



# Domestic Abuse Policy

Date Policy Effective From:	27 June 2024
Date of Last Revision:	21 June 2021
Approved by:	Housing and Communities Committee
Date Approved:	27 June 2024
Equality Impact Assessed:	31 May 2024

## Contents

Section	Title	Page(s)
1.0	Introduction	1
2.0	Purpose	1
3.0	Principles	1-2
4.0	Definitions	3-5
5.0	Scope	5
6.0	Contribution to Plan A	5
7.0	Legislative and regulatory framework	6
8.0	Policy Statements	6-9
9.0	Roles and responsibilities	9
10.0	Related policies and procedures	9
11.0	Monitoring and review arrangements	10

Required checklist	Completed
The policy aligns with relevant legislation, regulation and the strategic objectives of Plan A 2022/25.	<input type="checkbox"/>
The policy has been informed as appropriate by transactional and/or amplified customer voice.	<input type="checkbox"/>
The policy has been impact assessed and any appropriate mitigations identified implemented.	<input type="checkbox"/>
The policy is fully aligned with and complements other related policies.	<input type="checkbox"/>
The procedures underpinning the policy have been updated as required.	<input type="checkbox"/>
The PMF/risk registers have been updated to reflect the policy's assurance framework.	<input type="checkbox"/>

## 1.0 Introduction

- 1.1 We understand the detrimental, long-term impact that domestic abuse can have on individuals and families and believe that no one should experience or live in fear of violence, abuse or harassment from a partner, former partner, or any member of their household or family.

## 2.0 Purpose

- 2.1 The policy sets out our approach to recognising and effectively responding to cases of domestic abuse, and how we will co-operate with appropriate local authority departments to support them in meeting their statutory duties in relation to domestic abuse.
- 2.2 This policy aims to ensure that all customers are provided and able to access to fair and equitable support when experiencing domestic abuse by:
  - Treating people as individuals and responding to their individual needs
  - Ensuring customers do not suffer detriment when accessing and receiving our services, or in any referral arrangements to other partners, when receiving support regarding domestic abuse.

## 3.0 Principles

- 3.1 The principles underpinning this policy are aligned to Livin's values of trust, respect, innovate and working together.
- Trust – We build trust with our customers by being responsive and supportive to their needs, helping to deliver the service they need.
  - Respect – We listen to customers, treat tenants as individuals and respond to their needs in a fair, respectful, and caring way.
  - Innovate – We will use our data to adapt our services and do things differently when our customers need it to remove or reduce any disadvantage.
  - Work together – We will work well and collaborate with teams and our partners to understand customer needs and vulnerabilities, delivering services in a joined-up way.
- 3.2 We recognise that the safety of the victim, children and their family is paramount, and we will do all we can to ensure that they are protected.
- 3.3 We have a zero-tolerance approach to domestic abuse and will work in partnership with statutory and specialist organisations to enable targeted, tailored, support solutions to victims and survivors. We recognise the importance of inter-agency cooperation, and that domestic abuse often requires specialist interventions beyond our remit as a landlord. We are committed to ensuring that anyone experiencing domestic abuse can access appropriate support as a matter of priority and we will enable this through proactive collaboration with effective support services.
- 3.4 Anyone reporting domestic abuse will be treated in a confidential, empathetic, supportive, and non-judgmental way. Any disclosure of abuse will be believed, taken seriously, and advice and support will be given as a priority through referral to specialist supporting agencies with the consent of the victim / survivor.

## 4.0 Definitions

4.1 The key terms used in this policy are defined below.

### Domestic Abuse

Domestic abuse is defined in the Domestic Abuse Act 2021 as abusive behaviour by one person towards another person who is personally connected to them.

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.

The Homelessness Code of Guidance (May 2024 updated) states that domestic abuse is 'any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse'.

