



# Domestic Abuse Policy

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# Domestic Abuse Policy

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## 1 Policy Purpose

- 1.1 This Domestic Abuse Policy sets out how First Choice Homes Oldham (FCHO) will support victims/survivors of domestic abuse, and our approach to dealing with perpetrators.
- 1.2 We know that domestic abuse is widespread and underreported. Victims and survivors can face many barriers that prevent them from telling someone about the abuse. One of the main barriers is housing, and we recognise we have a role to play in supporting survivors.
- 1.3 FCHO is well placed to recognise and identify the signs of domestic abuse through the regular contact and existing relationship we have with our residents.
- 1.4 Domestic abuse is a crime and is never the fault of the person experiencing it. We use the Government's definition of domestic abuse which includes many behaviours beyond physical violence.
- 1.5 This policy will work in line with our respective Housing Domestic Abuse Procedures.
- 1.6 We also know that our staff may experience domestic abuse and we will support them in accordance with FCHO's employee assist programme.

## 2 Policy Details

### 2.1 Scope

- 2.1.1 We aim to improve the safety of people who are survivors of domestic abuse and prevent further incidents of domestic abuse whenever possible. When it does occur, we will take a collaborative, victim/survivor-centred approach to supporting people who are affected.

We will do this by:

- Raising awareness of domestic abuse and how to get help.
- Ensuring all staff know their role in tackling domestic abuse.
- Creating a safe environment where victims/survivors of domestic abuse can talk.
- Ensuring staff are trained and able to recognise signs of domestic abuse and know how to respond to them.
- Making safeguarding referrals where needed.
- Supporting victims/survivors to make decisions about their housing options.
- Taking appropriate action against perpetrators.
- Signposting perpetrators to agencies who can offer them support.
- Ensuring that FCHO effectively sign posts to partner agencies via our website for emergencies.
- Working to foster and improve our work with other support services and agencies.
- Promoting the support, we can offer survivors of domestic abuse to other agencies and support services.

- Acknowledging domestic abuse as a crime and a standalone issue separate from antisocial behaviour.
- Responding to reports of abuse in a holistic way, where the survivor and their safety, is put first.
- Ensuring equality and diversity is considered throughout our response and that the service we provide is inclusive and accessible to all.

2.1.2 This policy aims to complement and work in parallel with relevant safeguarding statutory guidance, policies, and procedures.

## 2.2 Domestic Abuse Definition

2.2.1 The definition of domestic abuse that we use is set out in section 1 of the Domestic Abuse Act 2021. You can find it online at [www.legislation.gov.uk/ukpga/2021/17/section/1](http://www.legislation.gov.uk/ukpga/2021/17/section/1)

2.2.2 'Abusive behaviour' is defined in the Act as any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- financial/ economic abuse
- psychological, emotional, or other abuse

2.2.3 It is important to note, domestic abuse is not just physical abuse, in addition it includes, but is not limited to the following types of abuse and exploitation:

- Stalking and harassment.
- Honour based violence.
- Forced marriage.
- Female genital mutilation.
- Technological abuse.

2.2.4 For it to be considered domestic abuse, both parties must be aged sixteen or over and 'personally connected.' This means people who:

- are married to each other or in a civil partnership.
- have previously been married or entered into a civil partnership with one another (whether or not the agreement has been terminated).
- are, or have been, in an intimate personal relationship with each other.
- have, or have had, a family relationship with each other.
- have a child (whether they share parental responsibility or not).
- are relatives.

2.2.5 This is not limited to partner-to-partner violence, but includes violence between any extended family members, including child to parent violence (and vice versa).

2.2.6 Domestic abuse can affect anyone regardless of age, gender, sexuality, ethnicity, disability, or social background. However, we recognise that women are more likely to be victims of domestic abuse.

2.2.7 The severity and frequency of domestic abuse can vary but just one incident counts as abuse.

2.2.8 People are statistically at higher risk of abuse if:

- They are pregnant.
- They are separating or leaving the home.
- There are children in the home.

