DARLINGTON
Borough Council

Housing Services Domestic Abuse Policy 2024 - 2029

Tenants Panel Approved

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Introduction

Domestic abuse is still a largely hidden crime and happens in all communities, regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage, or civil partnership, pregnancy, or maternity.

The Crime Survey for England and Wales estimated that 2.1 million people aged 16 years and over (1.4 million women and 751,000 men) experienced domestic abuse in the year ending March 2023. www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2023

Housing Services recognise the harm domestic abuse can cause within our homes and communities. Domestic abuse is often a hidden problem, but we want all our tenants and household members to be safe from the impact of domestic abuse, and this policy sets out our commitment to help tackle this, and how we will aim to manage and support any cases of domestic abuse.

The Domestic Abuse Act 2021 placed new duties on local authorities across England, to ensure that victims of domestic abuse and their children can access the right support in safe accommodation when they need it. We play an important role in tackling domestic abuse, being well placed to recognise the signs of domestic abuse, and support victims and survivors. We will work closely with partner agencies such as local domestic abuse services, Police and Social Services, to help tackle and further prevent it.

Definition of Domestic Abuse

In line with the Domestic Abuse Act 2021, we define domestic abuse as, 'the behaviour of a person towards another person, if they are each aged 16 or over and are personally connected to each other, and the behaviour is abusive'. It does not matter whether the behaviour consists of a single incident or a course of conduct. Domestic abuse is not exclusively for intimate relationships and can include family, friends, neighbours carers etc.

In line with the Act, we define behaviour as being abusive, if it consists of any of the following:

- Physical or sexual abuse.
- Violent or threatening behaviour.
- Controlling or coercive behaviour.
- Economic abuse.
- Psychological or emotional abuse.
- Elder abuse.
- Family or intergenerational abuse.
- Female genital mutilation.
- Financial abuse.
- Honour based violence.
- Forced marriage.
- Stalking and harassment

We also class people as being personally connected, if any the following applies:

- They are, or have been, married to each other.
- They are, or have been, civil partners of each other.
- They have agreed to marry one another (whether or not the agreement has been terminated).
- They have entered into a civil partnership (as under the meaning given by section 73 of the Civil Partnership Act 2004) agreement (whether or not the agreement has been terminated).

- They are, or have been, in an intimate personal relationship with each other.
- They each have, or there has been a time when they each have had, a parental relationship in relation to the same child.
- They are relatives (as under section 63(1) of the Family Law Act 1996).

We also treat any child (person under 18 years of age) as a victim of domestic abuse if they:

- See or hear, or experience the effect of, the abuse; and
- Are related to the victim or perpetrator.

We class a child as being related to a person if:

- The person is a parent of, or has parental responsibility for, the child, or
- The child and the person are relatives.

Parental relationship means when a person has a parental relationship with a child if:

- The person is a parent of the child, or
- The person has parental responsibility (as per Children's Act 1989) for the child.

Definitions of Abusive Behaviour

Economic abuse means 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.

Controlling behaviour is 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.

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. We recognise that this could cover issues such as FGM (Female Genital Mutilation), forced marriage, or 'Honour-based' violence.

For additional information on domestic abuse please go to www.familyhelp.org.uk/Information-Support

Policy Scope

This policy is applicable to all Housing Services' current tenants, future tenants, and household members. It sets out how Housing Services will recognise, respond, assist, and support our existing and future tenants and household members that are experiencing or threatened with domestic abuse.

For the purpose of this policy, current, prospective and leasehold residents will be called tenants.

