



**PEAKS & PLAINS**  
Housing Trust

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# The Trust

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## Domestic Abuse Policy

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2022

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## 1. INTRODUCTION

- 1.1. Domestic abuse is a serious crime. It shatters the lives of its survivors and, in some cases, leads to tragic deaths.
- 1.2. This policy sets out how Peaks & Plains Housing Trust (the Trust) will take steps to assist and support any person suffering from or threatened with violence or abuse.
- 1.3. It also sets out the action we may consider taking against perpetrators of domestic abuse. It applies to all Trust customers, non-tenants living with Trust customers, anyone receiving a service from us and members of staff. The key points of the policy are that the Trust will:
  - Take appropriate action to reduce the risk of abuse where it is considered it might happen.
  - Aim to keep the survivor of domestic abuse safe by working proactively with them, identifying the risk of further abuse.
  - Provide the survivor of domestic abuse with options and empower them to make choices so that they can identify the option that best meets their individual circumstances.
  - Liaise with the lead statutory agency and other relevant local bodies, including charities, to reduce risk, ensuring DASH (domestic abuse, stalking and honour-based violence) risk assessments are completed where appropriate.
  - Support the lead statutory agency in taking action against perpetrators of abuse. This includes taking tenancy enforcement action against perpetrators where it is appropriate to do so.
  - Continually improve the Trust's response to domestic abuse by learning from survivor feedback and the feedback from a range of other agencies.
- 1.4. This policy supports the delivery of the Trust's strategic objective to meet its legal and regulatory requirements and should be read in conjunction with the Workplace Guidance for supporting staff at risk of domestic abuse.

## 2. SCOPE

- 2.1. This document should be used by all employees, contractors and volunteers of the Trust to understand the obligations placed upon the organisation to maintain a safe environment for its customers, employees and contractors.

## 3. LEGAL AND REGULATORY REQUIREMENTS

- 3.1. The Trust will work within existing regulatory requirements and legislation including:
  - Housing Act 1996
  - Children Act 1989 & 2004
  - Family Law Act 1996
  - Human Rights Act 1998
  - Domestic Violence Disclosure Scheme (Clare's Law)
  - Domestic Violence Crime and Victims Act 2004 (s.9 implemented in 2011)
  - Equality Act 2010

- The Care Act 2014
- Anti-social Behaviour Crime and Policing Act 2014
- Modern Slavery Act 2015
- Serious Crime Act 2015 (Part 5, Section 76)
- Domestic Abuse Bill 2019
- Protection from Harassment Act 1997
- Police and Justice Act 2006
- Protection of Freedoms Act 2012
- Data Protection Act 2018
- Sexual Offences Act 2003

#### 4. DEFINITIONS

- 4.1. The Domestic Abuse Bill received royal assent on 29 April 2021 – the act creates a statutory definition of domestic abuse based on the existing cross-government definition.
- 4.2. “Abusive behaviour” is defined in the act as any of the following:
- physical or sexual abuse;
  - violent or threatening behaviour;
  - controlling or coercive behaviour;
  - economic abuse;
  - psychological, emotional or other abuse.
- 4.3. For the definition to apply, both parties must be aged 16 or over and ‘personally connected’.
- 4.4. “Personally connected” is defined in the act as parties who:
- are married to each other;
  - are civil partners of each other;
  - have agreed to marry one another (whether or not the agreement has been terminated);
  - have entered into a civil partnership agreement (whether or not the agreement has been terminated);
  - are or have been in an intimate personal relationship with each other;
  - have, or there has been a time when they each have had, a parental relationship in relation to the same child;
  - are relatives.

#### 5. THE POLICY

- 5.1. The aim of this policy is to promote the health, safety and well-being of the Trust’s customers and employees. The policy reflects local, national, strategic and operational guidance produced in response to the growing recognition of the detrimental effects that domestic abuse has on adults, children and society. Domestic abuse and violence is unacceptable behaviour and this policy promotes that everyone has a right to live free from fear and abuse.

