



DOMESTIC ABUSE POLICY

December 2021



Introduction

Broadacres vision is to deliver an individual service which makes a real difference to people's lives.

We believe that our customers should not live in fear of violence, abuse or harassment from a partner, former partner or any other member of their household.

As a social landlord and employer, Broadacres recognises that it has a role to play in the safeguarding of its customers and colleagues, and in supporting local authorities and community safety providers to tackle such incidents and behaviour.

Aims

This policy aims to support our approach to dealing with domestic abuse by:

- Treating people reporting domestic abuse in a sympathetic, supportive and non-judgemental way.
- Taking any disclosure of abuse seriously and giving advice and assistance as a priority.
- Agreeing an action plan with the victim and where appropriate providing additional security to their home.
- Supporting those experiencing abuse, or who have experienced abuse, by working in partnership with and other support agencies.
- Ensuring that where children or young people are affected by domestic abuse, that they too have access to services as soon as possible.
- Signposting victims to where they can access help with the use of civil and criminal laws, to offer them protection and to prevent further abuse.
- Making appropriate safeguarding referrals if we believe that a child, or a vulnerable adult, is at risk due to an abusive relationship.
- Signposting perpetrators of domestic abuse to agencies who can offer them support, in order to prevent the abuse from reoccurring.
- Training our colleagues to recognise the signs of domestic abuse and providing them with clear and practical guidance to act upon it.
- Publicising our approach, in all formats, to raise awareness amongst the communities we serve with the aim of increasing reports of domestic abuse.
- Adopting best practice in this area by reaching and maintaining the Domestic Abuse Housing Alliance (DAHA) standard.

How we will achieve our aims is set out more fully in our Domestic Abuse procedure.

What is Domestic Abuse?

There is now a Statutory Definition of 'Domestic Abuse'. This is defined as;

'behaviour which is abusive by one person towards another person'.

The persons have to be personally connected. Behaviour is to be regarded as '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.

To be 'personally connected' means individuals who are either married, civil partners, couples engaged to be married or have agreed to enter into a civil partnership, those who have been in an intimate personal relationship with one another or those who have a child or children to whom they each have parental responsibility or they are relatives.

Coercive and controlling behaviour

In 2015 the Government announced a new domestic abuse offence of coercive and controlling behaviour.

Controlling behaviour includes a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capabilities 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 pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

This law will help protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive behaviour can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

Definitions of abuse

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

- Physical
- Sexual
- Financial
- Psychological
- Emotional
- Economic
- Discriminatory

The definition, which is not a legal definition, also includes:

- Family and intergenerational Abuse
- Elder Abuse
- Honour-based violence
- Forced marriage
- Female genital mutilation

Coercive and controlling behaviour underpins domestic abuse and is explained as a range of purposeful behaviours including intimidation, isolation, emotional abuse and manipulation. These behaviours are used in order to achieve power and control in an abusive relationship and reinforce the threat or reality of physical abuse.

Further information can be found at Appendix 1.

Our approach

On receiving a report of domestic abuse directly from a victim, a face to face interview will be offered within 24 hours where possible (same-sex interviews will be facilitated where requested).

Where this is not possible due to the weekend or a bank holiday the person may be referred to a relevant support agency or interviewed the next available working day.

Where requested by the victim the interview may be carried out over the phone.

Where the report is from a third party such as the Police, we will establish what information has already been provided and what support is required from Broadacres. Where appropriate we will arrange to interview the victim.

Interviews will be carried out in a sensitive and supportive manner where the victim's immediate housing options and tenancy rights will be discussed. A DASH risk assessment checklist will be completed and a referral to MARAC (Multi-Agency Risk Assessment Conferences) made if the threshold is met.

Further support and advice will be given and the interview will conclude with a plan of action.

Partnership working

Broadacres recognises that dealing with domestic abuse is not the sole responsibility of any single agency. We are part of a wider community and share the problems and challenges of our community. Partnership working is vital if we are to deal effectively with the incidences and consequences of domestic abuse within our communities.

We work with a variety of partners including the Police and Local Authorities where we have stock and will contribute to Multi-Agency Risk Assessment Conferences (MARAC).

Broadacres acknowledges that domestic abuse is often a factor in Child Protection and Serious Case Reviews and will liaise with the Local Safeguarding Children Board (LSCB) to identify relevant training for colleagues specific to domestic abuse and safeguarding.

Broadacres will also meet its obligations for safeguarding adults through membership of the Local Safeguarding Adults Group and our Safeguarding Adults policy.

Confidentiality, Data Protection and information sharing

Whilst we respect privacy and confidentiality and are mindful of our obligations under the Data Protection Act 1988 and the General Data Protection Regulation 2016 (GDPR), dealing with domestic abuse may require us to share information in order to:

- Protect the victim, or
- Prevent harm to someone else e.g. children or an Adult at Risk, or
- Prevent or detect a crime

Legal and regulatory framework

The legal framework for dealing with domestic abuse is wide-ranging. Some of the more important pieces of legislation we work with include:

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment 1997
- Human Rights Act 1998
- Data Protection Act 1988
- 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)
- The Domestic Abuse Act 2021

From 2014 Police and magistrates have had powers to issue Domestic Violence Protection Orders (DVPOs), which can prevent a perpetrator of domestic abuse from returning to a residence and having contact with the victim for up to 28 days.