Relevant Legislation

- Domestic Abuse Act 2021.
- Domestic Violence, Crime and Victims Act 2004.
- Domestic Violence Disclosure Scheme (Clare's Law).
- Police and Justice Act 2006.
- Data Protection Act 2018.
- Modern Slavery Act 2015.
- Serious Crime Act 2015.
- Anti-Social Behaviour Crime and Policing Act 2014.
- Protection of Freedoms Act 2012.
- Equality Act 2010.
- Child Safeguarding legislation including Children Act 2004.
- Sexual Offences Act 2003.
- Human Rights Act 1998.
- Protection from Harassment Act 1997.
- Care Act 2014.
- Housing Act 1996.
- Housing Act 1985 & 1988.
- Co. Durham and Darlington Domestic Abuse Safe Accommodation Strategy 2021-2024.
- Family Law Act 1996.
- Homelessness Reduction Act 2017.
- Regulator of Social Housing – Neighbourhood & Community Standard.

Relevant internal policies, processes, and customer standards

- Co. Durham and Darlington Domestic Abuse Safe Accommodation Strategy 2021-2024.
- Housing Services Vulnerability Policy 2024-2029.
- Housing Services: Housing Management Policy 2022-2026.
- Housing Services Anti-Social Behaviour Policy 2022-2026.
- Housing Services Tenancy Agreement.
- Housing Complaints, Compliments and Comments Procedure.
- Housing Services Domestic Abuse Customer Standards.
- www.darlington.gov.uk/health-and-social-care/domestic-abuse/

Aims of the Policy

This policy aims to ensure that tenants who report they are experiencing domestic abuse are taken seriously and managed sensitively, in accordance with their needs. It aims to ensure all colleagues act in a non-judgemental and empathetic manner, which reflects the tenant's best interests and wishes.

Housing Services tenants and household members should not live in fear of violence, abuse or harassment from a partner, former partner, or any member of family.

This policy aims to:

- Ensure that all staff, partner agencies and contractors understand domestic abuse and give a consistent service when offering guidance and support.
- Support survivors of domestic abuse and ensure that they and their families, are provided with the stability and security they need and deserve.
- Treat all disclosure of abuse seriously, and advice and assistance is given as a priority. We will work with statutory and voluntary organisations to support survivors, and to take action against perpetrator's tenancies, where it is safe and appropriate to do so.
- Ensure all staff are trained in line with their roles and responsibilities and are pro-active in looking for indicators of domestic abuse, so that it is identified at the earliest possible opportunity, in every case.
- Ensure staff understand the role they can play in tackling domestic abuse and to develop a consistent approach across Housing Services.
- Ensure all staff are trained to deal with disclosures of domestic abuse effectively.
- Act on all reports of domestic abuse and take appropriate action in all cases, where an adult or child is identified as being at risk due to domestic abuse.
- Support survivors to make decisions around their housing needs, whether they wish to remain in their home or move to a new home.
- Signpost perpetrators of domestic abuse, who recognise and seek to change their behaviour, to agencies, including a Multi-Agency Task and Co-ordination (MATAC) referral who can offer them support to prevent the abuse reoccurring.
- Raise awareness of the signs and impacts of domestic abuse to our tenants, staff and contractors. As well as how to report it.

How will we recognise domestic abuse?

We recognise that each case and incident should be assessed and dealt with on a case-by-case basis. Each situation is different, anyone can be a victim of domestic abuse.

The following are signs that someone may be at risk of domestic abuse and which all Housing Services staff will consider in their interactions with tenants (not exhaustive):

- Changes in a tenant's or their household member's behaviour or appearance.
- Changes in the social behaviour of a tenant or household member, such as no longer spending time with friends or family, cancelling repairs or appointments at short notice, making excuses about not attending planned events within the community.
- Overly defending their partner and their actions, and making excuses for their partner's behaviour.
- A tenant's partner insulting them in front of other people.
- A tenant's partner being extremely jealous or possessive.
- Having unexplained marks or injuries.
- A tenant being depressed or anxious, or their personality changing.
- An increase in complaints from neighbours.
- An increased number of repairs for damage to the property.
- Not answering or returning phone calls.
- Not being able to speak or see Housing staff without their partner being present.
- A sudden change in rent behaviour, such as arrears where there haven't been previously.

