

Domestic Abuse Policy

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1 Policy Information

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2 Policy Statement

South Liverpool Homes (SLH) believes our residents and those living within our community should not live in fear of violence or abuse from a partner, former partner or any other members of their household. We recognise the harmful effect domestic abuse will have on survivors and on children. We will treat all reports of domestic abuse sensitively so survivors feel we are supporting them in a sympathetic and non-judgemental way.

This policy aims to outline our approach to dealing with all forms of domestic abuse within our communities. This policy is not limited to our own customers and extends to anyone who makes reports of domestic abuse to us as we will support and signpost anyone to relevant services.

Through training and development, we will ensure colleagues have the adequate experience, knowledge and understanding to identify the signs of domestic abuse and how to respond to it effectively.

Whilst we recognise that domestic abuse is a form of gender-based violence and predominately affects women and children, this policy applies to all survivors regardless of sexuality or gender.

This policy also supports colleagues who are suffering from domestic abuse. In these instances the Human Resources Team will ensure colleagues are given the appropriate advice and support.

3 Policy Aims

This policy aims to:

- Increase reporting of domestic abuse incidents amongst survivors and within the community and from our colleagues
- Manage reports of domestic abuse in a sensitive and supportive way; in doing so we will use the full range of tools available
- Empower survivors to receive specialist help from appropriate support agencies to feel safe in their home
- Respond effectively to ensure the safety of survivors and their families
- Take appropriate action against perpetrators of domestic abuse
- Ensure colleagues suffering from Domestic Abuse can receive support
- Ensure all colleagues are clear on their roles and responsibilities regarding domestic abuse
- Have a robust reporting and monitoring system that records reports of domestic abuse

4 Definition of Domestic Abuse

The Domestic Abuse Act 2021 defines domestic abuse of a behaviour of a person (“A”) towards another person (“B”) and that they are both over the age of 16 and are personally connected to each other and the behaviour is abusive.

The behaviour is abusive if it consists of any of the following:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse

Further to this definition, abuse is any behaviour towards a person that deliberately or unknowingly causes them harm endangers their life or violates their rights, abuse includes all forms of harm and mistreatment and consists of:

- Controlling behaviour – 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, regulating their everyday behaviour
- Coercive behaviours – 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
- Physical abuse – being kicked, punched, stabbed, choked, pulled or slapped.
- Honour-based violence.
- Forced marriage and child marriages.
- Sexual abuse – inappropriate or unwanted touching, rape, incest, forcing people to watch or do things they don’t want to, prostitution, pornography, trafficking.
- Psychological or emotional abuse – threats of harm, abandonment, humiliation, ridicule, verbal or racial abuse.
- Financial or material abuse – theft, fraud, misuse or withholding of income, benefits or possessions, dowry-related abuse.
- Neglect – denying access to support agencies, medication, food, dignity and privacy, inadequate heating or light.
- Digital or social media abuse – revenge porn, stalking, placing false or malicious comments on social media.
- Economic abuse - is any behaviour that has a substantial adverse effect on person B’s ability to acquire, use or maintain money or other property or obtain goods or services.

Children as Victims of Domestic Abuse: Within the Domestic Abuse Act 2021, children (anyone under the age of 18) are now recognised as victims of domestic abuse if they see, hear, or otherwise experience the effects of abuse and if they are related to person A and/or B.

5 Barriers to reporting abuse and ending relationships

We understand that it can be difficult for survivors to report incidents or to make the decision to end an abusive relationship, this could be due to the worry of not being believed, fear of violence if they report the abuser, peer pressure from friends/family, financial concerns, isolation, loneliness, confidence and low self-esteem. Due to this, we will always deal with reports in a sensitive and supportive manner. We are committed to responding and providing support to any survivor at the earliest possible stage using positive interventions to prevent the abuse or risks from escalating.

Colleagues will be aware that certain groups may face additional barriers and find it even harder to report domestic abuse for reasons such as language barriers, cultural and religious reasons, LGBTQ+ Community

5.1 Prevention

We will use different platforms to raise awareness of domestic abuse and how survivors can seek help and support.

Colleagues will have clear guidance and regular training to manage domestic abuse reports and cases. as w

Our Equality, Diversity and Inclusion Policy supports the promotion of equality between men and women and within the other protected characteristics.