The use of DVPOs in relation to Broadacres tenants, whether as victims or as perpetrators, will be overseen by the Tenancy Relations Co-Ordinator.

There are no specific requirements for Registered Providers with the Home and Community Agency's Regulatory Standards in respect of dealing with domestic abuse.

The Domestic Abuse Act, 2021, was established to raise awareness and understanding about the devastating impact of domestic abuse on victims and their families. The Act aims to improve the effectiveness of the justice system by providing protection for victims of domestic abuse and bringing perpetrators to justice. The Act also puts more onus on local authorities and housing providers to play a more active role in providing sustainable housing and to give homeless assistance and support for domestic abuse victims and their families.

The Act aims to:

- Create a statutory definition of domestic abuse.
- Emphasise that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive behaviour, and economic abuse.
- Establish in law the office of Domestic Abuse Commissioner and set out the Commissioner's functions and powers.
- Bring about new powers including; the Domestic Abuse Protection Notice and the Domestic Abuse Protection Order.
- Place a duty on local authorities in England to provide accommodation based support to victims of domestic abuse and their children in refuges and other safe accommodation.
- Provide that all eligible homeless victims of domestic abuse will automatically have 'priority need' for homelessness assistance.
- To stop perpetrators of abuse from cross-examining their victims in person in the civil and family courts in England and Wales.
- Extend the controlling or coercive behaviour offence to cover post-separation abuse.
- Provides a statutory domestic abuse strategy for perpetrators
- Place the guidance supporting the Domestic Violence Disclosure Scheme ("Clare's law") on a statutory footing.

Where possible Broadacres works jointly with IDAS and the local authorities where we work to meet the aims of the Domestic Abuse Act, 2021, by providing emergency short-term accommodation and / or long term and sustainable move on accommodation for customers who have experienced domestic abuse. Broadacres also provides accommodation-based support and resettlement support where appropriate.

Monitoring and review

Overall responsibility for this policy rests with Broadacres Board of Management with day-to-day oversight being provided by the Management Team.

This policy will be reviewed every 3 years or in line with business needs or changes in regulation and / or legislation. Appropriate training and guidance will be provided to colleagues as a result of any changes.

We will use appropriate measures to monitor the impact of our policy including satisfaction levels and customer feedback.

Appendix 1

DEFINITIONS

Physical abuse

This can include hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking.

Sexual abuse

This 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

This can include controlling money and bank accounts, making a victim account for all of their expenditure, running up debts in the victim's name, not allowing the victim to have a say on how their monies are spent, or refusing to allow them to work.

Psychological and emotional abuse

This type of abuse can have a profound impact on victims. It can leave them with little confidence that they can do anything to change their situation, or that they are powerless to take any action to improve their lives, or the lives of their children. Examples include:

- Isolating the victim – not allowing them to see their friends or family, or to go anywhere on their own.
- Using threats – threats to kill their family, children, friends, or pets, or to find them if they were ever to try and leave.
- Putting them down – humiliating, embarrassing or undermining them in front of others, for example, telling them that they are stupid, that no one would believe them if they tried to tell people what was happening, or that they are a bad parent.

Economic abuse

Economic abuse involves behaviours that interfere with an individual's ability to acquire, use and maintain economic resources such as money, transportation and utilities. It can be controlling or coercive. It can make the individual economically dependent on the abuser, thereby limiting their ability to escape and access safety.

Examples of economic abuse include:

- Having sole control of the family income.
- Preventing a victim from claiming welfare benefits
- Interfering with a victim's education, training, or employment
- Not allowing or controlling a victim's access to mobile phone/transport/utilities/food
- Damage to a victim's property

Discriminatory abuse

This type of abuse is motivated by oppressive and discriminatory attitude towards a person's:

- Disability
- Physical appearance
- Learning disability
- Mental ill health
- Sensory impairment
- Race
- Religion
- Gender / gender identity
- Age
- Culture
- Sexual orientation
- Appearance

Family and intergenerational abuse

Domestic abuse approaches have historically had an emphasis on partner violence. More focus is now being given to family and intergenerational abuse, and the way in which it may be different from partner violence e.g. if the perpetrator is the victim's (adult) sibling, child or grandchild. Abuse of an adult or child may also be used by a perpetrator to exercise control over their victim.

Elder abuse

Elder abuse is a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. This type of abuse can include physical, sexual, psychological and emotional, financial and material, abandonment, neglect and a serious loss of dignity and respect.

Honour-based Violence

Honour based abuse is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and / or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Honour based violence and abuse can take many forms, e.g. threatening behaviour, assault, rape, kidnap, abduction, forced abortion and threats to kill.

Forced marriage

A forced marriage is where one or both people do not or cannot consent to the marriage and pressure or abuse is used to force them into the marriage. Forced marriage is illegal in the UK. It is a form of domestic abuse and a serious abuse of human rights. Forcing someone to marry isn't always physical, but it is always against the law.

Female genital mutilation

The practice, which is traditional in some cultures, of partially or totally removing the external genitalia of girls and young women for non-medical reasons. It is illegal in many countries.

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