



SAXON WEALD

DOMESTIC ABUSE POLICY

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

Last Revision: July 2022 **Next Review: October 2024**

1.0 Introduction

- 1.1 This policy sets out Saxon Weald's approach to dealing with domestic abuse.
- 1.2 Saxon Weald recognises that domestic abuse can happen to anyone, regardless of social background, disability, age, gender, religion, sexuality, or ethnicity, and we are committed to all supporting survivors of domestic abuse regardless of any particular personal characteristics.
- 1.3 Saxon Weald will take appropriate action that balances the rights and wishes of the survivors with the safety and wellbeing of other household members and neighbours.
- 1.4 This policy applies to all Saxon Weald and Weald Living residents regardless of their tenure and should be read in conjunction with the following policies and procedures:
- Anti-social Behaviour Policy and Procedure
 - Safeguarding Policy and Procedure
 - Relationship Breakdown Procedure

2.0 Definitions

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

Full details of the definition of Domestic Abuse is set out in the Domestic Abuse Act 2021 and can be found here: <https://www.legislation.gov.uk/ukpga/2021/17/section/1/enacted>

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

- Controlling and coercive behaviour
 - Physical
 - Sexual
 - Economic
 - Emotional
 - Harassment and stalking
 - Honour based violence such as female genital mutilation and forced marriage
- 2.3 Economic abuse is any behaviour that has a substantial adverse effect on a person's ability to acquire, use or maintain money or other property, or obtain goods or services.
- 2.4 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.
- 2.5 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.
- 2.6 Gaslighting is a form of emotional abuse, which involves psychologically manipulating someone to make them doubt their own sanity.
- 2.7 Anyone can be a victim of domestic abuse regardless of their social background, disability, age, gender, religion, sexuality, or ethnicity. 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.
- 2.8 Children are considered victims/survivors of domestic abuse if they see, hear, or experience the effects of domestic abuse and are related to someone being subjected to domestic abuse.
- 2.9 Whilst men can be victims of domestic abuse, women are considerably more likely to experience repeated and severe forms of abuse, including sexual violence. The gendered nature of domestic abuse is rooted in women's unequal status in society and is part of the wider social problem of male violence against women and girls (VAWG).

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.
- **Domestic Abuse Act 2021** – This Act is set out to provide further protection to people who are experiencing domestic abuse, as well as strengthening the measures for tackling perpetrators of domestic abuse.
- **Clare’s Law/ Domestic Abuse Offender Disclosure Scheme** – This scheme provides information that could protect someone from being a victim of domestic abuse. It allows the police to disclose information about a partner’s previous history of domestic violence.

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 recognise that DA is often a complex and hard to detect problem and there may be significant barriers to survivors 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 and deal with disclosures of domestic abuse effectively.
- 4.2 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.
- 4.3 We will always put the welfare and safety of the survivor and their family first. We will listen to customers who report DA to us and make sure their safety is our first priority.

- 4.4 We recognise that we as a housing provider have an important role to play in a multi-agency approach and we will work in such partnerships when dealing with cases of DA.
- 4.5 There are different housing solutions for survivors 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.
- 4.6 We have a commitment to taking action against perpetrators and will ensure that we explore options for this as part of our case management.

5.0 Training and awareness

- 5.1 Saxon Weald is committed to raising awareness of domestic abuse both within the workforce and with residents.
- 5.2 Domestic abuse awareness training will be provided as part of the induction training for new starters and to all staff across the organisation. Customer facing staff will be given regular domestic abuse awareness training.
- 5.3 There will be specialist training and regular refresher training for the Housing Managers, Scheme Managers and Domestic Abuse Champions who are most likely to be managing disclosures.
- 5.4 Saxon Weald will make all new residents aware of our policy relating to domestic abuse and the consequences for perpetrators as part of the information pack given to new residents at sign up.
- 5.5 Articles aimed at raising awareness amongst residents will appear from time to time in our quarterly publications for Saxon Weald and Weald Living residents. Our website provides information about domestic abuse and how to access help and support.
- 5.6 In addition, we have a Domestic Abuse Champion network at Saxon Weald. Domestic Abuse Champions can provide support to colleagues dealing with disclosures from residents and assist with referrals to support agencies.

