



SAXON WEALD

DOMESTIC ABUSE POLICY

First Approved: September 2000 **Author: Kath Hicks**

Last Revision: May 2020 **Next Review: May 2023**

1.0 Introduction and aim

- 1.1 Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background. Every year, two million people in the UK experience domestic abuse. Research is increasingly concluding that housing providers have a vital role to play in helping victims of domestic abuse and holding perpetrators to account.
- 1.2 The aim of this policy and its supporting procedure is to set out the role that Saxon Weald will play through our approach to domestic abuse and how we will aim to support victims. This policy should be read in conjunction with the company's policies on anti-social behaviour and safeguarding.
- 1.3 This policy is supported by a series of procedures and processes.

2.0 Definitions

- 2.1 Domestic abuse (DA) is defined by the government as:

'Any incident or pattern of incidents of controlling, coercive, 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.'

- 2.2 DA can include, but is not limited to any of the following types of abuse:

- Psychological
- Controlling and coercive behaviour
- Physical
- Sexual
- Financial
- Emotional
- Harassment and stalking
- Honour based violence such as female genital mutilation and forced marriage

- 2.3 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 capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.’
- 2.4 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.’
- 2.5 Anyone can be a victim of domestic abuse – regardless of their gender, age, race, social group, disability, or sexuality. It can start at any time in a relationship and happen once, every so often or on a regular basis. DA is also not just between partners; it can include, for example, child on parent abuse.

3.0 Background

Legal requirements:

- 3.1 The legal framework for dealing with domestic abuse is contained in the following legislation:

- **Family Law Act 1996** – This Act protects victims of domestic abuse with two different types of legal orders. The first is a Non-Molestation Order, which will prevent another person from harming you or a child; and the second is an Occupation Order, which will say who can live in the family home and can order another person to leave the home.
- **Housing Act 1996** – This Act allows housing authorities to apply for court injunctions to prohibit anti-social behaviour that affects the management of their housing stock. Domestic abuse classifies as anti-social behaviour. This act also requires housing authorities to secure alternative (not necessarily permanent) accommodation for those who are made homeless through domestic abuse.
- **Protection from Harassment Act 1997** – This Act makes it a criminal offence to harass a person. A court may issue a restraining order against someone found guilty of such an offence. Domestic abuse includes verbal and emotional harassment, amongst others.
- **Domestic Violence, Crime and Victims Act 2004** (amended 2012) – This act includes a range of measures that increase the protection of victims of domestic abuse, including making common assault an arrestable offence and extending the availability of injunctions to same sex couples.
- **Section 76 of the Serious Crime Act 2015 – Controlling or Coercive Behaviour in an Intimate or Family Relationship** – This amendment created a new offence of controlling or coercive behaviour in an intimate or family relationship.

Regulatory requirements:

- 3.2 The Neighbourhood and Community Standard, within the Regulator for Social Housing’s regulatory framework, requires housing associations to have strategies in place to tackle anti-social behaviour (which includes domestic abuse).

4.0 Policy

- 4.1 We will treat all allegations of domestic abuse seriously. We will work within the legal and regulatory frameworks and in line with current good practice to deal with incidents quickly, sensitively and in support of the victim. We will aim to become accredited with the Domestic Abuse Housing Alliance (DAHA) in 2021.
- 4.2 We recognise that DA is often a complex and hard to detect problem and there may be significant barriers to victims reporting it. As a housing provider, we have access into people's homes and may come across people who are suffering from DA. Therefore, we will train our staff to recognise the signs of DA as early as possible and ensure tenants have a safe channel to ask for help. In doing so, we will aim to create a climate where a victim can speak up.
- 4.3 In addition we will ensure that information, advice and support is accessible and available in a number of ways to meet the needs of different groups of people.
- 4.4 We will always put the welfare and safety of the victim and their family first. We will listen to customers who report DA to us and make sure their safety is the first priority.
- 4.5 We recognise that housing providers can have an important role to play in a multi-agency approach and we will work in such partnerships when dealing with cases of DA.
- 4.6 There are different housing solutions for victims of DA. Refuges may be appropriate for those under the most extreme risk but it is our policy that, where possible, the victim should be supported to remain in their own home. We will also work with other providers of housing where appropriate to facilitate exchanges or reciprocal arrangements.

