

# Domestic Abuse Policy

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<b>Approved by</b>	Managing Director (Triathlon Homes)
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<b>Responsible officer</b>	Head of Operations (Triathlon Homes) (Responsibility for proposing final draft, implementation and review)
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## 1. Introduction

- 1.1 This policy sets out how we will assist and support any of our customers, including those living with our tenants, who are experiencing or threatened with domestic abuse. We have a separate policy for staff experiencing domestic abuse.
- 1.2 Domestic abuse is a serious criminal offence that can affect anyone regardless of gender, gender reassignment, sexuality, age, disability, race, religion or belief, marriage or civil partnership and pregnancy or maternity or any other protected characteristic.
- 1.3 It is often a hidden crime that is not reported to the police. Therefore, statistics can only provide a partial picture of the actual levels of domestic abuse.

- 1.4 Domestic abuse takes place primarily in the home. As a landlord, we are well placed to recognise the signs of domestic abuse and play an important role in supporting those who have experienced or been affected by it.
- 1.5 When we deal with reports of domestic abuse we will also refer to our Safeguarding Adults Policy and/or Safeguarding Children Policy.

## 2. What is domestic abuse?

- 2.1 We use the Domestic Abuse Act 2021 statutory definition of domestic abuse which is:

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.

Behaviour is “abusive” if it consists of any of the following—

- a) physical or sexual abuse;
- b) violent or threatening behaviour;
- c) controlling or coercive behaviour;
- d) economic abuse;
- e) psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

“Economic abuse” means any behaviour that has a substantial adverse effect on B's ability to—

- a) acquire, use or maintain money or other property, or
- b) obtain goods or services.

- 2.1.1 For the purposes of this definition, A's behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B's child).

- 2.1.2 The Act defines two people being “personally connected” to each other if any of the following applies:

- a) they are, or have been, married to each other;
- b) they are, or have been, civil partners of each other;
- c) they have agreed to marry one another (whether or not the agreement has been terminated);
- d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- e) they are, or have been, in an intimate personal relationship with each other;
- f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));

g) they are relatives.

2.1.3 For the purposes of this definition, a person has a parental relationship in relation to a child if:

a) the person is a parent of the child, or

b) the person has parental responsibility for the child.

2.1.4 The Act further defines:

“child” means a person under the age of 18 years;

“civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;

“parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);

## 2.2 Children as victims of abuse

This part of the Domestic Abuse Act 2021 applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.

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

a) sees or hears, or experiences the effects of, the abuse, and

b) is related to A or B.

2.2.2 The Act defines a child being related to a person if:

a) the person is a parent of, or has parental responsibility for, the child, or

b) the child and the person are relatives.

2.3 Domestic abuse can also be carried out by immediate and extended family members through unlawful acts, such as forced marriage, female genital mutation and ‘honour-based violence’.

## 3. Policy statement

3.1 This policy will help us reduce the risk to our customers affected by domestic abuse and to prevent further incidents by encouraging earlier reporting and by responding rapidly.

3.2 We will take steps to assist and support any person experiencing or threatened with domestic abuse; working with other relevant agencies to ensure the right support is given to any affected customer and their households.

3.3 If we believe there is a safeguarding concern of an adult or child at risk living in the property where domestic abuse is taking place, a referral will be made to the local authorities’ safeguarding team. Safeguarding means protecting a person’s right to live in safety, free from abuse.

3.4 We will take a victim-centred approach when managing reports of domestic abuse. All reports will be dealt with sensitively, with a believing mentality and in a non-judgemental manner.

3.5 Any reference to ‘we’, ‘our’ or ‘us’ refers to Triathlon Homes LLP.

#### **4. Make a stand pledge**

4.1 We have signed up to the Chartered Institute of Housing’s ‘Make a Stand’ against domestic abuse pledge.

4.2 The pledge was created in partnership with Women’s Aid and the Domestic Abuse Housing Alliance to encourage housing associations to make a commitment to support people experiencing domestic abuse. The four commitments of the pledge are:

1. Put in place and embed a policy to support customers who are affected by domestic abuse.
2. Make information about national and local domestic abuse support services available on our website and in other appropriate places so that they are easily accessible for customers and staff.
3. Put in place a HR policy, or amend an existing policy, to support members of staff who may be experiencing domestic abuse.
4. Appoint a champion at a senior level in our organisation to own the activity we are doing to support people experiencing domestic abuse.

#### **5. Making, receiving and managing a report**

5.1 If it is an emergency or someone is in immediate danger, customers should call 999.

5.2 We will enable our customers and partner agencies to report domestic abuse to us in a range of different ways, including by telephone, email and in person.

5.3 All reports of domestic abuse will be investigated and taken seriously. When a report is received, we will ask whether the police have also been contacted. We will not require someone to take legal action or contact the police before we provide assistance.

