

DOMESTIC ABUSE POLICY

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| Originator: | Policy and Strategy Team |
| Approval Date: | January 2022 |
| Review date: | January 2024 |

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| 1 | Introduction |
| 1.1 | As responsible landlord, Pine Court Housing Association (PCHA), aims to provide appropriate support and housing management services to any customer(s) who may be at risk, has suffered or is suffering any form of domestic abuse. |
| 1.2 | With close links to PCHA’s Safeguarding duties and provisions, PCHA’s overarching principle in operating this policy will always be the prevention of harm. This may involve taking rapid action where required, showing flexibility in application of wider policy matters and close partnership working. |
| 1.3 | In all responses to domestic abuse, PCHA will act with sensitivity, confidentiality, acknowledge that each case will be different and require a tailored approach according to the needs and circumstances of the individuals involved. |
| 1.4 | In all cases, PCHA will always aim to put survivors at the heart of our actions and will adopt a person-centred approach to empower and preserve independence. |
| 1.5 | In operating this Policy, PCHA will comply with all legal and regulatory requirements in regard to domestic abuse, including but not exclusive of the following: <ul style="list-style-type: none"> • Any duty to co-operate with local authorities and other statutory agencies as required by the Domestic Abuse Act 2021 • Any requirements of revised Regulatory Standards to be adopted by the Regulator of Social Housing • Any subsequent legislation specific to the housing sector following on from the publication of the Housing White Paper in 2020 |
| 1.6 | Access and Communication |
| 1.6.1 | PCHA is committed to ensuring that our services are accessible to everyone. PCHA will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for PCHA or use its services. |
| 1.6.2 | In line with the Mental Capacity Act, PCHA will assume that customers have capacity to understand information given to them. Where it is suspected that customers lack capacity to |

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| | <p>understand, PCHA will request an assessment by a professional practitioner and look to provide the appropriate support where capacity is deemed to be insufficient.</p> |
| 1.7 | <p>Equality, Diversity and Human Rights</p> |
| 1.7.1 | <p>PCHA is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out its duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Gender Identity / Gender Expression, Sexual Orientation, Religion and/or Belief, Civil Partnership and Marriage, Pregnancy and Maternity.</p> |
| 1.7.2 | <p>PCHA also recognise that some people experience disadvantage due to their socio-economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.</p> |
| 1.7.3 | <p>PCHA will also ensure that all services and actions are delivered within the context of current Human Rights legislation. PCHA will endeavour to ensure staff and others with whom it works, adhere to the central principles of the Human Rights Act (1998).</p> |
| 1.8 | <p>The Policy should be read in conjunction with:</p> <ul style="list-style-type: none"> ● PCHA Safeguarding Adults Policy ● PCHA Safeguarding Children Policy ● PCHA Anti-social Behaviour and Harassment Policy ● PCHA Allocations Policy ● PCHA Data Protection Policy ● Property Pool Plus Policy (and other similar choice based lettings schemes that PCHA may be a member of) |

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| 2 | Statement of Intent |
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| 2.1 | <p>PCHA aims to offer accessible, timely, proactive and effective services for all customers that may experience domestic abuse, regardless of protected characteristics.</p> |
| 2.2 | <p>PCHA will provide training for all front-line staff (directly employed by PCHA) so that they understand the potential and far-ranging, detrimental impacts that domestic abuse, in all forms, can have on lives of survivors.</p> |
| 2.3 | <p>The training will enable staff to develop ‘professional curiosity’ skills, ensure they can spot warning signs indicating domestic abuse is taking place, enable effective actions and referrals to be made and to adopt a non-judgemental approach at all times.</p> |
| 2.4 | <p>In operating this Policy, PCHA will seek to prevent homelessness that may result from domestic abuse incidents or sustained patterns of behaviour, including allowing survivors to stay in their own homes (where appropriate) or working with them to find alternative accommodation.</p> |
| 2.5 | <p>PCHA will take appropriate actions against perpetrators of domestic abuse and will assess each course of action to prevent the potential for further harm to survivors.</p> |