Behaviour is abusive if it consists of:

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

This applies to anyone experiencing abuse over the age of 16. Men, women, and children can all be victims of domestic abuse. Domestic abuse occurs amongst people of all ethnicities, sexualities, ages, disabilities, immigration status, religions or beliefs, and socio-economic backgrounds. It is recognised that domestic abuse differs in severity between incidents, and often will increase in frequency and seriousness, having a cumulative impact on the victim.

Domestic abuse is a gendered crime. While both men and women may experience incidents of interpersonal violence and abuse, women are considerably more likely to face repeated and severe forms of abuse, including physical violence. This definition includes So-Called 'Honour'-Based Abuse (SCHBA). This is a term used to describe violence and abuse committed against a person (usually from an ethnic-minority heritage) who the family or the community feels has not followed what they believe is acceptable behaviour and has brought dishonour or shame to the family.

<b>Children</b>	Children affected by domestic abuse are automatically treated as victims regardless of whether they were present during violent incidents. Children are recognised and supported through Safeguarding.
<b>Victim</b>	Someone experiencing, in fear of, or still recovering from the harm that has come to them.
<b>Survivor</b>	Someone who has experienced abuse and has gone through the recovery process.
<b>Controlling Behaviour</b>	Controlling behaviour is a range of acts designed to make a person subordinate 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 and regulating their everyday behaviour.
<b>Coercive Behaviour</b>	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.
<b>Economic Abuse</b>	Economic abuse is behaviour that has a substantial negative effect on the victim's money, property, goods, or other services.
<b>Elder Abuse</b>	A single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.
<b>Harassment or Stalking</b>	Where harassment or stalking occurs, and the perpetrator and victim are 16 or over and "personally connected", this behaviour falls within the scope of the statutory definition of domestic abuse in the 2021 Act. For example, it may constitute physical abuse, threatening behaviour, controlling or coercive behaviour, or emotional or psychological abuse.
<b>Online and Digital Abuse</b>	The use of technology to carry out abuse. Examples include tracking an individual through location tracers or spyware, sharing images or personal information online without consent, sending abusive messages or content, demanding access / passwords to devices or online accounts.

<b>MARAC (Multi Agency Risk Assessment Conference)</b>	Provides a consistent approach to support victims of domestic abuse who are identified as at risk of serious harm. It puts in place various plans and actions in relation to the safety and wellbeing of the identified person, and if appropriate, their children.
<b>MAPPA (Multi agency Public Protection Arrangements)</b>	A system to ensure the successful management of violent and sexual offenders.
<b>Violence Against Women and Girls (VAWG)</b>	Any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life.
<b>Target Hardening</b>	<p>A generic term used to describe improving the security of a property to reduce the risk of crime. Local Authorities deliver schemes to improve the security of homes of those threatened with domestic abuse.</p> <p>Target Hardening Schemes in LA areas where Livin has homes:</p> <ul style="list-style-type: none"> <li>• County Durham – Remain Safe</li> <li>• Darlington – Sanctuary Scheme</li> <li>• Hartlepool – Domestic Abuse Service (Harbour)</li> <li>• Stockton – Stay Safe</li> </ul>
<b>Residents</b>	Household members within our homes who are not tenants.

## 5.0 Scope

- 5.1 This policy is relevant to all tenants, prospective tenants, and residents.
- 5.2 Should any employee, Board member and contractor working on our behalf witness or receive disclosure of domestic abuse, they must report this in accordance with the Domestic Abuse Procedure, Safeguarding Adults Procedure or Safeguarding Children and Young People Procedure.
- 5.3 **Employees Experiencing Domestic Abuse**  
We will provide appropriate support and guidance to employees experiencing domestic abuse in accordance with the Employee Safeguarding Procedure.

## 6.0 Contribution to Plan A

- 6.1 This policy contributes directly to the delivery of our business strategy Plan A 2022-25 Objective 3 to “place listening, provide empathy and reassurance at the heart of what we do” and Objective 14: “the delivery of projects that maximise social capital in places, make them sustainable, connected, and inclusive”, and Objective 17: “the provision of tailored interventions to sustain tenancies, improve health and wellbeing, and maintain independence”.