We may also be alerted to incidents of domestic abuse through (not exhaustive):

- A direct disclosure from a tenant to a member of Housing Services or through their housing application form.
- Our colleagues in Social Services and Safeguarding.
- The Police or other emergency services.
- Reports from concerned neighbours or family.
- An approach from another landlord or local authority for assistance with re-housing.
- The Sanctuary Scheme.
- An approach to third sector agencies such as Harbour.
- MARAC.
- An approach to our Housing Options team.

How will we support our tenants?

To support our tenants who have or are suffering from domestic abuse, we will:

- Give all victims who are experiencing, or have experienced, domestic abuse access to accurate and appropriate advice about their housing options and signposting around their legal rights and responsibilities.
- Award victims of domestic abuse priority banding on Darlington HomeSearch, to assist them in finding alternative accommodation. (Please see the Housing Services Allocation Policy 2023-2028 for more details).
- Ensure tenants can report domestic abuse to us through a variety of methods, including face to face, social media, through the website or email, the Darlington Home Online digital portal, or telephone.
- Respond to reports as soon as we can, but if someone feels there is an imminent danger, we will always recommend they contact the Police immediately.
- Act on all reports of domestic abuse that we receive and work closely with the tenant affected in decision making. We will also respond to reports from colleagues, contractors, external agencies, or other individuals, but we are mindful of a tenant's consent to share information and will use information we receive sensitively (please note where we do not receive consent to share information but we have a safeguarding concern we may still approach Safeguarding colleagues for advice and guidance) .
- Work in partnership on any cases with internal and external departments and agencies, where we receive a report of domestic abuse.
- Work towards preventing and tackling domestic abuse to ensure that everybody can live free from fear, intimidation and violence based on the following principles:
    - Those experiencing domestic abuse should never be made to feel responsible.
    - Those experiencing domestic abuse should not be required to take any action they reasonably feel will place them in greater danger.
    - Those experiencing domestic abuse are best able to assess the danger they are in.
    - The individual's perception of the situation will be of paramount importance.
- Actively engage with the MARAC (Multi-Agency Risk Assessment Conference) processes and other specialist agencies; and recognise partnership working is instrumental towards achieving a resolution. We will share information between agencies, as required, whilst ensuring all data protection protocols are maintained.
- Use the Domestic Abuse, Stalking and Harassment (DASH) Risk Checklist to plan actions and support victims, if this has not been completed by other agencies.
- Recognise that English may not be the first language for some tenants and commit to using translation services, where required.
- Offer to meet victims in an agreed safe location, using the tenant's preferred method of communication and give them an opportunity to choose a colleague of a specific gender, where possible.
- Where emergency accommodation is required, we will offer advice and assistance and work with colleagues in the Housing Options team, to help try to arrange this. For more information see: www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter21-domestic-abuse
- Provide reasonable increased security measures through the Sanctuary Scheme within/around Council owned homes, where required, for example, additional door locks. We sometimes refer to this as 'target hardening'. This may involve working in conjunction with partner agencies.
- Aim to agree and review an action plan with the tenant, that considers any vulnerable members of the household.

- Consider appropriate action against the perpetrator. This could also include, supporting the perpetrator and/or intervention programmes to try and prevent recurrence of abuse, or court action, to regain possession of the property.
- Support and empower individuals to report events to the Police.
- Recognise that cases of domestic abuse can be very sensitive and managing them must be done with care. Colleagues will ensure they only involve other agencies and share information with the tenant concerned when required.
- Raise safeguarding concerns about adults with care and support needs, or child protection concerns.
- Use our Housing ICT systems to ensure information is recorded confidentially, and not disclosed to any other household members without explicit consent. We will ensure that only Housing Services staff have access to the ICT system.
- Meet our statutory and safeguarding requirements in line with existing policies and procedures, where there are safeguarding concerns. In all cases of domestic abuse, colleagues should refer to the Safeguarding policy and take advice from Children's Front Door or Adult Social Care. Any children witnessing domestic abuse would be considered a type of child abuse and safeguarding procedures should be followed. This also applies for any elderly household members, for example, where financial abuse is occurring.
- Ensure that, if any tenant is unhappy about anything related to the policy, or how they have been treated in accordance with the policy, they may complain in line with the Housing Complaints, Compliments and Comments Procedure.
- Promote how tenants can report Domestic Abuse to us through our social media or web pages, through this policy and leaflets and through our tenants magazine, Housing Connect.
- Signpost survivors of domestic abuse to local domestic abuse services for additional support.

