

## **DOMESTIC ABUSE POLICY**



### **MONITORING INFORMATION:**

<b>POLICY/PROCEDURE/STRATEGY:</b>	<b>DOMESTIC ABUSE POLICY</b>
<b>DATE APPROVED:</b>	<b>JUNE 2023</b>
<b>EXPIRY DATE:</b>	<b>JUNE 2026</b>
<b>OWNER:</b>	<b>PSL &amp; TENANCY SUSTAINMENT MANAGER</b>
<b>APPROVAL ROUTE:</b>	<b>EXECUTIVE MANAGEMENT TEAM</b>

# Domestic Abuse Policy

## 1. Introduction

Approximately 1 in 4 women, 1 in 6 men, and 1 in 8 children will be affected by Domestic Abuse at some point in their life. Around 40% of the LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, Queer and others) community have experienced domestic abuse. On average 2 women are killed each week in the UK as a direct result of domestic abuse.

Teign Housing recognises the harm domestic abuse can cause within our communities and homes and wants all our customers to be safe from the impact of domestic abuse. This policy sets out our commitment to help tackle domestic abuse, and how we aim to manage and support cases of domestic abuse.

Teign Housing plays an important role in tackling domestic abuse, being well placed to help and support victims and survivors, as well as working with partner agencies such as the Police, Local Authority and Social Services to help tackle and further prevent it. To do this, all colleagues need to be aware of what domestic abuse is, how to spot the subtle signs of it, and what to do if they have any concerns.

Teign Housing has signed up for the Chartered Institute of Housing “Make a Stand pledge” which outlines our obligations around domestic abuse. If a colleague becomes aware of domestic abuse, they will always take the views and wishes of the customer experiencing abuse into account, as well as manage their responsibilities around safeguarding.

Teign Housing recognises that domestic abuse can happen to anyone, regardless of social background, disability, age, gender, religion, sexuality, or ethnicity. Teign Housing is committed to providing a sensitive and confidential response to anyone approaching us for assistance in cases of domestic abuse.

*It is important to note that it is not the responsibility of Teign Housing to decide whether domestic abuse has taken place. However, it is the responsibility of all individuals within Teign Housing to act by reporting their concerns in accordance with Teign Housing's Domestic Abuse Procedure – Supporting Victims.*

## 2. Definition

Teign Housing uses the definition of domestic abuse as per the Domestic Abuse Act 2021:

*Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if; A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive. Behaviour is “abusive” if it consists of any of the following:*

- *Physical or sexual abuse*
- *Violent or threatening behaviour*
- *Controlling or coercive behaviour*
- *Economic abuse (means any behaviour that has a substantial adverse effect on B’s ability to; Acquire, use or maintain money or other property or; obtain goods or services*
- *Psychological, emotional or other abuse.*

*It does not matter whether the behaviour consists of a single incident or a course of conduct. A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child). Reference in this definition to being abusive towards another person are to be read in accordance with this section.*

Furthermore, Teign Housing adopts the definition of “personally connected” and *Children as Victims of Domestic Abuse* under Part 1 of the Domestic Abuse Act 2021.

<https://www.legislation.gov.uk/ukpga/2021/17/part/1/2022-01-31>

## 3. Policy Aims and Objectives

Domestic abuse is totally unacceptable, and we will promote values that recognise that everyone has the right to live free from abuse in any form.

We will take a victim-centred approach to those experiencing domestic abuse. We will therefore take reports of abuse seriously, supporting victims reporting domestic abuse.

We will ensure customers can report domestic abuse to us through a variety of methods, including face-to-face, telephone, e-mail, webchat, and website. We will respond to reports as soon as we can, within 24 hours’ whenever possible.

As a landlord, we will work collaboratively with partner agencies to take firm action against perpetrators of domestic abuse whether they are either a tenant or household members.

We will ensure staff who are likely to deal with customer queries and reports of domestic abuse are trained in our policy and procedures. Staff will deal with victims in a sympathetic manner and be knowledgeable about the legal framework, local support agencies and action that can be taken.

We will support employees within Teign Housing who may be involved in incidents of domestic abuse.

We will review this policy every 3 years unless brought forward for review because of business needs, regulatory and legislative changes and/or new statutory guidance for Housing Professionals.

#### **4. Support for Victims**

We will take a victim-centred approach to those experiencing domestic abuse. This means that we will take time to listen to those affected and will take reports of domestic abuse seriously. We will communicate with victims via their preferred communication method and will give them the opportunity to choose a colleague of a specific gender where possible.

We will prioritise the safety of the victim and any children involved. Where the safety of a child or adult is a concern, Teign Housing will act in accordance with our safeguarding arrangements including referring cases to Devon County Council Adult and Children Social Services, Police, and specialist domestic abuse services.

Teign Housing will always seek to gain the consent of the victim before speaking with partner agencies unless seeking consent would put the victim at immediate or increased risk.

We will treat all repairs resulting from domestic abuse as an emergency and, in partnership with the police we will provide additional security measures as are reasonably practical.

We will ensure that staff will be available to deal with any reports of domestic abuse as an emergency within 24 hours.

We will support victims to remain in their own homes so that they are not forced to flee without support. In cases where it is not safe or appropriate for them to remain in their home, we will provide support for victims and liaise with the Local Authority for re-housing opportunities.

We will advise victims on the range of actions that are available so that they can have all information available at their disposal and contribute their views as to what might be a suitable course of action in their circumstances.

We will offer victims an assured tenancy agreement who have moved because of domestic abuse and can provide proof they have a “qualifying tenancy” as per section 79 of the Housing Act 1985.