## 7.0 Legislative and regulatory framework

- 7.1 The Regulator of Social Housing’s Neighbourhood and Community Standard sets out the required outcomes Registered Providers must achieve and includes a specific requirement in relation to domestic abuse:

### 1.4 Domestic Abuse

#### Required Outcomes

- 1.4.1 Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

#### Specific Expectations

- 2.3.1 Registered providers must have a policy for how they recognise and effectively respond to cases of domestic abuse.
- 2.3.2 Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation.



7.2 This policy is aligned with the statutory definition of domestic abuse as set out in The Domestic Abuse Act 2021. Key legislative and regulatory requirements include, but are not limited to, those set out below:

- Domestic Violence Disclosure Scheme (Clare's Law)
- Data Protection Act 2018
- Modern Slavery Act 2015
- Serious Crime Act 2015
- Anti-Social Behaviour Crime and Policing 2014
- Protection of Freedoms Act 2014
- Equality Act 2010
- Police and Justice Act 2006
- The Children Act 2004
- Domestic Violence Crime and Victim Act 2004 (S9 implemented in 2011)
- Sexual Offences Act 2003
- Human Rights Act 1998
- Protection from Harassment Act 1997
- The Care Act 1996
- Housing Act 1996

## 8.0 Policy statements

### Our Actions

- 8.1 We 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.
- 8.2 We will encourage those experiencing domestic abuse to report it and will listen to all reports of domestic abuse, believe what we are told and respond with sensitivity, empathy, and respect.
- 8.3 We will communicate effectively, understanding your individual communication needs and, where appropriate, make reasonable adjustments to support you and your family.
- 8.4 We will take a victim-centred approach to assisting you, taking account of protected characteristics, vulnerability and diverse needs to ensure a personalised service in accordance with our Customer Vulnerability Policy.

- 8.5 We will recognise and respect professional boundaries. We recognise domestic abuse victims and survivors require specialist interventions; our role is to identify the need and refer to effective specialist support provision. Failing to respect professional boundaries may cause harm to individuals.
- 8.6 We will raise awareness and understanding among relevant employees, Board members and those working in our homes and communities on our behalf, so they are able to recognise the signs of domestic abuse, particularly those linked to an individual's housing circumstances. We will provide employees supporting those experiencing domestic abuse with appropriate specialist training and offer appropriate an appropriate employee to provide support to individual households where required.

### **Safeguarding Victims**

- 8.7 The Domestic Abuse Act 2021 recognises children as victims of Domestic abuse in their own right if they witness or experience domestic abuse in the home. Where we become aware of children experiencing or witnessing domestic abuse, we will report this to the relevant Local Authority Children's Services to ensure they are safeguarded. Usually this will be through the statutory Multi-Agency Safeguarding Hub (MASH) process.
- 8.8 We will participate in local authority Safeguarding Strategy Meetings held where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.
- 8.9 We will make appropriate referrals to relevant Local Authority Safeguarding teams to safeguard adults experiencing or at risk of harm, with consent where this is possible, though there may be times where we must safeguard individuals without consent due to the level of risk. Where requested, we will proactively participate in MARAC and MAPPA frameworks.
- 8.10 We will make victims and survivors of domestic abuse aware of appropriate support and advice available and make referrals to specialist domestic abuse supporting agencies, with consent.
- 8.11 Where you wish to do so, we will support you, alongside relevant partners, to employ the use of civil and criminal laws which can offer them protection and act as a preventative measure to avoid further abuse (where this is safe and appropriate).

8.12 Where a tenant or child is identified as requiring safeguarding, this will be carried out immediately (same day). We will track and record all safeguarding referrals, identifying those related to domestic abuse and provide monitoring and assurance data to the Housing and Communities Committee through the Housing Services Progress Update Report.

### **Our Partners**

8.13 We will work alongside Local Authorities to meet their strategic needs by enabling access to our homes for the commissioning of specialist services to support victims and survivors of domestic abuse.