6.0 Managing disclosures

- 6.1 Saxon Weald will take a non-judgemental and person-centred approach to dealing with disclosures of abuse, always ensuring the survivor is at the heart of the intervention and support.
- 6.2 Any disclosure of domestic abuse will be treated in the strictest of confidence, unless we have a statutory duty to disclose information to protect the person

experiencing the abuse, prevent harm to someone else, or prevent or detect a crime.

- 6.3 We will give residents experiencing domestic abuse the opportunity to opt for a member of staff of the same gender to deal with their case.
- 6.4 We will ensure that residents experiencing domestic abuse know that they can meet staff in confidence at our office or at an agreed choice of safe venue. We will also agree the method of contact that the individual wishes us to use to stay in contact with them.
- 6.5 We will make a referral to our Money Matters Team for any support relating to financial issues.
- 6.6 We will carry out repairs that are required as a result of domestic abuse. Where practicable, these works will be carried out as emergency works and where this is not possible, they will be carried out as soon as possible afterwards. Saxon Weald will not recharge residents for lock changes and damages caused as a result of domestic abuse. We will provide additional safety measures to residents at risk.
- 6.7 We will agree an action plan with the resident experiencing domestic abuse, monitor the situation and review at a frequency agreed with them.
- 6.8 We will provide independent translators and interpreters where English is not the resident's first language.
- 6.9 We will support black and minoritised victims/survivors by making referrals to specialist support services run both locally and nationally.

7.0 Housing options

- 7.1 We will support residents, who are experiencing domestic abuse, around their housing options. This support will be customer led.
- 7.2 Saxon Weald will advise residents who wish to remain in their own homes of any local 'sanctuary' schemes (i.e. funds available to improve the security of their existing accommodation). We will also consider funding such improvements where there are no local authority sanctuary schemes in place.
- 7.3 Where the tenancy is a joint tenancy, we will give the resident advice in accordance with our Property Occupation Policy and signpost the resident to appropriate legal advice agencies.
- 7.4 Where the resident needs emergency accommodation, Saxon Weald will refer to the local authority under our 'Commitment to Refer' undertaking. We will provide a supporting letter where appropriate.
- 7.5 Where a resident needs permanent rehousing and there is evidence to support that this is the safest option, Saxon Weald will facilitate as a 'management transfer'.

8.0 Partnership working

- 8.1 Managing reports of domestic abuse generally requires a multi-agency approach. Saxon Weald does not directly provide legal advice or counselling services, but we will ensure those experiencing domestic abuse are signposted or referred to specialist advice and support agencies, with their consent.
- 8.2 Saxon Weald will ensure that staff have good local knowledge of specialist support providers around domestic abuse including IDVA (Independent Domestic Violence Advocacy) services, MARAC (Multi Agency Risk Assessment Conference) and MASH (Multi Agency Safeguarding Hubs) co-ordinators.

9.0 Action against perpetrators

- 9.1 Where we have an interest, but another organisation is leading, we may decide not to act until we are aware of the steps they are taking. If the police are involved, we may decide not to take action against the perpetrator until the outcome of their investigation is known.
- 9.2 Action against perpetrators will depend upon individual circumstances. This may include legal action for recovery of possession against a perpetrator, where other members of the household have left the home due to domestic abuse.

10.0 Data protection, information exchange and confidentiality

- 10.1 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).

11.0 Monitoring and Review

- 11.1 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.
- 11.2 We 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.
- 11.3 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 (Domestic Abuse Housing Alliance) accreditation will provide us with access to a wide range of resources and good practice guidance.

11.4 This policy will be reviewed at least every three years to ensure that it reflects the needs of our customers, good practice, and changes to legislation or regulation.

12.0 Equality and Diversity

12.1 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.

12.2 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 and ethnicity, nationality, immigration status, 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 |
| 4.0 | Policy reviewed as part of the Domestic Abuse Housing Alliance accreditation | Laura Anderson & Vicky Clover | October 2021 |
| 4.1 | Minor amendments made in relation to specialist support services for minority survivors. | Laura Anderson | July 2022 |