are met under the 'make a stand' initiative.
Housing Team Leader	<ul style="list-style-type: none"> • Responsible for ensuring NHO's report and act on instances and cases of domestic abuse are managed in line with this policy
Community Safety Officer	<ul style="list-style-type: none"> • Responsible for representing Greatwell Homes at partnership meetings relating to domestic abuse (such as MARAC) • Responsible for the case management of 'high risk' cases of domestic abuse • Responsible for record keeping relating to cases managed
Neighbourhood Housing Officer	<ul style="list-style-type: none"> • Responsible for managing cases of domestic abuse that are not registered as 'high risk'

	<ul style="list-style-type: none"> Responsible for record keeping relating to cases managed
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11 Review

11.1 This Policy will be reviewed every three years or in line with changes in legislation, whichever is the sooner, updates or recommendations for changes will be presented to the Executive Management Team (EMT) for approval.

Associated Policies	Associated Procedures
	Domestic Abuse Procedure
Allocations Policy	Management Move Procedure
Safeguarding Policy	Safeguarding Children, and Adults at Risk Procedure
ASB Policy	ASB Procedure

