



manningham
HOUSING ASSOCIATION

DOMESTIC VIOLENCE / ABUSE POLICY



DOMESTIC VIOLENCE / ABUSE POLICY

1. BACKGROUND

Manningham Housing Association (MHA) is a registered social housing provider which is regulated by the Regulator of Social Housing. The Association provides general needs housing for rent and shared ownership.

MHA recognises that domestic violence / abuse can happen to anyone, regardless of social background, disability, age, gender, religion, sexuality or ethnicity. We also recognise that domestic violence / abuse affects both male and female victims, including those in lesbian, gay, bisexual and transgender (LGBT) relationships.

We are committed to supporting victims of domestic violence / abuse regardless of gender or sexuality and will ensure the safety of victims of domestic violence / abuse as no one should have to live in fear or violence / abuse and hold perpetrators of domestic violence / abuse accountable for their behaviour.

Over 70% of MHA customers are from the South Asian communities. The Office for National Statistics show that women of mixed/multiple ethnicities are amongst the most at risk of experiencing partner abuse in England and Wales. Much domestic violence in Asian communities remains under the radar and unreported as some women feel that reporting it would discredit their families.

As a BAME led housing association we recognise that our staff will need the appropriate training to recognise and respond appropriately to domestic violence suffered by BAME people.

2. REGULATORY AND LEGAL FRAMEWORK

The National strategic approach to domestic abuse was developed through a consultation in 2003 on 'Safety and Justice': The Governments Proposal on domestic abuse. It was centred on three areas:

Prevention - Working to prevent domestic abuse and working with survivors and perpetrators to prevent repeat victimisation

Protection and Justice: increased legal protection for survivors and their families

Support: for survivors to rebuild their lives

This policy also closely aligns itself with the Regulator of Social Housing's Neighbourhood & Community Standard which outlines how registered providers shall work in partnership with other agencies to prevent and tackle anti-social behaviour which can include dealing with Domestic violence/abuse in the neighbourhoods where they own homes.

It states that registered providers shall publish a policy on how they will work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties. In

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their work to prevent and address ASB, registered providers shall demonstrate:

- That tenants are made aware of their responsibilities and rights in relation to ASB.
- Strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies.
- Strong focus exists on preventative measures tailored towards the needs of tenants and their families.
- Prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available.
- All tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not.
- Provision of support to victims and witnesses.

This policy also takes into account the following legislations:

- Domestic Violence, Crime and Victims Act 2004 & 2012 Amendments
- The Crime and Disorder Act (1998)
- The Family Law Act (1997) and The Protection from Harassment Act (1997)
- The Crime and Security Act (2010)
- Protection from Harassment Act 1997
- The Family Law Act 1996
- Anti-Social Behaviour Act 2003
- Human Rights Act 1998
- The Data Protection Act 1998 and General Data Protection Policy
- The Housing Act 1996
- The Equality Act 2010

3. DEFINITION

The government definition of Domestic violence (also known as domestic abuse) refers to any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse over one person by another between those aged 16 or over who are or have been intimate partners or in a close family relationship regardless of sex, sexuality or gender. This definition includes honour-based violence, female genital mutilation (FGM) and forced marriage.

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

- Emotional/Psychological
- Sexual
- Emotional
- Physical
- Verbal and Financial

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This applies equally to women and men and can also occur in same-sex relationships.

Controlling behaviour is 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, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim. Victims are not confined to one gender or ethnic group.

Emotional/Psychological abuse is where a person is subjected to threats, deprivation of contact, shouting, ignoring, cruelty, bullying, humiliation, enforced isolation, negating the right of the person at risk to make choices and undermining self-esteem.

Physical abuse can range from a slap or shove to a black eye, cut lip and broken bones. In the most extreme cases it can result in death.

Sexual abuse is where a partner uses force or threats to make you have sex and make you perform sexual acts with which you are uncomfortable.

Financial abuse may include a partner taking your money, stopping you from working, placing all bills and debts in your name or monitoring how you spend money and other financial resources.

Honour based violence is normally a collective and planned crime or incident, mainly perpetrated against women and girls, by their family or their community, who act to defend their perceived honour. They believe the victim (s) have done something to bring shame to the family or community.

Forced marriage is where one or both people do not consent to the marriage and pressure or abused is used. The pressure put on people to marry against their will can be physical, emotional, psychological or financial abuse.

Female Genital Mutilation is a procedure where the female genitals are deliberately cut, injured or changed where there is no medical reason for this to be done.

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4. OUR APPROACH TO TACKLING DOMESTIC VIOLENCE & ABUSE

Our approach to Domestic Violence/Abuse aims to prevent and reduce the risk of harm to persons who are experiencing, or are at risk from, abuse or neglect. We will ensure:

- Customers can report domestic abuse to us through a variety of methods, and we will investigate all reports that we receive.
- Our staff receive specialist training at the appropriate level on dealing with situations of domestic abuse.
- We will support those individuals experiencing violence or domestic abuse irrespective of age, gender, sexuality, disability, ethnicity, religion, social background or any other protected characteristics identified in the Equality Act.
- We will work with our partners to support individuals experiencing domestic abuse and, where appropriate, act against perpetrators where we can do so without compromising the safety of the individual experiencing abuse.
- We will share information between agencies and make referrals for example to Multi-Agency Risk Assessment Conference (MARAC), Bradford Women's Aid, Staying Put (Bradford) and Bradford Domestic Abuse Services.
- We will provide a sensitive and confidential response to anyone approaching us for assistance in cases of domestic abuse. For cases which meet the threshold of a MARAC, or if we have safeguarding concerns, we will share information with relevant agencies.
- We will arrange, with the agreement of the individual experiencing domestic abuse, Multi-Agency meetings to ensure support is received from all relevant agencies.
- We will give people experiencing domestic abuse the opportunity to opt for a staff member of a specific gender and, where possible, of the same ethnic origin to deal with their case.
- We will provide people experiencing domestic abuse translation services where necessary.
- We will ensure that people experiencing domestic abuse know they can meet staff in confidence at our offices or at an agreed choice of safe venue. We will also agree the method of contact the individual wishes us to use.
- In the case of joint tenancies, it should be noted that the perpetrator has the right of access to the tenancy file. Measures such as logging these cases as anonymous, so they are not associated with the tenancy and blanking out confidential information about the individual experiencing domestic abuse will be taken to ensure that this is not seen by the perpetrator, or anyone representing the perpetrator.

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- We will provide improved security to a customer's home in conjunction with partner agencies, where required.
- We will make a referral to our Welfare Benefits & Financial Support Officer for any required support relating to financial issues.
- We will signpost the individual experiencing domestic abuse to relevant organisations to provide legal advice as appropriate.
- We will advise people experiencing domestic abuse of external agencies who can offer further advice and support dependent upon their needs, and work with our partners to ensure co-ordinated services to prioritise the safety of the person who is experiencing domestic abuse and the safety of their children, where present.
- We will agree an action plan with the person experiencing domestic abuse, monitor the situation and review at a frequency agreed with them.
- We will take firm action (where evidence is available) against anyone responsible for domestic abuse. This will only be done in cases where we can do so without compromising the safety of the individual, and we will work closely with partner agencies and keep them informed of any action taken.
- We will report incidents to the police on behalf of individuals or support them in doing so (with their permission), where they feel too intimidated to report incidents themselves. We will also offer third party reporting services if requested.
- We will offer advice and assistance via Homeless Persons Units in cases where emergency temporary accommodation is required. This can also involve referral to refuges via the National Domestic Violence Helpline.

5. ENFORCEMENT MEASURES

If appropriate, MHA will consider recommending or pursuing the following enforcement actions against perpetrators of Domestic Abuse and Violence.

- Possession Proceedings
- Extension of Assured Shorthold (Starter) Tenancy
- Injunctions/Undertaking
- Non-molestation Order

MHA will consider enforcement action with the consent of the victim(s) or when it is felt that it is proportionate and reasonable, just and convenient or if the perpetrators behaviour is capable of causing a nuisance or annoyance to surrounding residents. If the perpetrator has convictions for indictable offences committed in the locality of the perpetrator's address and the application is both reasonable and proportionate, MHA will pursue a Claim for Possession.

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MHA recognises the benefits of supporting victims of domestic abuse to secure protection through Non-Molestation Orders via signposting the victim to a Family Law Solicitor. Though on occasion it may be appropriate to pursue a housing-related Injunction Orders with a Power of Arrest attached and an Exclusion Order, if the reported Domestic Abuse and Violence is causing or capable of causing a nuisance or annoyance to surrounding residents in addition to the victim.

6. TRAINING

We will ensure that training on domestic violence/abuse is compulsory for all appropriate staff. Staff who are involved in dealing with cases of domestic violence/abuse will receive appropriate training to enable them to recognise issues.

We will ensure all staff are familiar with MHA's Lone Worker Policy and ensure that the risk of visiting victims and perpetrators of domestic violence/ abuse are considered prior to visits.

We recognise that not all our staff will be experts in this area and that we do not have the resources or structures to deal with all aspects of domestic violence/abuse. We will work in partnership with legal statutory and voluntary services to ensure services are provided in a co-ordinated way.

7. STAFF AND DOMESTIC VIOLENCE AND ABUSE

We acknowledge that MHA staff may also be victims of domestic violence/abuse and we will deal sensitively with those staff in these cases. Where a member of staff is a convicted perpetrator of domestic violence/abuse we will address this through our HR policies.

All staff will be provided with support regardless of gender and the type of abuse they wish to raise if they are suffering domestic violence and wish to take action against the perpetrator. If we are made aware we will signpost the person to the relevant specialist support that may be available to them. We will report any incidents of unwelcome contact, harassment or intimidation which we become aware of at work by an alleged perpetrator, so this can be dealt with immediately.

Staff will be made aware that misconduct inside and outside of work is viewed seriously and can lead to disciplinary action being taken because of the impact it may have on the staff suitability to carry out their role. Staff should be aware that domestic violence/abuse is a serious matter and can lead to a criminal conviction.

In cases where both the victim and perpetrator of domestic violence/abuse work for the organisation, once notified we would take the most appropriate action.

8. CONFIDENTIALITY AND DATA PROTECTION

Under the Data Protection Act 1998 and the General Data Protection Regulations 2018 (GDPR) an individual has the right to see any information stored about him or her on computer, or in a paper file. Under these terms, the Association will respond to requests made by an individual in writing, to have access to information held about them.

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9. MONITORING AND REVIEW

We will monitor and review this policy in conjunction with residents to ensure its effectiveness and relevance to the Association's stated aims and objectives.

The Director of Operations has overall responsibility for the on-going monitoring of the policy through the work of frontline staff, particularly those engaged in tenancy management. The policy will be reviewed every three years or sooner due to statutory, regulatory or good practice requirements

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