### 2.3 How to report domestic abuse

2.3.1 Victims/Survivors of domestic abuse in immediate danger, should always call the emergency services on 999. If **unable to talk, press 55** when prompted and the call will be transferred to the police.

Victims/Survivors can also call the 24-hour free National Domestic Abuse Helpline for advice - 0808 2000 247.

Victims/Survivors can report domestic abuse to any member of staff at FCHO at any time.

### 2.4 How we will treat reports of domestic abuse

2.4.1 We will always take a victim/survivor-centred approach to domestic abuse. This means that anyone, whether adults or children, reporting domestic abuse to FCHO will be treated in a sensitive, supportive, and non-judgemental manner.

2.4.2 The voice of the victim/survivor will be prioritised in the way we manage each case. We know victims/survivors of domestic abuse will often find it difficult to ask for help. If a victim/survivor makes a disclosure, we must deal with it in an empathetic, supportive, and sensitive manner, and assure them we are taking it seriously.

2.4.3 We also recognise that people's understanding of domestic abuse may be influenced by their culture and beliefs and as a result, some people may not recognise themselves as a survivor of abuse. We will work sensitively with those experiencing abuse to promote their safety.

2.4.4 We will work to break down barriers that some communities may experience when reporting to us.

2.4.5 Ways we will help remove barriers to disclosure include (but are not limited to):

- Asking the victim/survivor if they prefer to speak to someone of the same sex, if possible.
- Offering an interpreter if the victim/survivor does not speak English. (We may not allow family/friends to interpret in abuse cases or cases which we think may involve abuse due to safety reasons.)
- Providing services in a way that considers a person's accessibility needs (e.g., larger print and easy to read documents).

2.4.6 We will support those with protected characteristics to access relevant information and support.

2.4.7 Staff will have a clear understanding of what intersectionality is, how it impacts different survivors of domestic abuse and how to take an intersectional approach.

## **2.5 Risk Management**

- 2.5.1 Relevant staff will be trained in identifying and responding to domestic abuse, including how to complete make referrals to specialist domestic abuse support services and the MARAC (Multi Agency Risk Assessment Conference) for cases that are high risk.
- 2.5.2 All staff will be aware of and work in line with our domestic abuse policy.
- 2.5.3 We will offer confidential interviews with victims/survivors in a safe place and ask questions to better understand the situation and identify level of risk and risk areas and give relevant advice and support on options available.
- 2.5.4 Relevant members of staff will be trained to be able to complete a DASH (Domestic Abuse, Stalking and Honour Based Violence) risk assessment to identify risk.
- 2.5.5 If the victim/survivor is identified as being at immediate risk, we will follow our domestic abuse procedures for:
- Housing options and safety arrangements.
  - Signposting to specialist advice and domestic abuse services.
  - Referrals to safeguarding teams if required.
  - Safety planning and contact arrangements for safe future communications (including the preferred contact method). We will ask the victim/survivor their preferred way of contacting them and ask if anyone has access to their electronic devices – to minimise any technological abuse.
  - Contacting and information sharing, where relevant with MARAC, social care, community agencies, domestic abuse organisations, or the police to ensure we are doing all we can to prioritise your safety.
- 2.5.6 Develop a safety plan with the victim/survivor if applicable.

## **2.6 Training**

- 2.6.1 Training will be delivered in accordance with a competency framework which clearly outlines the knowledge and skills required by colleagues carrying out specific identified roles in relation to domestic abuse. This approach ensures that all domestic abuse issues are addressed in an appropriate manner.
- 2.6.2 Anyone working for or on behalf of FCHO and delivering services to our customers will be trained appropriately to fulfil their responsibilities.
- 2.6.3 Refresher training will be delivered every two years and on a rolling programme to ensure that all staff have access to regular learning and development to enable them to fulfill their duties in line with this policy.
- 2.6.4 All training will be managed and recorded by the Learning and Development team.