High-risk domestic abuse cases are heard at a fortnightly multi-agency risk assessment conference (MARAC), which when required is attended by an appropriate member of staff from the Community Safety Team. We recognise the importance of MARAC and are committed to playing an active role in the delivery of this partnership to deliver positive outcomes for the survivor.

5.2 Provision

Survivors who report domestic abuse to us will be initially risk assessed within one working day to show our commitment to support and protect them from immediate harm. We make sure that survivors are:

- Ensured confidentiality and we act in the best interests of the survivor and their family (However the right to confidentiality is not absolute and we may have statutory duties to share information)
- Offered additional support should it be identified there are any barriers in the survivors accessing the service we deliver; for example, translation services
- Advised of their housing options

- Advised of tenancy action or legal action that could be taken against the perpetrator if appropriate
- Advised of other agencies that could be better placed to assist them such as Merseyside Police or a Family Law Solicitor
- Directed to other specialist domestic abuse support agencies or drug and alcohol services
- Risk assessed which may identify the need to offer them security measures to feel safe in their home
- Referred to MARAC should the risk assessment confirm they are at a high or very high risk
- Provided with access to our internal support teams (Benefit Advice, Health and Wellbeing and Tenancy Sustainability Team)

It may become apparent during the investigation process that the survivor wishes to remain in the relationship, in which case we will direct the survivor and the perpetrator to agencies that can support the perpetrator to modify their behaviours and address any support needs they may have.

5.3 Protection

When dealing with domestic abuse, our primary concern is the safety of the survivor and any other household members affected by abuse. We adopt a survivor-centred approach to support and will agree on an action plan with the survivor when handling their case.

This approach means that our colleagues will listen to the survivor's concerns and will investigate the circumstances of the survivor to enable us to deliver and agree on an acceptable approach.

Our multi-agency approach helps to build a picture of the survivor's situation and helps develop a risk management plan to reduce harm faced by the survivor and other household members.

Our emphasis will be on keeping the survivor safe in their home, with where there is support to support it the other party leaving or being prevented from going near the home.

The type of action taken will be proportionate to the circumstances of the report. The below list contains possible legal interventions that are available to us:

- A Civil Injunction- this can be used should the domestic abuse cause anti-social behaviour linked to an SLH home where a tenant displays behaviour that causes a nuisance or annoyance or where harassment, alarm or distress is linked to a non-residential premise. A Civil Injunction can be gained on any person over the age of 10 years and depending on the seriousness of the behaviour can incorporate a Power of Arrest or an exclusion from an SLH home.

- Possession Proceedings using **Ground 14a** will be used when the home is occupied by a married couple or a couple living together who are in an intimate relationship and domestic violence has been proven to take place and the court is satisfied that the partner leaving the home is unlikely to return.
- Ground 14a may also be used in conjunction with Ground 12, used when any obligation of the tenancy (other than one relating to rent) has been broken or not performed and Ground 14 used when the tenant or any other person living or visiting the home has either caused nuisance or annoyance or has been convicted of using or allowing the home to be used for illegal or immoral purposes, or has been convicted of an offence in or in the locality of the home. The Tenancy Management Policy explains how we will support other circumstances that may occur when taking possessions proceedings using ground 14a such as Tenancy Status Change, Relationship Breakdowns, Abandoned Tenancies and Unauthorised Occupancy.
- Ground 7a (Absolute or Mandatory Possession) may also be used if a perpetrator has been convicted of a serious offence as outlined in Part 1, Schedule 2 to the Housing Act 1988 as amended by the Anti-Social Behaviour Crime and Policing Act 2014.

It is important to note that the above enforcement action is not an exhaustive list and careful consideration will be taken to each case on its merits before legal action is taken.

We recognise we may not always be the appropriate agency to offer legal protection, so we encourage victims of abuse, or criminal behaviour, to make reports to Merseyside Police or to seek independent legal advice from a Solicitor. We will also encourage survivors to make an application for a Domestic Abuse Offender Disclosure Scheme (Claire's Law) if they have concerns about the abuser's past.

The survivor can also make an application directly to Liverpool Family Court for a non-molestation order which can protect a person from violence or harassment. In some cases the police can make a referral to the National Centre for Domestic Abuse (NCDV) who can support the survivor with the application.