8.14 We will support statutory partners in the delivery of Target Hardening interventions to help prevent violence and abuse.

### **Confidentiality**

8.15 We will manage sensitive information relating to cases of domestic abuse in compliance with relevant legislation.

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

- Protect the individual(s) experiencing abuse.
- Prevent harm to someone else.
- Prevent or detect a crime.

## 8.17 Clare's Law

There is no specific criminal offence of 'domestic abuse'. It is a general term describing a range of behaviour and can be applied to several offences. The Domestic Violence Disclosure Scheme (DVDS), also known as 'Clare's Law' is named after Clare Wood, who was murdered by her former boyfriend in 2009. Clare's Law has two main elements:

### **Right to ask**

Men and women can ask about a current or ex-partner they think might have a record of being abusive or violent. They can also ask on behalf of a close friend or relative, but the police might share information with them directly or with someone who can help protect them.

### **Right to know**

If police checks show someone's current or ex-partner has a history of abusive behaviour, they might tell them because they think they could be at risk.

We will refer individuals to the police should they seek a disclosure under Clare's Law and will advertise this scheme via our website.

## **Complaints**

8.18 Customers are able provide feedback about the services they have received in respect of this policy. If a customer is dissatisfied with the service they have received from us, they can make a complaint to us in line with our Complaints, Compliments and Feedback Policy. We recognise the impact that domestic abuse can have on survivors and victims, and we will always treat complaints sensitively and confidentially, with empathy and respect.

8.19 Specifically, we define a customer complaint as:

"Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own employees, or those acting on its behalf, affecting an individual resident or groups of residents."

