Domestic Abuse Policy

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Confidentiality	C1
Distribution list	HSH Operational Staff, HSH Board of Trustees, HSH Tenants
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1. Purpose & Scope

This policy aims to provide employees with clear and practical guidance to ensure we support and protect victims of abuse, and to allow those experiencing domestic abuse to have more information about their choices so they feel empowered.

HSH are committed to responding to incidents of Domestic Abuse in a responsive, victim-centred and supportive manner. We will create a safe environment where victims of domestic abuse can approach us and are encouraged to talk and be listened to.

We will work in partnership to offer support to perpetrators of domestic abuse who recognise and seek to change their behaviour.

2. Legal & Regulatory Framework

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Data Protection Act 2018
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2015
- The Care Act 2014
- Clare's Law, also known as Domestic Violence Disclosure Scheme (DVDS)
- Domestic Abuse Act 2021

3. Policy Statement

This policy sets out how Hawes Street Housing will help and support HSH tenants who are experiencing or at risk of domestic abuse. This includes considering the needs of children and others impacted by the abuse. We understand that our offer to survivors needs to come from a place of understanding and respect.

It is our intention to work in line with the following principles:

- **Integrity:** we will be open and honest in our dealing with customers and colleagues
- **Empathy:** we will listen and try to fully understand their situation
- **Empowerment and respect:** we will work together with survivors and ensure that their wishes are acknowledged and understood, recognising the insight they have into their situation, and the steps they've already taken to keep themselves safe
- **Accountability:** we will be accountable and willing to discuss options and be honest about what we are able to do
- **Focus on Survivor Safety:** we will ensure survivor safety is our priority, ensuring their voices are heard and their well-being is at the heart of what we do
- **No Judgement:** we will be non-judgemental and seek to understand the survivor's experiences.

4. Definitions

The cross-government definition of domestic abuse is "behaviour of a person towards another person is domestic abuse if they are both aged 16 or over and are personally connected to each other and the behaviour is abusive."

Two people are 'personally connected' to each other if any of 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 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.

Domestic Abuse can include, but is not limited to, the following types of abuse:

- **Physical Abuse** can include hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, spitting, strangulation, choking.
- **Sexual Abuse** can include rape and coerced sex, forcing a victim to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.
- **Financial Abuse** can include controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim's name, allowing no say on how monies are spent, refusing to allow them to study or work.
- **Psychological and Emotional Violence and Abuse** has a profound impact upon victims and their children. It can leave a victim with little confidence that they can do anything to change the situation.

5. Children

The Domestic Abuse Act 2021 recognises children as victims/survivors of domestic abuse.

Any reference in the Act to a victim of domestic abuse includes a reference to a child who

- sees or hears, or experiences the effects of, the abuse, and
- is related to either of the parties.

Children living in households where domestic abuse occurs are recognised as victims of that abuse in their own right and our approach reflects this. The safety of all survivors is our priority, and we will inform statutory services where we believe that a child is harmed or at risk due to domestic violence.

We will also make appropriate safeguarding referrals in respect of any vulnerable adult who may also be impacted by the abuse.

HSH will ensure that relevant employees are familiar with the statutory definition of domestic abuse, and with the abusive behaviours detailed within the Domestic Abuse Act 2021, and the Government's strategy on tacking violence against women and girls' (2021).

6. Responding to a Report of Domestic Abuse

There are a number of ways that we might receive a report of domestic abuse taking place in one of our properties. It may be made by the individual experiencing the abuse or by the perpetrator disclosing their own behaviour. It may also be by a concerned neighbour, relative, or the police.
Suspected cases may be brought to our attention by repeat repairs, repeated reports of loud noises, banging or shouting or a member of staff noticing a change in behaviour of a resident.

We treat all reports of domestic abuse seriously, sympathetically and in confidence. All cases are different, and depending on the situation, staff will respond accordingly, ensuring at all times that any action is resident led.