## **2.7 Confidentiality**

- 2.7.1 Confidentiality is crucial to limit the risk to victims/survivors and sharing information with support services and other agencies is key part of responding effectively to domestic abuse.
- 2.7.2 We will maintain strict confidentiality and only share information where we have permission from the survivor to do so, except when:
- the victim's/survivor's safety may be at risk.
  - there is lawful basis.
- 2.7.3 In these cases, we may disclose information without the victim's/survivor's consent in line with our Data Protection and Safeguarding policies and procedures.
- 2.7.4 This may include referring the case to MARAC to safeguard victims/ survivors, or to seek legal advice, or to prevent a crime. Each case will be judged on its own merits.
- 2.7.5 All relevant staff will be trained on how to provide support, signpost, record the case and take appropriate next steps while upholding customer confidentiality and safety.

## **2.8 Support for Victims/Survivors**

- 2.8.1 When an incident of domestic abuse is reported, where appropriate and safe to do so, we will contact the victim/survivor or referring agency within one working day, to agree the next steps and confirm our commitments.
- 2.8.2 If we believe there is an immediate risk to life, we will call the relevant emergency services.
- 2.8.3 We recognise that experiencing domestic abuse will be traumatic and our teams will manage all cases with empathy and compassion.
- 2.8.4 We will tailor our action plan and response to each case, adopting a person-centred approach and recognising that each individual and their situation is unique.
- 2.8.5 We will work with other services such as the local authority and external support agencies on a response, including any safety planning and arrangements, where required.
- 2.8.6 We will ensure ongoing support and contact is provided to the victim/survivor. We will agree with the victim/survivor how often to contact them, and whether they would like us to contact their caseworker, social worker or independent domestic violence advocate or any other support agency.
- 2.8.7 We will make use of the sanctuary scheme, available to all tenures if the victim/survivor wishes, this can include making the victim's/survivor's property more secure, additional locks and security measures.

## **2.9 Housing support for victim/survivors**

2.9.1 If the victim/survivor wishes to move out of their home due to domestic abuse, we will signpost the victim/survivor and/or make a referral to the Local Authority Housing Options service. FCHO will work with the victim/survivor and the Local Authority on finding safe accommodation options.

2.9.2 If victims/survivors would like to remain in their home, we will be able to offer:

- Measures to make the home more secure.
- Legal powers and tools available to us to prioritise safety.
- Support through referrals to specialist domestic abuse services.

These will only be explored if the victim/survivor wishes to do so.

2.9.3 If appropriate, FCHO can make a referral to the Independent Domestic Violence Advocate (IDVA). They can provide specialist advice and support to a victim/survivor including exploring:

- Legal remedies.
- Risk and safety planning.
- Emotional support.
- Other relevant options – such as contacting specialist community based domestic abuse services.

## **2.10 Perpetrators**

2.10.1 Perpetrators of domestic abuse are accountable for their actions.

2.10.2 Although our response to domestic abuse is focused on victims/survivors – we also recognise that working with perpetrators can help reduce incidents of domestic abuse.

2.10.3 Relevant housing staff will be trained to deal and engage with perpetrators of domestic abuse.

2.10.4 Where appropriate, we will charge perpetrators for property damage resulting from their violence. Victims/survivors will not be held accountable for these costs.

2.10.5 Where the available evidence supports it, we will use the legal tools and powers afforded to us including evicting or excluding perpetrators from the home.

2.10.6 The safety of victims/survivors and their children will be central to our approach to holding the perpetrator to account.

2.10.7 We will provide information about support services to perpetrators who approach us for help or advice to change their behaviour.

2.10.8 If an alleged perpetrator of domestic abuse is aged below 16, they will be managed in accordance with our antisocial behaviour policies and procedures and in conjunction with our partner agencies. This includes discussion with Children's Services to assess the child's needs for support, and a referral to Children's Services.



## **2.11 Safeguarding responsibilities**

2.11.1 We will manage cases of domestic abuse in line with our safeguarding policies and procedures, and the Care Act 2014, where appropriate.

