



# Domestic Abuse Policy

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### 1 Introduction

Livin is committed to providing vital support to help our tenants and communities to take control of their lives, reach their full potential and shape their own futures.

Livin recognises the impact that domestic abuse can have on individuals and families and believes that our tenants should not live in fear of violence, abuse or harassment from a partner, former partner, or any member of their household or family.

Livin has a zero-tolerance approach to domestic abuse and will work in partnership with statutory and 3rd sector organisations to enable targeted, tailored, support solutions.

### 2 Scope

This Policy sets out Livin's approach to managing and tackling domestic abuse and applies to all Livin tenants and household members.

Anyone disclosing abuse to Livin will be listened to and treated with respect. We will approach all disclosures of abuse in a supportive and non-judgemental way, Disclosures will be believed, and taken seriously and advice and practical support will be provided.

In all cases of domestic abuse, it is expected that staff, contractors and partners will refer to Livin's Safeguarding Adult's policy. Where neglect or abuse of a child is suspected, or a child is present in a household where domestic abuse is taking place staff, contractors and partners will refer to Livin's Safeguarding Children policy.

Livin is committed to providing high-quality, professional services to victims of domestic abuse and will take all reasonable steps within its power to safeguard victims from harm.

Livin recognises that domestic abuse is a serious criminal and social issue that has significant consequences for victims.

Livin will promote the understanding that everyone has the right to live free from violence and abuse in any form and the responsibility for the abuse lies with the perpetrator.

Livin recognises the importance of inter-agency cooperation and is committed to working in partnership with key agencies to prevent and support people who have experienced domestic abuse.

### 3 Key Terms and Definitions

Living recognises that domestic abuse refers to a range of serious crimes which are predominantly, but not exclusively, perpetrated by men and experienced by women and girls.

The Domestic Abuse Act 2021 became law on 29th April 2021 and established a statutory definition of domestic abuse for the first time. Living has adopted this definition in full and defines domestic abuse as;

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;

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.

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.

A person has a parental relationship in relation to a child if—

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

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

Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim

### Specific Types of Abuse

Honour based violence is defined by the Crown Prosecution Service (CPS) and Association of Chief Police Officers as:  
'a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community'.

Forced Marriage is defined by the CPS as:  
'a marriage conducted without the valid consent of one or both parties and where duress is a factor'.

Female genital mutilation (FGM) is defined by the CPS as:  
'a collective term for a range of procedures which involve partial or total removal of the female genitalia for non-medical reasons'

Stalking can consist of any type of behaviour such as regularly sending flowers or gifts, making unwanted or malicious communication, damaging property and physical or sexual assault. If the behaviour is persistent and clearly unwanted, causing fear, distress or anxiety then it is stalking.

## 4 Policy Statement

Livin believes that no tenant or household member should live in fear of domestic abuse and will support tenants through a variety of methods to meet their needs.

All disclosures of domestic abuse will be investigated and a risk assessment completed.

Priority, at all times, will be given to the safety of the person suffering from domestic abuse and their children. We will:

- Offer a range of ways that people can report domestic abuse and respond to all reports in a non-judgemental and sensitive way

- Provide a supportive and enabling environment which encourages the reporting of domestic abuse
- Offer a member of staff of the same gender to work with the person experiencing domestic abuse and where possible provide a designated worker so the individual does not need to repeat their story
- Provide information and advice to increase the safety of people experiencing domestic abuse
- Make appropriate referrals to Local Authority Safeguarding teams to safeguard adults and children at potential risk of harm
- Work in partnership with statutory and non-statutory agencies and organisations making appropriate referrals to specialist domestic abuse agencies with consent
- Support Local Authorities, where it is appropriate to do so, to discharge their statutory duties within the Domestic Abuse Act 2021
- Work in partnership with police to take swift and effective action against alleged perpetrators of domestic abuse who are Livin tenants or whose actions affect Livin tenants. This includes supporting police to utilise new legal powers introduced within the Domestic Abuse Act 2021
- Consider and embed best practice identified through the office of the Domestic Abuse Commissioner
- Make a referral to the designated Multi-Agency Risk Assessment Conference (MARAC) Officer in the Constabulary area in which the domestic abuse has taken place, and refer into and work alongside relevant support agencies.
- Support the person subjected to domestic abuse to employ the use of civil and criminal law which can offer them protection and also act as a preventative measure to avoid further abuse.
- Respect the choices of the person subjected to domestic abuse and assist with target hardening to their homes if they wish to remain there or assist with finding suitable accommodation if they do not
- Work with other agencies, with the person's consent, to provide temporary accommodation where necessary for people leaving an abusive relationship and refer them to relevant agencies where needed
- Ensure that all employees, Board members and other relevant parties are knowledgeable and given training on domestic abuse and trauma informed practice appropriate to their role
- Provide key information in an accessible format on our website

### 5 Confidentiality

Any disclosure of domestic abuse will be believed and treated in the strictest of confidence, unless we have a duty to disclose information in order to:

- Protect the individual(s) experiencing abuse
- Prevent harm to someone else

- Prevent or detect a crime

5.2 The Domestic Violence Disclosure Scheme (DVPS), also known as 'Clare's Law' allows police to disclose to individuals the details of their partner's abusive past in order that they can make an informed decision about their situation.

### 6 Equality and Diversity

This policy is implemented in line with Livin's Equality and Diversity Policy and associated legislation. While women and girls are disproportionately affected by all forms of Violence Against Women and Girls (VAWG), and some are gender specific such as Female Genital Mutilation (FGM), we will support all individuals subjected to domestic abuse irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act 2010.

This policy has been subject to an Equality Impact Assessment and found to have no adverse effect on any group with protected characteristics

### 7 Customer Voice

This policy has been revised following engagement with Livin tenants who have experienced domestic abuse.

### 8 Monitoring

The policy will be reviewed every three years and any revisions will be reported to the Housing and Communities Committee.

### 9 Data Protection and Privacy

This policy follows Livin's procedures on data protection and sharing data with other partners and third parties under the requirements of General Data Protection Regulation. This is clearly set out in Livin's Confidentiality, Privacy and Data Protection Policy.

End of Policy