## **5. Dealing with Perpetrators**

We will examine all avenues to stop domestic abuse occurring. This will include the use of injunctions, enforcement of tenancy conditions, liaison with the Police and other agencies where criminal proceedings are being considered and pursued. The safety of the victim and the possible repercussions of any action will always be considered.

We will send clear messages to the perpetrators that they will be accountable for their actions and that the victims are never to blame.

Employees who are perpetrators and who are found to have used their position and work resources to harass, stalk, abuse or otherwise pursue a current or ex-partner will be liable to the disciplinary procedure.

Teign Housing reserves the right to consider use of the Disciplinary Procedure should an employee's activities outside work have an impact on their ability to perform the role for which they are employed or be likely to bring Teign Housing into disrepute.

Teign Housing will carry out Disclosure and Barring Service (DBS) checks every 3 years for posts that require a DBS check. Should a perpetrator of domestic abuse be in possession of a criminal conviction and knowingly fail to disclose relevant information in relation to their DBS check then the employee may be subject to disciplinary action, or dismissal.

## **6. Supporting Perpetrators**

We will ensure all staff dealing with perpetrators consider relevant support agencies. Staff will not provide this support if they believe it increases the risk of harm to a victim.

Where a perpetrator is specified in a Domestic Abuse Protection Notice/Order to be living with the victim and ordered to leave the address immediately, Teign Housing will signpost the perpetrator to the Local Authority for advice on alternative housing arrangements.

Where it is known that the perpetrator of domestic abuse is an employee reasonable time off to participate in a prescribed perpetrator programme may be considered.

In some cases, it may be deemed inappropriate for an individual to continue in their current role and in these circumstances the possibility of redeployment into an alternative role may be considered.

## **7. Working with Partners**

We are committed to working closely with partner agencies to ensure a co-ordinated approach to tackle domestic abuse

We have joined together with other agencies in the Multi-Agency Risk Assessment Conference (MARAC) to report and discuss cases that come to our attention as a Registered Housing Provider. MARAC provides a clear framework to effectively manage domestic abuse cases, share information, and reduce the risk of harm to victims of domestic abuse. Where Teign Housing are the managing landlord, we will actively participate in any Domestic Homicide Review as required by the Safer Devon Partnership (Community Safety Partnership). Teign Housing will also accord with any recommendations, applicable to us, that may arise from a Domestic Homicide Review.

## **8. Supporting Staff**

Teign Housing has a legal responsibility to take all reasonable measures to ensure the health and safety of its employees whilst in the workplace.

Employees, who make it known to Teign Housing that they are experiencing domestic abuse, will be provided with every reasonable consideration.

We will provide a sensitive and confidential response.

Employees will not be judged or ridiculed by any member of staff, but will be provided with an empathetic, supportive response and supported to make positive changes.

We will make necessary workplace adjustments where domestic abuse has or is suspected to have taken place.

Teign Housing is aware that those experiencing domestic abuse may have performance problems such as absenteeism or lower productivity because of domestic abuse.

With the employee's permission, support and advice can be sought from the Human Resources Team and/or Line-Manager, who can advise on a range of practical workplace options or action plans on a case-by-case basis. Whilst not limited to, support, advice and actions plans may incorporate services that Teign Housing pays contributions towards such as:

- Private Healthcare Scheme provided by BUPA
- Employee Assistance Programme provided by Health Assured
- Inhouse Coaching
- External Coaching provided by Martin Crump
- Inhouse Mental Health First Aiders

With the employee's permission, support and advice can be sought from the Human Resources Team and/or Line-Manager, can advise on a range of practical workplace options or action plans on a case-by-case basis.

Teign Housing recognises that domestic abuse is an equalities issue and undertakes not to discriminate against anyone who has been subject to domestic abuse in terms of current employment or career development.

We will not refer to other agencies without the individual's consent unless that information is necessary to safeguard the welfare of the employee, protect a vulnerable adult, child, or unborn child.

Where there is a high level of risk consideration will be made for a referral to the Multi-Agency Risk Assessment Conference (MARAC).

## 9. Current Provisions

We will provide advice on the current legislative provisions to support victims of domestic abuse.

We will ensure the victim has all the information available at their disposal and contribute their views as to what might be a suitable course of action in their circumstances. This will include information on:

- Police powers and possible criminal actions
- Domestic Abuse Protection Notices/Orders (Domestic Abuse Act 2021)
- Non-molestation orders secured under 1996 Family Law Act (updated by the Domestic Abuse Act 2021)
- Occupational orders
- Tenancy Transfer orders
- Sanctuary Schemes (improving security in the home)
- Support and further advice on specialist services
- Rehousing options
- National and Local Domestic Abuse services
- Multi-Agency Risk Assessment Conference (MARAC)
- National Centre for Domestic Violence (NCDV)

We will review this policy every 3 years unless a business need, regulation or legislation prompts the need for an earlier review.



## 10. References

### External References:

- Anti-Social Behaviour, Crime and Police Act 2014
- Care Act 2014
- Crime and Disorder Act 1998
- Crime and Security Act 2010
- Data Protection Act 2018
- Domestic Abuse Act 2021
- Domestic Violence, Crime and Victims Act 2004
- Equality Act 2010
- Family Law Act 1996
- General Data Protection Regulations 2016
- Housing Act 1985
- Human Rights Act 1998
- Protection from Harassment Act 1997

### Internal references:

- Anti-Social Behaviour Policy & Procedure
- Domestic Abuse Guidance Notes
- Estate Management Policy
- Disciplinary Policy and Procedure
- Safeguarding Policy