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| <p>2.6</p> <p>2.7</p> <p>2.8</p> <p>2.9</p> | <p>PCHA will make every effort to ensure domestic abuse cases are dealt with in a different way than incidents of anti-social behaviour and will avoid service generated risks e.g. taking tenancy enforcement actions for noise disturbance when this may be the result of abusive and harmful behaviour.</p> <p>Through close partnership working and active involvement in strategic forums, PCHA will endeavour to ensure there is a co-ordinated, multi-agency response to the issue of domestic abuse in its areas of operation and this is appropriately resourced.</p> <p>Through established referral mechanisms and joint working initiatives, PCHA will endeavour to help survivors find the appropriate support required to rebuild lives following domestic abuse.</p> <p>PCHA will adopt a ‘person-centered approach’ to domestic abuse and this will include taking information provided by potential survivors on trust and at face value.</p> |
| <p>3</p> | <p>Policy</p> |
| <p>3.1</p> <p>3.1.1</p> | <p>Definitions and Scope</p> <p>In line with the Domestic Abuse Act 2021 (including any subsequent statutory guidance to be issued) and for the purpose of this Policy, PCHA will define domestic abuse as:</p> <ul style="list-style-type: none"> • Behaviour of a person (‘A’) towards another person (‘B’) is ‘domestic abuse’ if – A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive (abusive behaviour directed to a person under 16 would be classed as ‘child abuse’ and this would be dealt with under the provisions contained in PCHA’s Safeguarding Children Policy and Procedures) • ‘Abusive’ is defined in the following terms: <ul style="list-style-type: none"> ○ Physical or sexual abuse ○ Violent or threatening behaviour ○ Controlling or coercive behaviour (this definition includes so called ‘honour’ based violence, female genital mutilation [FGM] and forced marriage and is clear that survivors are not confined to one gender or ethnic group) ○ Economic abuse that has a ‘substantial adverse effect’ on a person’s ability to acquire, use or maintain money or other property; or obtain goods or services ○ Psychological, emotional or other abuse • ‘Personally connected’ covers the following relationships: <ul style="list-style-type: none"> ○ They are, or have been, married to each other ○ They are, or have been, civil partners of each other ○ They have agreed to marry one another (whether or not the agreement has been terminated) ○ They have entered into a civil partnership agreement (whether or not the agreement has been terminated) ○ They are, or have been, in an intimate personal relationship with each other ○ They each have, or there has been a time when they each have had, a parental relationship in relation to the same child ○ They are relatives • A child would be covered by the proposed definition of a domestic abuse victim if they see, hear or experience the effects of abuse and are either a relative of the adult |

subject to, or perpetrating, the abuse, or if one of the adults holds parental responsibility for the child

3.1.2 PCHA believes it is important to outline the above definitions from the Act to show the breadth of behaviours that can would be classed as domestic abuse and who would be captured under these definitions.

3.2 **Staff training on domestic abuse**

3.2.1 Through the trusted working relationships that PCHA staff build with customers and the active presence it has in neighbourhoods on a daily basis, it is recognised that PCHA may be the first or only organisation that survivors of domestic abuse have contact with.

3.2.2 For this reason, PCHA will provide training (that is periodically refreshed) for all frontline staff so that they are able to:

- Recognise common signs and situations where domestic abuse may be taking place and use 'professional curiosity' to follow up on concerns
- Recognise situations where someone may be in immediate danger or risk of harm and take appropriate actions (See 3.4 below)
- Act with discretion and caution when enquiring with potential survivors of domestic abuse if they need support and assistance, being careful not to put them at greater risk from their abusers
- Offer ways in which potential survivors can disclose information in confidence if they choose to do so
- Raise the appropriate case management entry on internal systems to ensure relevant staff and those acting on PCHA's behalf are aware of any sensitivities when dealing with the potential survivors / reporters of domestic abuse
- Seek support and advice from line managers and the PCHA Community Safety Team / Safeguarding Team on the best course of action
- Make referrals to appropriate external support agencies
- Work with survivors of domestic abuse to find enduring and safe outcomes

3.3 **Ways in which PCHA become aware of domestic abuse**

3.3.1 In addition to PCHA staff (or others acting on PCHA's behalf) becoming aware of potential domestic abuse cases through their own observations / contacts and direct disclosure from survivors, PCHA is also made aware of potential cases through:

- Reports from concerned neighbours
- Information sharing through partner agencies or via multi agency case conferences that PCHA is party to e.g. Multi Agency Risk Assessment Conference (MARAC)

3.3.2 Where PCHA is made aware of a situation where domestic abuse involving any of its customers is potentially happening, PCHA staff will attempt to contact the potential survivors discreetly and will enquire if they need any support.

