



Domestic Violence and Abuse Policy

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1. INTRODUCTION

- 1.1** Ekaya Housing Association (Ekaya) takes a zero-tolerance approach to domestic violence and abuse. We will treat all reports we receive with the utmost sensitivity and will take a victim-centered approach to cases, with the aim of reducing risks posed to the victim and any affected household members.
- 1.2** We will work closely with partner agencies to respond effectively to cases of domestic violence and abuse. We will support and become actively involved in local initiatives to raise awareness of domestic violence and abuse issues, with the aim of realising better services for victims and effective sanctions for perpetrators.
- 1.3** This policy applies to domestic violence and abuse experienced or perpetrated by our tenants, licensees and leaseholders, members of their household, or our customers.

2. Aims and Objectives

2.1 The policy aims to:

- provide an appropriate and effective response to domestic violence and abuse
- provide a sensitive, confidential, consistent and prompt response to survivors of domestic abuse
- provide a flexible range of services to assist survivors to live in safety and security
- support and train staff to enable them to take appropriate action
- ensure we work closely with all relevant partner agencies to provide support and assistance

2.2 Ekaya's objectives are:

- To deliver consistent advice and support to those surviving domestic abuse
- To ensure residents are signposted to agencies to receive housing rights, options available and information
- To ensure that residents are considered for a management move where appropriate in line with the Allocations Policy
- To consider links to wider family abuse and take appropriate action under the Safeguarding Policy
- To instigate action against the perpetrators, where appropriate, in line with Ekaya's tenancy agreement/license

3. Statutory and Regulatory Framework

- Forced Marriage (Civil Protection) Act 2007 (as amended)
- Domestic Violence, Crime and Victims amendment Act 2012
- Anti Social Behavior Crime & Policing Act 2014
- Sexual Offences Act 2003
- Serious Crime Act 2015 (as amended)
- Female Genital Mutilation Act 2003 (as amended)
- Part II Youth Justice and Criminal Evidence Act 1999
- Housing Act 1988 & 1996 as amended

- The Protection from Harassment Act 1997 (as amended)
- The Crime and Disorder Act 1998
- Family Law Act 1996 (as amended)
- Home Office Violence against Women and Girls Policy 2010
- Equality Act 2010

4. Definitions

4.1 The government defines domestic violence and abuse as:

"Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality."

This includes issues of concern to black and minority ethnic (BME) communities such as so-called 'honour killings'. Anyone can experience domestic abuse regardless of gender, race, ethnic or religious group, sexuality, disability or lifestyle.

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

- **physical:** This could include: hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking, murder
- **sexual:** This could include: rape and coerced sex, forcing a survivor to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children
- **Financial:** This could 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:** Psychological and emotional abuse has a profound impact upon victims and children. It can leave a victim with little confidence that they can do anything to change the situation. Examples are:
 - Creating isolation e.g. not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them
 - Use of threats e.g. threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad
 - Putting them down – humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent.

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 assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.*

This definition, which is not a legal definition, includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that potential 'victims' are not confined to one gender or ethnic group.

4.3 Ekaya recognises that this will cover:

- abuse within or outside the home
- married, common-law and same-sex current or former partners
- other relationships within the home (e.g. children, grandparents, etc.)
- male survivors of domestic abuse
- forced marriage
- female genital mutilation
- so called 'honour' based violence
- teenage dating violence

4.4 Ekaya will deal separately with child abuse, elder abuse, neglect and deprivation under the separate Safeguarding Policy, but this policy will be mindful of the overlaps and ensure that staff are trained to be aware of the links.

5. Supporting victims

5.1 Ekaya is committed to dealing effectively with domestic abuse by investigating incidents of domestic violence or abuse. These will be investigated in accordance with our Anti Social Behavior Policy.

5.2 Our response to reports of domestic violence and abuse will be based on risk considerations. Victims will be referred with consent, to other agencies that provide support, including:

- Police
- Domestic violence support agencies
- Victim support
- National domestic violence helplines
- Legal advice (normally accessed via a support agency)

5.3 We will respond to disclosures of domestic violence and abuse by:

- Providing support and advice to those who have experienced domestic abuse
- Provide information on signs of domestic violence
- Respecting the need for confidentiality at all times, in the interests of survivors and their families, subject to safeguarding vulnerable children and adults considerations
- Providing a sensitive, confidential, consistent and prompt response to domestic abuse
- Enforcing the condition of Ekaya's tenancy agreement/license that prohibits residents or other members of their household from inflicting or threatening to inflict violence, including domestic violence, against any person living within their home

- Where there are children in the household Ekaya will also consider the Safeguarding Policy and refer cases to Social Care where appropriate
- Where there are adults in the household requiring or needing care and support (including the survivor) Ekaya will also consider the Safeguarding Policy and refer cases to the Safeguarding Team of Social Care where appropriate
- Following best practice by ensuring that cultural difference is not an acceptable reason for failing to protect survivors of domestic abuse from forced marriage, female genital mutilation or so called 'honour' based violence
- Ekaya is aware of the specific risks associated to young teenagers within its supported housing schemes and will ensure that their specific needs and associated risks are identified in their risk and support plans
- Ekaya will also consider the needs of the perpetrator by signposting to supporting agencies if appropriate

5.4 **Damage to and Security of the property**

5.5 Ekaya will consider arranging additional security to a property in order that victims of domestic abuse feel safe in their home. This may include items such as lock changes to doors and windows and making a referral to a sanctuary scheme.

Where the Police wish to install additional security permission will be given immediately subject to agreement on who will maintain such items.