- 5.2. The Trust recognises the need to share information and work in partnership with other agencies in order to reduce the risk of harm to survivors. Domestic abuse is a criminal offence and subsequently also a breach of our tenancy agreement. It is recognised that as a landlord the Trust plays a significant role in identifying domestic abuse issues and supporting those at risk.
- 5.3. This policy is supported by a Safeguarding Procedure, Domestic Abuse Procedure, Domestic Abuse Within the Workplace Procedure, which must always be read in conjunction with this policy.
- 5.4. The Trust is committed to identifying potential problems of domestic abuse at the earliest opportunity, making positive interventions where possible to prevent situations escalating.
- 5.5. The Trust is committed to working with survivors to assist the response in dealing with specific incidents of domestic abuse and to ensure all survivors are supported fully in the process.
- 5.6. The Trust will establish clear lines of responsibility and accountability for the detection, recording and reporting of a domestic abuse incident. The Trust will accept reports and disclosures of domestic abuse through any available communication channel. Where a member of staff suspects or witnesses domestic abuse taking place in a Trust property or neighbourhood, they must log the incident by emailing the safeguarding inbox. This will then be open as a case on Open Housing and managed by the investigating Officer.

## **6. IDENTIFYING RISKS**

- 6.1. The Trust will provide clear guidance and training for all relevant staff on how to identify signs of domestic abuse, how to report their concerns and how relevant staff can manage cases of domestic abuse. Dealing with issues of domestic abuse or violence requires a multi-agency approach and the Trust will work with any useful local agencies in individual cases, where appropriate, to ensure they are dealt with in the most effective and efficient way.

## **7. STAFF**

- 7.1. The Trust have a responsibility to provide all staff with a safe and effective working environment. For some staff, the workplace is a safe haven and the only place that offers routes to safety. The lone working procedure must be followed and the separate procedure in relation to managing domestic abuse towards staff must be followed. This policy demonstrates the Trust's commitment to a healthy, safe organisation assisting with the prevention and reduction of the effects of domestic abuse.

## 8. MULTI AGENCY WORKING

- 8.1. The Trust will complete a Domestic Abuse Stalking and Harassment Risk Indicator Checklist (DASH RIC) assessment when domestic abuse is reported and then work with specialist external agencies in order to develop an action plan to find a solution for the survivor.
- 8.2. If the risks are high, the Trust will refer details to the local Multi-Agency Risk Assessment Conference (MARAC) (see “working in partnership” below.)
- 8.3. The Trust will always accept the survivor’s account as a true reflection of actual events upon receiving their reports.
- 8.4. The Trust will help survivors to tell us about the abuse quickly and safely so that making the report doesn’t put them at further risk.
- 8.5. As part of the action plan, the Trust will agree with survivors how future contact can be made safely. The risk assessment and action plan will be repeated at appropriate points throughout the Trust’s involvement as necessary to ensure the appropriate action is continued to be taken. This is coordinated by the local authority (or police) for the area where the survivor is housed.
- 8.6. The Trust will also liaise with the Multi-Agency Public Protection Arrangement (MAPPA) where the local threshold is met, where there are serious concerns, or if the risk of harm originates from them. The Trust will carry out the multi-agency action plan actions assigned to them by the MARAC and will ensure the Trust’s role is understood and the correct processes followed.
- 8.7. The Trust will actively participate in other relevant local partnerships where appropriate and will work with specialist support agencies such as Victim Support, identifying support needs and vulnerability. They will make child safeguarding referrals to the relevant local authority when the need to protect a child or children is identified or the domestic abuse may be having a negative impact on the child or children.
- 8.8. The Trust will offer domestic abuse survivors the opportunity to access translation services or to speak to an employee of the same gender and/or sexual orientation.
- 8.9. If the survivor disengages from their agreed support plan, and that places them or their family at greater risk, or the abuse is having a negative impact on the wider community, the Trust will review what action to take to most effectively manage that risk and impact.

## 9. ACTION AGAINST THE PERPETRATOR

- 9.1. The Trust will consider the available legal action or remedies (both civil and criminal) available to them to deal with perpetrators of domestic abuse. They will monitor and seek to understand what action is being taken by the statutory agencies (such as supporting victims to apply for non-molestation orders and/or occupation orders (available under part IV of the Family Law Act 1996) and ensure joint working is a

priority. In circumstances where it is appropriate to do so, the Trust may signpost perpetrators to a domestic abuse perpetrator programme. Any breaches of tenancy agreement will be managed in line with the Anti-Social Behaviour Policy and Procedure, to ensure that perpetrators are held accountable for their behaviour and actions.