2.11.2 The Care Act 2014 sets out the specific safeguarding duties that apply to any adult who is 18 years or over who:

- Has care and support needs, and;
- Is experiencing, or is at risk of abuse or neglect, and;
- Is unable to protect themselves because of their care and support needs.

2.11.3 If a victim/survivor of domestic abuse meets the criteria above, we will work within the guidance set out in FCHO's Safeguarding Adults Policy.

2.11.4 As stated in the Domestic Abuse Act 2021, children are to be recognised as victims in their own right if they are living in a home where abuse is occurring between two parties over sixteen. This will be relevant when making any necessary safeguarding referrals to both children's and adult services.

## **2.12 Partnership working**

2.12.1 We will work with support services and other agencies to prevent and tackle domestic abuse while ensuring the safety of the survivor and their children. Working together is one of our key values for delivering an effective service.

2.12.2 We will maintain strong partnerships with local agencies and share information through the Multi Agency Risk Assessment Conference (MARAC) and with the police where necessary.

## **2.13 Policy Concerns**

2.13.1 If a colleague or third party become aware that there are problems with the effective operation of this policy or associated procedures, they should report this to their line manager who will discuss with the Designated Safeguarding Lead and/or policy owner(s). This feedback will be incorporated into the policy and procedural review process.

## **2.14 Policy implementation and Continuous Improvement**

### **Policy Implementation**

2.14.1 The implementation of this policy requires the training of staff to ensure effective compliance of the policy. The Designated Safeguarding Officers will provide guidance, support and assistance to any manager, colleague, or contractor in the implementation of this policy.

2.14.2 This policy will be published on FCHO Intranet and website for general access and viewing by all staff and customers.

2.14.3 We will review this policy at least once every three years to make sure we are up to date with the latest legislation, regulations, and best practice developments.

2.14.4 We will regularly review this policy to reflect feedback, local Domestic Homicide Review and Serious Case Reviews, where recommended.

2.14.5 This policy will be accessible for staff. Staff will be made aware of the policy through inductions and rollouts.

### **Continuous Improvement**

2.14.6 The Safeguarding Committee has a responsibility to implement any learning from existing or previous safeguarding and domestic abuse cases. Designated Safeguarding Officers will meet on a quarterly basis and will be responsible for collating data within their department which can be used to analyse any trends which may improve FCHO's approaches to domestic abuse and safeguarding. The Safeguarding Committee will use a variety of ways to promote the welfare of victims/survivors of domestic abuse which may involve campaigns, updates to the intranet site, regular email updates to colleagues etc.

### **2.15 GDPR & Data Protection**

2.15.1 Domestic abuse cases will be logged, managed, and reported through our case management system and will be kept in line with GDPR and data protection policies and data retention schedules.

2.15.2 For further information about FCHO's commitment to the General Data Protection Regulations (GDPR), see our Data Protection Policy

## **3 Legislative or other Guidelines**

- Regulator for Social Housing's Consumer Standards: Neighbourhood and Community Standard
- The Domestic Abuse Act 2021
- The ASB, Crime and Policing Act 2014
- The Care Act 2014
- The Care Act Statutory Guidance
- The Childrens Act 2004
- The Equality Act 2010
- The Mental Capacity Act 2005
- General Data Protection Regulation (Data Protection Act 2018)
  
- FCHO Safeguarding Adults at Risk Policy
- FCHO Safeguarding Procedures
- FCHO Safeguarding Children and Young People Policy
- FCHO Whistleblowing Policy
- FCHO Antisocial behaviour Policy
- FCHO Hate Crime Policy
- FCHO Safe Recruitment Policy

### **3.1 Equality, Diversity, and Inclusion**

3.1.1 FCHO is committed to promoting equality, diversity, and inclusion, based on protected characteristics. We will take account of the needs and differences of all colleagues, customers and other stakeholders which may arise in line with this policy. We believe that everyone should be treated fairly and equally regardless of their difference.