It might be that more information is needed, this is true especially where it has been brought to our attention by a third party or suspected domestic abuse taking place due to noise reports or repeated repairs.

When an individual experiencing domestic abuse discloses this to a member of staff, we will:

- Ask them if they are in immediate danger, if there is immediate threat to life staff will encourage the individual to call the police, or call the police on their behalf.
- Find out if there are any vulnerable adults or children living at the property.
- If staff believe there is a safeguarding concern of an adult at risk or a child at risk living in the property where the domestic abuse is taking place, we have a duty of care to raise this concern with the Local Authority.
- Offer to meet the individual at a place that they feel safe, it is important to offer the resident to meet with a member of staff that they feel comfortable with, it may be that they would prefer to meet with someone of the same or opposite gender.
- Find out the safest way to contact them going forwards
- Find out the name of the perpetrator and their relationship to the individual
- Let them know of local and national support agencies, and where they can find more information on agencies to help them.

7. Privacy Impact

Domestic abuse cases are particularly sensitive. We take extra care to maintain confidence of information. However, where there are safeguarding concerns or a crime has been committed, we will follow our duties with sharing this information with the relevant authorities.

Where possible, we will seek to establish information sharing protocols with relevant external agencies to help in managing domestic abuse cases. Personal or sensitive data will be processed in line with the Data Protection Act 2018 (as amended) and HSH's Data Protection Policy.

8. Partnerships

We endeavour to work with other agencies, such as the police, local authorities, domestic abuse agencies and health services to tackle domestic abuse.

9. Tenancy Agreements

Joint Tenancy
Neither the victim nor perpetrator should be advised to terminate their tenancy. Each case will be judged on its individual circumstances and should be discussed with the Housing Officer. The person experiencing abuse may be able to access Family Law remedies to remove a perpetrator from the home and we are able to signpost to relevant agencies.

Tenancy in Perpetrator's Name
Where the tenancy is in the perpetrators sole name, staff should ask the victim to complete a housing application and refer them to their local authority. The duty to provide immediate temporary accommodation lies with local authorities under the Housing Act 1996 and Homelessness Act 2002. A person experiencing abuse who is not a HSH tenant should be referred to the local authority.

Tenancy in Victim's Name
When the tenancy is in the sole name of the person experiencing domestic abuse then the Housing Officer can provide guidance on the options available to them. If the person experiencing the abuse wants the perpetrator to leave the home then we will provide support to them, in conjunction with our partners such as the Police.

Often a request to leave will be resisted by the perpetrator, especially if it is a family home and may also heighten the risk of further abuse. Therefore, this process needs to be managed carefully and be risk assessed.

HSH is able to provide lock changes and extra security measures to victims of domestic abuse, this can include extra window locks and bolts and chains to doors.

10. Raising Awareness

We are committed to raising awareness of domestic abuse and a key part of this is ensuring that our residents and communities are clear on our position. This includes giving information in newsletters, resident communication and on our website. We will regularly publicise on internal staff platforms and external resident platforms and provide relevant training for staff.

11. Responsibilities

It is the responsibility of the Board of Trustees to approve this Policy.

The Company Secretary is responsible for the monitoring and review of this policy.

The Hawes Street Housing Operations Manager is responsible for ensuring the implementation of this policy and supporting procedures for the maintenance of all necessary records on the CRM system to enable the compilation of regular reports on performance and for the monitoring of performance.

The Housing Officer of Hawes Street Housing is responsible for the day-to-day management and oversight of this policy.

12. Equality & Diversity

Hawes Street Housing are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history, as referred to in our accompanying policies. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.

Hawes Street Housing aims to meet the needs of its residents by providing an excellent service. However, occasionally things may go wrong and residents may wish to complain. Should the need arise to make a complaint, please refer to our Complaints Policy.

13. Help & Advice

- New Era (Staffordshire and Stoke-on-Trent) – 0808 1689 111
- Glow – 0330 094 8878
- Staffordshire Women's Aid – 0300 330 5959