## **10. TOOLS AND RESOURCES TO REDUCE RISK**

- 10.1. The Trust will act to secure the survivor's home and implement target hardening where a domestic abuse incident has been reported.
- 10.2. The Trust will promote the opportunity for the survivor to remain in their home where it is their choice and it is safe for them to do so. This may involve putting in place additional security measures. Where it is agreed with the survivor that rehousing is the best option, other housing opportunities will be explored which may be in a different location from the current home in order to provide protection to the victim. The Trust will work with the survivor to decide whether security measures (such as lock changes or blocking letterboxes) are required to reduce or remove the risk of harm to the survivor in the homes managed by the Trust.
- 10.3. The Trust will explore the use of new technologies to support survivors and manage risk. This includes promoting new mobile applications available to survivors for them to record incidents such as (Bright Sky/Hollie Guard). Survivors may also use these applications to access help and support services.

## **11. EQUALITY, DIVERSITY AND INCLUSION**

- 11.1. The policy complies with the requirements of the Equality Act 2010, ensuring that the Trust's customers are treated fairly without discrimination or prejudice. Domestic abuse can be experienced by anyone, including those with protected characteristics, both male and female. Consideration will be given to reasonable adjustments where necessary when delivering services to the Trust's customers.
- 11.2. An Equality Impact Assessment has been completed.

## **12. RESPONSIBILITIES**

- 12.1. All Trust staff are responsible for adhering to this policy and being vigilant in identifying and reporting incidents and discussion should be made with the line Manager. If any member of staff has any concerns about the safety or wellbeing of a child and/or adult at risk, they must immediately follow the Safeguarding Procedure.
- 12.2. Responsibility for the operational implementation of this policy lies with the Head of Neighbourhoods, supported by the Customer Support and Enforcement Manager.
- 12.3. The Trust's Executive Management team will be responsible for the approval of this policy.

### 13. MONITORING AND REPORTING

- 13.1. Cases of abuse will be logged by the individual officers and monitored regularly. The effectiveness of this policy will also be monitored through sampling of case records and quality checks.
- 13.2. It is recognised that incidents of Domestic Abuse are extremely sensitive, private incidents for survivors to report and the Trust shall maintain the confidentiality of a disclosure regarding abuse to the extent allowed by law and unless to do so would result in significant risk of harm to any person on any cases that are reported.
- 13.3. The Trust will share relevant information with local agencies such as the police where necessary, to deal with cases more effectively by either gathering extra evidence to carry out enforcement measures against the perpetrator or sharing information in the interests of the survivor and/or their dependants to provide better or more effective support.
- 13.4. The Trust recognises and respects an employee's right to privacy and the need for confidentiality and autonomy. The principles of GDPR and the Trust's Data Protection Policy will apply to this policy
- 13.5. The Trust shall maintain the confidentiality of an employee's disclosure regarding violence to the extent allowed by law and unless to do so would result in significant risk of harm to any person and/or jeopardise safety within the workplace. When information must be disclosed to protect the safety of individuals within the workplace, the Trust shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and to comply with the law.
- 13.6. Training on domestic abuse is available as part of training on Safeguarding. The Trust is committed to have arrangements in place to ensure effective training of all staff and expects all staff to be trained in children and adult safeguarding. Training levels will be determined by the responsibilities set out in job descriptions/role functions. The Safeguarding Training is designed to ensure that all staff working with children and/or adults are alert to the need to safeguard and promote the welfare of children and adults and are appropriately skilled and competent in carrying out their responsibilities for safeguarding appropriate to their role.
- 13.7. The operation of this policy and assurance that it is being applied will be reported to Executive and the Board on no less than an annual basis.

### 14. CONSULTATION

- 14.1. This policy will be reviewed in consultation with customers, staff voice and partner agencies of the Trust every 2 years, unless significant changes in legislation can be completed sooner.



## 15. REVIEW

- 15.1. This policy will be reviewed in consultation with customers, staff voice and partner agencies of the Trust.

## 16. ASSOCIATED DOCUMENTS

- 16.1.
- Safeguarding Policy
  - Safeguarding Procedure
  - Domestic Abuse Procedure
  - Domestic Abuse Within the Workplace Procedure
  - Anti-Social Behaviour Policy
  - Code of conduct
  - Complaints and Compliments Policy
  - Health and Safety Policy
  - Whistleblowing Policy
  - Workplace Violence and Abuse Policy
  - Lone Working Procedure
  - Data Protection Policy

## POLICY INFORMATION

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|-------------------|--|
| Policy Name:      | Domestic Abuse Policy                      |
| Status:           | Approved                                   |
| Approved by:      | Executive Management Team                  |
| Drafted By:       | Customer Support & Enforcement Manager     |
| Date approved:    | December 2022 (job title changes Nov 2023) |
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