5.4 A case handler will attempt to make contact with the person making the report within 1 working day from the time it is received.

5.5 We will carry out a risk assessment to identify what support is needed for the person experiencing domestic abuse, and their children where required.

5.6 The person experiencing domestic abuse will be asked which method of contact is to be used to keep in touch with the person experiencing domestic abuse and when to contact them.

5.7 We will work together with the person experiencing domestic abuse to develop an agreed action plan; we will monitor and review the plan at agreed timescales.

5.8 We acknowledge the courage it will take a person experiencing domestic abuse to make a report, as well as the importance of an effective first response from our front-line staff.

5.9 We will provide training to our staff to ensure they can give the right support to people experiencing domestic abuse.

## **6. Multi-agency approach**

- 6.1 Managing reports effectively requires a multi-agency approach to ensure the safety of the person experiencing the domestic abuse, that their needs are being met and for the necessary action to be taken against perpetrators.
- 6.2 We will work with local agencies in individual cases to ensure they are dealt with in the most effective and efficient way.
- 6.3 We will frequently attend MARAC meetings (Multi Agency Risk Assessment Conference), which are regular local meetings put in place to discuss how to help individuals at high risk of murder or serious harm.

## **7. Support**

- 7.1 We will advise people experiencing domestic abuse of external agencies who can offer further advice and support depending on their needs.
- 7.2 Witnesses of domestic abuse will be advised of external agencies who can offer further advice and support depending on their needs.
- 7.3 We will make a referral to our Community Investment Team where the person experiencing domestic abuse requires support in relation to financial issues.
- 7.4 At our discretion, we will provide improved security measures to a resident's home in conjunction with partner agencies.

## **8. Alternative housing options**

- 8.1 Where a customer is unable to remain in their home due to ongoing threat of the perpetrator, we will ensure they are aware of the housing options available to them.
- 8.2 We do not own any emergency accommodation; however, we will help customers in accessing emergency accommodation provided by a local authority or refuge.

## **9. The perpetrator**

- 9.1 If the perpetrator is a resident of our property, we will consider taking appropriate tenancy action against them, including possession action.
- 9.2 We will provide general housing advice to the perpetrator when requested.
- 9.3 Where the perpetrator is willing to confront their abusive behaviour, we will refer them to the appropriate support services.

## **10. Confidentiality and information sharing**

- 10.1 In accordance with the Care Act 2014, we have a legal duty to share information with the appropriate agency where there are overriding and serious concerns to a person's health or safety. We will inform the person experiencing domestic abuse about what we do with their data and explain and inform them of decisions they may not consent to.

10.2 The Crime and Disorder Act 1998 authorises us to disclose information to, and request information from, relevant authorities where it will work to reduce crime and disorder and protect a vulnerable person.

## **11. Safeguarding**

11.1 We will meet our statutory safeguarding requirements in line with our existing policies and procedures where there are safeguarding concerns about a vulnerable person living in one of our properties.

## **12. Roles, responsibility and authority**

12.1 The Head of Operations and Managing Director have overall responsibility for the delivery of and the compliance of this policy and associated procedures.

12.2 Domestic abuse cases will be managed by our Village Managers. However, if reports are made via our Customer Service Centre then the initial interview may be conducted by a Customer Services Advisor.

12.3 As part of our commitment to the 'Make a Stand' against domestic abuse' pledge, we have appointed a 'domestic abuse champion'. Their role is to promote awareness, support front line staff and help embed best practice to tackling domestic abuse.

12.4 Our Safeguarding Lead is responsible for reporting quarterly and annually on the number of domestic abuse concerns raised.

## **13. Equality, diversity and inclusion**

13.1 An Equality Impact Screening has been carried out as part of the development of this policy. We aspire to embed diversity and inclusion within all of our business activities to enable these principles to become part of our everyday processes.

## **14. Related internal documents**

- Safeguarding Children and Adults Policy
- Relationship Breakdown Policy
- Anti-Social Behaviour and Hate Crime Policy
- Repairs Policy
- Tenancy Changes Policy

## **15. Related legislation**

- Domestic Violence, Crime and Victims Act 2004
- The Equality Act 2010
- The Anti-Social Behaviour Crime and Policing Act 2014

- The Family Law Act 1996  
The Human Rights Act 1998
- Care Act 2014
- Housing Act 1988
- The Crime and Disorder Act 1998
- Clare’s Law
- The Data Protection Act 2018
- The General Data Protection Regulation 2018

**Policy Controls sheet**

<b>Author</b>	<b>Date</b>	<b>Main changes and why (i.e. change in legislation, change in internal processes)</b>
Customer Services Policy Consultant	March 2021	New standalone Domestic Abuse Policy introduced.
Customer Services Policy Consultant	April 2022	Definition updated to Domestic Abuse Act 2021’s statutory definition