

Domestic Abuse Policy**Approved by: Executive Director Operations****Date of approval: 23 April 2019****Review date: April 2022****Version 2****1. Statement of Intent**

1.1 We condemn all incidents of domestic abuse; we are committed to a fast and supportive response to tenants, leaseholders and members of their household. We will adopt a victim centred approach in all cases of domestic abuse. We will consider the safety of the individual suffering domestic abuse or violence and will deal promptly with any damage caused to our properties.

2. This policy applies to

2.1 All our tenants and members of their household who experience domestic abuse, irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act.

2.2 All employees who are victims of domestic abuse.

3. Policy

3.1 We want to promote safe communities where everybody is allowed to live free from fear, intimidation and violence and provide a supportive working environment for our staff.

3.2 The definition of domestic abuse is “Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can include but is not limited to the following types of abuse:

- Violence and threatening behaviour
- Psychological
- Physical
- Sexual
- Financial
- Emotional
- Controlling or coercive behaviour

3.3 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 capabilities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

- 3.4 Coercive behaviour is: 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.”
- 3.5 This definition includes so called “honour” based violence, female genital mutilation (FGM) and forced marriage and is clear that victims are not confined to one gender or ethnic group.
- 3.6 We will support with our partners, any tenant or member of their family experiencing domestic abuse and other resident family members impacted by the domestic abuse.
- 3.7 We may use, where appropriate Ground 14A of Schedule 2 and Ground 2A of the Housing Act 1985, as amended, to gain possession of our property where an individual has left but the perpetrator of domestic abuse remains in a property.
- 3.8 Where there is a periodic joint tenancy which is terminated by one of the joint tenants due to domestic abuse, the remaining joint tenant, subject to consideration of our termination procedure, will remain in occupation unlawfully after the expiry of the notice and if they chose not to vacate, we will consider applying for a possession order.
- 3.9 We will ensure that information relating to domestic abuse is displayed in our reception areas and on our website. We will ensure that all those experiencing domestic abuse are provided with a fair, consistent and sympathetic service.
- 3.10 We are committed to working towards preventing and combating, domestic abuse to ensure that everybody is allowed to live free from fear, intimidation and violence based on the following principles:
 - Those experiencing domestic abuse should never be made to feel responsible for the abuse;
 - Those experiencing domestic abuse should not be required to take any action they reasonably feel will place them in greater danger; and
 - Those experiencing domestic abuse are best able to assess the danger they are in. The individual’s perception of the situation will be of paramount importance at all times.
- 3.11 We will investigate any allegation of domestic abuse made in good faith by a third party, which may include work with partner agencies to resolve the allegation. Our initial assessment in these circumstances will follow our ASB procedure until we can be satisfied that domestic abuse is an issue.
- 3.12 After investigation of the incident(s) we will take action where we are able to do so against the perpetrator, which may include working with other agencies. We will carry out a risk assessment using the Domestic Abuse, Stalking and Honour based risk identification checklist (RIC) and offer safety planning to provide support for the person experiencing domestic abuse and their children where present.
- 3.13 We will share information between agencies where the RIC risk identification checklist meets the local authority threshold for Multi-Agency Risk Assessment Conference (MARAC) referrals. This information should only be shared with those agencies attending the meeting, unless agreed otherwise with these multi-agency partners.

- 3.14 We realise it is often extremely difficult for the individual to come forward for help and it may take several attempts for them to actually leave an abusive situation. We accept an individual may choose to return to a potentially abusive situation, but this will not affect the serious way in which their case is dealt with or the support provided if they subsequently return for help.
- 3.15 We will ensure that all front line staff receive regular training in how to approach the sensitive issue of domestic abuse and to ensure they are aware of key issues and appropriate legislation.
- 3.16 We will take a supportive role in Domestic Abuse Forums in areas where we manage stock.

4. Legal & Regulatory Framework

- Family Law Act 1996
- Matrimonial Causes Act 1973
- Anti-Social Behaviour, Police and Crime Act 2014
- Data Protection Act 2018
- Domestic Violence, Crime and Victims Act 2004
- Housing Act 1996
- Housing Act 1985
- Housing Act 1988
- Homelessness Act 2002 and 2012
- Homelessness Reduction Act 2017
- Human Rights Act 1998
- Equality Act 2010
- Forced Marriage (Civil Protection) Act 2007
- Domestic Violence Crime and Victim Act 2004
- Domestic Violence and Matrimonial Proceedings Act 1976
- Domestic Proceedings and Magistrates Court Act 1978
- Protection from Harassment Act 1997

5. Related Policies

- Anti-Social Behaviour Policy
- Safeguarding Vulnerable Adults and Children Policy
- Allocations Policy

6. Related Procedures

- Domestic Abuse Procedure
- Termination Procedure
- Anti-Social Behaviour Procedure
- Safeguarding Vulnerable Adults and Children Procedure
- Allocations Procedure

7. Definitions

7.1 We follow Plain English guidelines. The complicated terms of this policy are explained here:

Term	Definition
MARAC	Multi-Agency Risk Assessment Conference
RIC	Risk Indicator Checklist