5.0 Implementation

- 5.1 The company will offer assistance to any of its tenants who are suffering from domestic abuse or threats of violence by providing initial advice and support within 24 working hours. An action plan will be drawn up in conjunction with the victim and we will maintain contact with them whilst they want us to do so. (Further details are set out in the domestic abuse procedure).
- 5.2 We will adopt a victim-centred approach. Interviews with victims will be conducted sensitively and confidentiality will be maintained. Exceptions to this may be where we believe someone is at a serious risk of harm, or where we have concerns for the welfare of a child.
- 5.3 Relevant staff will be trained in awareness of domestic abuse as well as of gender, race, disability, sexual orientation, cultural and religious differences, and will shape services and access arrangements appropriately.

- 5.4 We will support the victim to remain in their home wherever possible. Where it is not possible, we will assist them to obtain alternative accommodation in conjunction with the local authority or other housing associations.
- 5.5 Where appropriate, and in consultation with the victim, we will take action to evict the perpetrators of domestic abuse using the powers available.
- 5.6 We will offer the use of appropriate home security measures including personal alarms, lock changes and surveillance or monitoring equipment to re-assure the victim and to collect evidence for potential legal action against the perpetrator.
- 5.7 We will provide and publish easily accessible information on DA including details of local and national organisations that can help support victims (see the domestic abuse procedure).
- 5.8 When we are made aware of a case, we will work with other organisations such as the police or specialist agencies (with the victim's permission).

6.0 Data protection, information exchange and confidentiality

- 6.1 All information regarding incidents of domestic abuse will be dealt with in accordance with General Data Protection Regulations (GDPR). All information is stored securely and will not be disclosed unless the complainant has given their consent or there is a clear duty to do so (for example, under an information sharing agreement with the police).

7.0 Value for money

- 7.1 Staff are trained to be able to write standard letters and court applications to avoid expensive legal fees.
- 7.2 Where legal advice is required, fixed fees will be used, or at least two quotes obtained to ensure costs are minimised.
- 7.3 Investment and training means that we can identify domestic abuse earlier, and work to hold perpetrators to account. This not only reduces the impact and suffering on the victims and their families but it also makes financial sense.

8.0 Monitoring and Review

- 8.1 All domestic abuse cases will be logged on our housing management system and updated accordingly. Cases will be monitored on a regular basis by the relevant Regional Manager and reported to Board annually.
- 8.2 The company will also monitor, via CORE (the government's Continuous Recording system), the number of applicants housed and transfer requests made by people who have experienced domestic abuse.

- 8.3 Saxon Weald will use the experience of users of this policy and other stakeholders to improve and develop its practice in this service. The process of obtaining DAHA accreditation will provide us with access to a wide range of resources and good practice guidance.
- 8.4 The policy will be reviewed every three years in line with the company’s policy review timetable or in the interim period if major legislative or regulatory changes require it.

9.0 Equality and Diversity

- 9.1 Equality and diversity affects all aspects of our business and, as such, its principles are integral to everything we do. As a landlord and an employer, Saxon Weald aims to recognise and respond positively to people’s differences, while providing equality of opportunity in relation to the services and careers we provide and support.

This means that no person or group of people, either working for Saxon Weald or seeking housing, services, employment or contracts from us, will be treated less favourably because of their or their partner’s, family’s, friend’s or associated person’s protected characteristics, which are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, gender and sexual orientation. This includes individuals either already serving on or applying to join our Board.

Version	Amendment	By	Date
2.0	Comprehensive rewrite	Kath Hicks	May 2017
3.0	Policy review	Les Marjoram	May 2020