6 Child Protection and Safeguarding

We recognise that reports of domestic abuse within families has a harmful effect on children, particularly those who witness domestic abuse. The investigating officer will, , assess the impact the abuse is having on children and where necessary safeguarding referrals will be made to Careline or Early Help Teams. Colleagues who investigate domestic abuse will be adequately trained in both safeguarding and domestic abuse practices to ensure the best possible outcomes for survivors and their families.

7 Rehousing advice and options

We will aim to provide the necessary protection for the survivor to remain in their own home as we understand the impact moving can have on the survivor and their family. If the survivor wishes to move out of the area we will give them advice on their housing options.

If a survivor wishes to remain within our neighbourhoods we will assess their priority under the criteria in our Allocations Policy.

We may consider rehousing perpetrators of domestic abuse, who share a home with the survivor, if this helps prevent the abuse in the household and both parties agree this is the appropriate solution. Colleagues will follow the relationship breakdown procedure in our Tenancy Management Policy in these instances.

For any non-SLH tenants applying to live in our homes we accept supporting evidence from partner agencies to award additional priority.

8 Data Protection and Confidentiality

Whilst confidentiality of survivors is important to gain trust and to act in their best interests we will request permission to share their information with other agencies to ensure we maximise the support and options available to respond effectively to the abuse. However, there may be times when we can in our professional judgement refer the survivor to MARAC/IDVA without their consent if there is a concern that they are at a high risk of domestic abuse.

We will make sure that we agree on a contact method with the survivor so their reports to us are never compromised, especially where the perpetrator may intercept mail or their phone which could put the survivor at further risk of harm.

Survivors can be put directly through to a member of the Community Safety Team so they do not have to explain their circumstances to different colleagues and can request to speak to female colleagues only if they prefer

9 Customer Service Standards

Our survivors have agreed a set of service standards with us which outlines the service they can expect from us. In responding to reports of domestic abuse, we will:

- Aim to complete an interview with the survivor and complete a risk assessment within one working day - this may be on the telephone or in person
- Offer a dedicated Community Safety Officer to investigate the report and act as their main point of contact throughout the investigation
- Agree a contact arrangement with the survivor to regularly review the case; as a minimum we will aim to contact the survivor once every 5 working days
- Aim to complete an interview with the perpetrator of the abuse within 7 days of the initial complaint – if consent if given

In addition we will also:

- Make referrals to the appropriate support agencies with the consent of the survivor
- Refer children to specialist domestic abuse support that will be tailored to their needs and linked to any other family support
- Be provided with a list of useful contacts

10 Policy Review Considerations

10.1 Equality Analysis

An equality analysis has been completed to identify and respond to any adverse impacts the policy may have on particular groups. Outcomes have been included within this document and within the procedural guide for colleagues.

10.2 Policy Risk Assessment

In order to achieve our corporate objectives, we place a high importance on the effective management of risk. Risks are managed through our risk management framework.

All risks associated with the safety of domestic abuse survivors both strategically and operationally are assessed, quantified and minimised. We are committed to being proactive to prevent risk rather than reacting to remedy it.

10.3 Statutory and Legislative Framework

The policy takes in to account relevant legislation:

- Domestic Abuse Act 2021 & 2023
- Family Law Act 1996
- Children's Act 1989
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Data Protection Act 1998
- General Data Protection Regulations 2018
- Domestic Violence, Crime & Victims Act 2004
- Police & Justice Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-Social Behaviour, Crime & Policing Act 2014
- Serious Crime Act 2015
- Care Act 2014
- Clare's Law/Domestic Abuse Offender Disclosure Scheme.
- Housing Act 1996

- Domestic Abuse Bill

11 Associated Policies

- This policy does not operate in isolation, the following policies interlink with the delivery of our services to survivors and perpetrators of domestic abuse:
 - Allocations Policy
 - Repairs and Maintenance Policy
 - Chargeable Repairs Policy
 - Safeguarding Policy
 - Equality Diversity and Inclusion Policy
 - Sickness & Absence Policy
 - Anti-Social Behaviour Policy
 - Customer Feedback Policy
 - Hate Crime Policy
 - Tenancy Management Policy