5.6 In cases where the property has been damaged by the perpetrator of domestic abuse, repairs will be carried out in line with our policy. Although a crime reference number is usually required. Any damages should be photographed and noted and a recharge raised to the perpetrator.

5.7 **Emergency Move**

5.8 Ekaya is unable to directly provide emergency accommodation to victims. We will refer victims to agencies offering housing advice or access to refuges.

5.9 Where there is an immediate or elevated risk to the victim, the usual means of enable a transfer to safe alternative accommodation is for the victim to approach the local authority for assistance as a homeless person.

5.10 Where a management transfer (refer to Lettings and Allocations policy) is offered to a victim, this will normally be on "like for like" basis of property bed size and not property type. The victim may be offered a property, which is smaller than their existing property where this meets their needs. We will not consider any property features which do not impact on risk or housing needs such as parking, garden, room sizes or state of decoration.

5.11 **Joint tenants**

5.12 Where the victim and perpetrator have a joint tenancy we cannot intervene to decide which party should occupy the property. We will refer the victim to obtain independent legal advice on their options, which include:

- Seeking an occupation order

- A court order to transfer the tenancy to their sole name
- The victim serving Notice of quit to end a periodic or 'lifetime' tenancy

6. Multi-Agency Approach

- 6.1 We acknowledge that dealing with issues of domestic abuse requires a multi-agency approach and will endeavor to work with appropriate agencies in individual cases to ensure cases are dealt with in the most effective and efficient way.
- 6.2 In order to meet the full range of social, welfare, economic, safety, accommodation, criminal and civil justice needs of survivors of domestic abuse, a multi-agency partnership approach will be undertaken. Ekaya is committed to working nationally and locally within a multi-agency approach in order to signpost to specialist agencies whilst also helping and supporting residents to make them safe within the community.
- 6.3 Ekaya will also work in partnership with Local Authorities and other agencies to raise awareness about domestic abuse, increase reporting, safeguarding women and children, sharing information with partner agencies within data protection guidelines. Ekaya will work in partnership with Women's Aid, Refuge or other specialist agencies or charities in order to achieve similar aims of supporting our residents and the local community, maximising their expertise whilst making effective use of our housing, and achieving value for money by sharing best practice and innovative ways of working.

7. Confidentiality and Consent

- 7.1 Ekaya will respect confidentiality when dealing with reports of domestic violence and abuse.
- We are required by law to disclose information given to us, for example in cases involving safeguarding children or vulnerable adults, or for the purposes of the prevention and detection of crime in some circumstances.
- We will discuss this obligation with the person making the disclosure where possible. Where we are under a duty to disclose safeguarding concerns we will refer the matter to the relevant agency in accordance with our Safeguarding Policy.

8. Information Exchange

- 8.1 Ekaya and the relevant agencies may share information for the purpose of the prevention and detection of crime under section 115 of the Crime and Disorder Act 1998 and various provisions of Data Protection Act 2018. We will participate in information sharing protocols where appropriate to enable us and key agencies to exchange information for use in reducing and addressing domestic violence and abuse.

9. Training

- 9.1 Ekaya will ensure sufficient training for staff to identify potential domestic abuse and to support survivors such as:
- looking for potential hidden cases of domestic abuse through repair reporting patterns in order to reduce the risks associated with unreported cases
 - Potential survivors will be carefully and sensitively supported with guidelines published in the procedural documentation
 - basic awareness to extended training on Domestic Abuse, Stalking and Harassment (DASH) risk assessment completion and referral, depending on the post
 - Ensuring that front line staff understand the important role they have in assisting survivors of domestic abuse

10. Related Policies

- Anti-Social Behaviour
- Safeguarding
- Allocation and Lettings
- Data Protection Act 2018 (GDPR 2018)

11. Monitoring

Ekaya will formally review this policy every three years, unless changes in legislation or regulation require an earlier review.

12 Policy Approval

Approval date:	<i>February 2022</i>
Approved by:	<i>Policy & Performance Committee</i>
Policy Author:	<i>Housing Services Manager</i>
Policy Owner:	<i>Head of Operations</i>
Consultation completed:	<i>January 2022</i>
Review gateway:	<i>Policy & Performance Committee</i>
Next review date:	<i>February 2025</i>

13 Further information and Support

- Victim Support – <https://www.victimsupport.org.uk/>
- Female victims – women’s Aid <http://www.womensaid.org.uk/>
- Male victims – MALE http://www.mensadvice.org.uk/mens_advice.php.html
- For information and advice for children and young people, please visit the Childline website <http://www.childline.org.uk/Pages/Home.aspx> or telephone Childline free on 0800 11 11.
- Lesbian, gay, bisexual and transgender (LGBT) victims – Galop <http://www.galop.org.uk/> and telephone number is [0800 999 5428](tel:08009995428)
- Forced Marriage Unit <https://www.gov.uk/forced-marriage> and telephone 0207 0080151
- Respect Phone line which provides help and advice for perpetrators of [domestic abuse](#) or professionals working with perpetrators <http://www.respectphoneline.org.uk/>
- National Domestic Violence Helpline – 0808 2000 247. This helpline is run in partnership by Refuge and Women’s Aid and is available 24 hours a day, 365 days a year <http://www.nationaldomesticviolencehelpline.org.uk/>
- Refuge, the national charity for women and children experiencing domestic violence <http://www.refuge.org.uk/>
- Safe Lives which provides [help and advice](#) to organisations and professionals working with [domestic abuse](#) victims <http://www.safelives.org.uk/>
- Female victims and legal advice – <http://rightsofwomen.org.uk/>