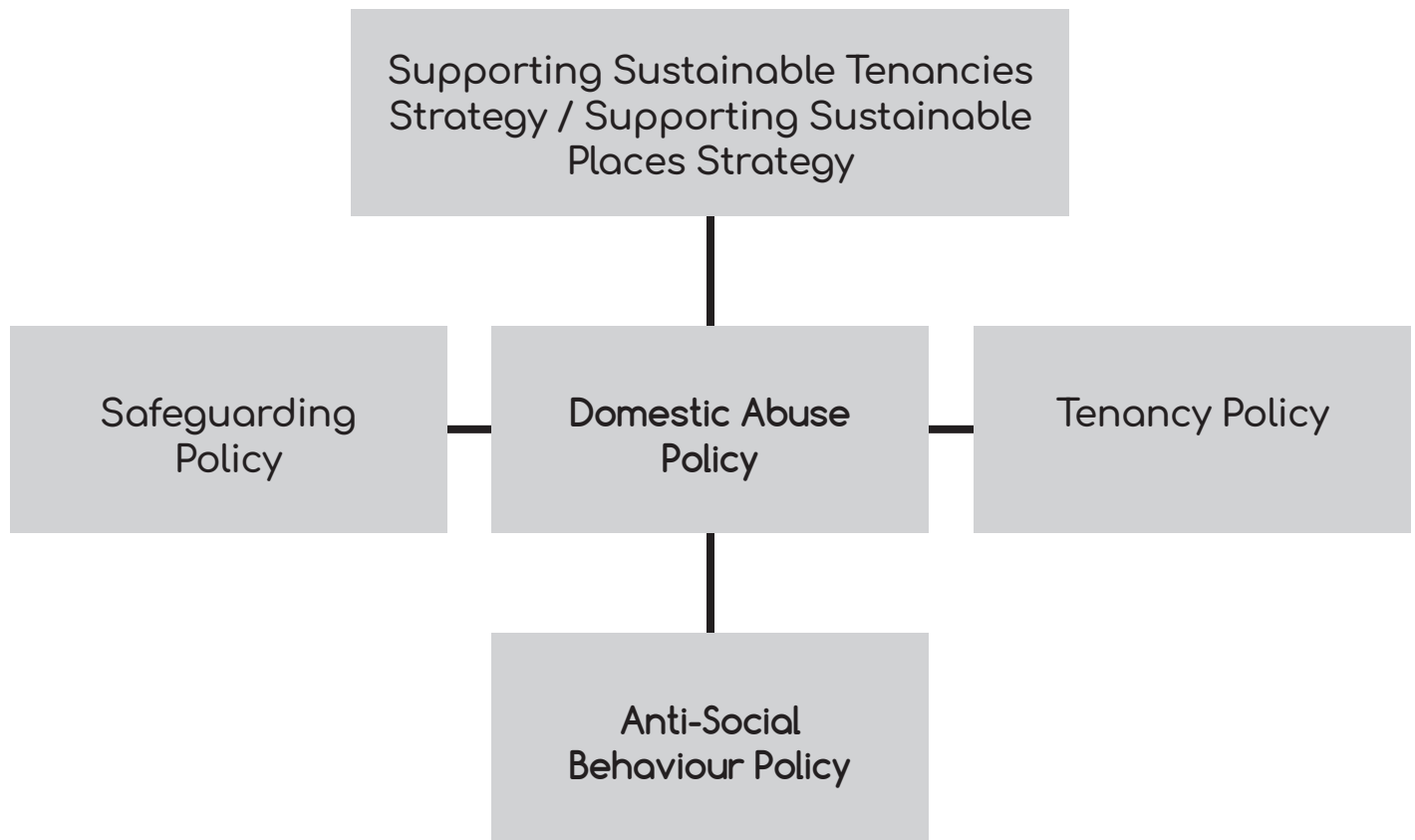
## 9.0 Roles and responsibilities

9.1 Roles and responsibilities under this policy are outlined below.

<b>Housing and Communities Committee</b>	The Housing and Communities Committee (H&CC) has overall governance responsibility for this policy. H&CC will formally approve this policy, assure itself that the policy is effectively delivered and review it at least every three years, or earlier if there is a relevant change in legislation or regulation.
<b>Director of Housing and Communities</b>	The Director of Housing and Communities has strategic responsibility for the housing management services which deliver this policy. They will oversee the implementation of this policy.
<b>Head of Housing</b>	The Head of Housing is responsible for joining up the strategic and operational actions to monitor compliance and ensure effective delivery of the policy.
<b>Strategic Housing Manager</b> <b>Housing Manager</b> <b>Customer Experience Manager</b>	Responsible for the day-to-day delivery, management, and monitoring of the policy across the departmental procedural framework. Responsible for the performance management framework associated with the various aspects of the policy to demonstrate the positive impact on place and sustainability

## 10.0 Related policies and procedures

10.1 This policy should be read in conjunction with the following documents:



## 11.0 Monitoring and review arrangements

11.1 This policy will be communicated to employees and training will be provided to ensure understanding of the policy requirements. Employees will be supported in delivery of the policy within an appropriate procedural framework that provides management oversight and assurance that actions undertaken are delivered within this procedural framework.

### Assurance

11.2 Instances of domestic abuse are monitored through the Safeguarding Policy and associated procedures. A Safeguarding Forum, chaired by the Head of Housing, meets monthly to consider all safeguarding cases, this incorporates all domestic abuse cases. An Annual Safeguarding Report which includes specific reference to instances of domestic abuse, is presented to Housing and Communities Committee as part of its governance and assurance responsibilities.

11.3 Assurance on compliance with this policy will be gained via a range of methods, as set out in the following table:

Type of assurance	Key source	Frequency
Management assurance	Quality assurance monitoring of all safeguarding cases risk cases	Monthly
	Quarterly Safeguarding Update to Director of Housing and Communities	Quarterly
Corporate Oversight	Annual Safeguarding Report to Housing and Communities Committee	Annual
	Housing Services Progress Report to Housing and Communities Committee	Six monthly
Independent assurance	Audit of the Safeguarding Policy and supporting Procedures	Audit 2022/23

11.4 This policy will be reviewed every three years, unless there is significant development that would require a more urgent review e.g. new legislation or regulation.