Sanctuary Scheme

The Sanctuary Scheme aims to support victims/ survivors of domestic abuse and their children to remain in their own homes where it is safe to do so, by installing safety equipment into the home. We will work closely with all relevant agencies to support the Sanctuary Scheme and make referrals where appropriate.

The scheme is available to anyone in Darlington at risk of domestic abuse by a perpetrator that does not reside within the home.

How does it work?

- Once the risk is identified, a referral is sent by a professional, such as the Police or Harbour Support Services, to the Crime Prevention Office.
- A Crime Prevention Officer will visit the property to assess what safety equipment will best support the victims/survivor and their children, to remain safely in the home.
- The Council arranges for the safety equipment to be installed into the property by the Council's Repairs team(s) who will support residents of the property to understand how the equipment works and how it will be of benefit.
- Housing Services fund the works and equipment required in Housing owned properties to support tenants and their families to remain safely in their home.

How can the scheme be accessed by victims of Domestic Abuse?

- By reporting the abuse to Police and contacting Darlington's domestic abuse support services (www.darlington.gov.uk/health-and-social-care/domestic-abuse/). Any professional can make a referral into the scheme, so either the Police or support services can do this.
- If the victim is already getting support from a professional, the person they are working with will be able to make a referral. It is always advisable that the Police are aware of the abuse.
- If the person the victim is working with is not aware of the scheme, they can access details from www.darlington.gov.uk/health-and-social-care/domestic-abuse/.
- Professionals can request copies of the referral request form by emailing domestic.abuse@darlington.gov.uk

Tenant Involvement

Our tenants are at the heart of what we do, and our Tenants Panel help us to improve our services through scrutiny, challenge and reviewing of policies and procedures.

We will ensure that our Tenants Panel are involved in reviewing this policy, processes and any complaints relating to this policy. We will raise awareness of domestic abuse through internal or external training opportunities for our Tenants Panel.

Implementation & Staff Training

We will ensure effective implementation and advertising of this policy through our website and Housing Connect magazine.

We will ensure appropriate training and support is given to colleagues and that all Housing staff regularly complete the Corporate mandatory training on Domestic Abuse.

We will use both internal and external training resources to ensure staff training is as up to date as possible.

We will carry out training, sharing good practice and case reviews with our staff in team meetings and will ensure support is available for staff through 1:1's and an open-door policy to Team Leaders and Managers.

Equality & Diversity

We are committed to ensuring that we do not discriminate against any of our tenants, and we want to provide excellent service to our tenants. This means that for all our policies and strategies, we will consider any specific issues that might be faced by tenants with vulnerabilities or those in protected groups. We will make reasonable adjustments to our policies to assist our tenants, wherever possible.

We recognise that women and the LGBTQ+ community are disproportionately affected by domestic abuse however, we will ensure that we support any individual experiencing domestic abuse; irrespective of age, gender, sexuality, disability, race or ethnicity, sex, religion, social background, or any other protected characteristics identified in the Equality Act 2010.

Performance and Monitoring

To assist in our continuous improvement, we will use tenant feedback, complaints, and compliments to look for improvements and will involve our Tenants Panel and Council Members in monitoring this.

Review of Policy

This policy will be reviewed every five years unless business need, regulation or legislation prompts an early review.

Housing Services contact details

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