3.4 Responses to domestic abuse

3.4.1 When it is apparent through observations, direct reporting or third party reporting that someone is at immediate danger or risk of harm, PCHA will take appropriate action which may include one or more of the following:

- Informing emergency services
- Making Social Services aware of the potential case and raising appropriate Safeguarding alerts, if relevant (see PCHA Safeguarding Children and Safeguarding Policies for details)
- Making referrals to local authority Homelessness / Housing Options Departments (in the area where the suspected domestic abuse is taking place) for emergency rehousing
- On request, facilitating female only staff to assist survivors of domestic abuse
- Target hardening of the potential survivors' addresses (which can include a range of measures including but not exclusive of panic alarms, enhanced door and window security measures)
- Where appropriate, making applications for emergency ex parte injunctions
- Referral to local fire authorities

3.4.2 Secondary actions that may follow an immediate response and / or be used where the threat of immediate harm is less apparent may include:

- Working with the survivors of domestic abuse to compile evidence to support applications for rehousing within choice-based lettings schemes (aiming to achieve priority banding)
- Providing advice and support on rehousing options
- Referral to external support and advocacy agencies relevant to the victim(s) e.g. Independent Domestic Violence Advisors (IDVA's), or Sefton Women's and Children's Aid (SWACA) – Sefton area only
- Enforcement actions against perpetrators where these are also PCHA customers (which may include tenancy enforcement actions or civil proceedings)
- Referral, where appropriate to the PCHA Independent Living Service

3.5 Exemptions and support for domestic abuse survivors

3.5.1 To ensure support is provided to the survivors of domestic abuse at times when they need it most, PCHA will on a, case-by-case basis, look to show flexibility to normal Policy and practice responses to help achieve lasting outcomes.

3.5.2 This may include overriding tenancy breaches that would normally preclude individuals from moving to alternative PCHA properties or achieving priority banding within choice based lettings schemes e.g. where rent arrears exist or there have been other tenancy breaches.

3.5.3 To provide this type of support PCHA will normally require support for the survivors' case by statutory agencies i.e. Police, Local Authority Social Services or via involvement of multi-agency groups such as MARAC.

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| 3.6 | Confidentiality |
| 3.6.1 | When investigating or making referrals in regard to domestic abuse incidents, PCHA will always respect individuals rights for confidentiality and will comply with all requirements of UK Data Protection legislation. |
| 3.6.2 | <p>This will include the following:</p> <ul style="list-style-type: none"> • Working under established information sharing protocols when exchanging personal data with external agencies and partners • Ensuring all personal data that is gathered in response to a suspected or potential domestic abuse situation is stored securely and is disposed of securely in line with data retention schedules and procedures (see PCHA Data Protection Policy for details) • Only passing-on information to third parties and external agencies with the explicit consent of potential survivors of domestic abuse (unless PCHA has good reason to believe they are at risk or in danger of immediate harm and emergency intervention is required) |
| 3.7 | Partnership working and sign-posting services |
| 3.7.1 | PCHA is committed to providing the best possible support to its customers that may experience domestic abuse and will work closely with a variety of organisations that can offer specialist advice, assistance and advocacy services to survivors of domestic abuse. |
| 3.7.2 | As well as working with support agencies via referral, PCHA will also ensure it provides easily accessible information (following ‘two clicks’ best practice principles) on its website so that those suffering domestic abuse can seek self-help and guidance. |
| 3.7.3 | PCHA will also make an active contribution into strategic oversight of domestic abuse issues in its areas of operation, through involvement and membership of multiagency forums e.g. the Domestic Abuse Steering Group and MARAC’s. |
| 4 | Implementation |
| 4.1 | All PCHA teams that provide direct customer services have a responsibility to ensure the provision of this Policy are upheld and enacted including Neighbourhood Services, Independent Living and Customer Access Teams. |
| 4.2 | Working closely with other customer facing services the PCHA Community Safety Team will have specific responsibility for assisting customers with target hardening measures where these are required, taking legal action against those found to be responsible for perpetrating acts of domestic abuse, developing action plans and general case management within PCHA internal systems. |
| 5 | Performance |
| 5.1 | PCHA recognises the sensitive and personal nature of domestic abuse, and will manage cases individually and discuss service satisfaction with customers where appropriate |

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| 5.2 | PCHA will, however, record the time taken to respond to requests for support and will include this in monthly reporting alongside wider performance indicators to the Departmental Management Team (DMT) on a monthly basis. | | | |
| 6 | Consultation | | | |
| 6.1 | All PCHA staff have been consulted in the development of this Policy. The PCHA Tenant Policy review Group were also consulted in the development of this Policy on 20 th August 2021. | | | |
| 7 | Review | | | |
| 7.1 | The PCHA Domestic Abuse Policy will be reviewed every two years, as near as is possible from the date of Departmental Management Team (DMT) approval or as required by the introduction of new legislation, regulation or as a result of PCHA system audits. The review process will ensure its continuing suitability, adequacy and effectiveness. | | | |
| 8 | Equality Impact Assessment | | | |
| 8.1 | Was a full Equality Impact Assessment (EIA) required? | Yes | | |
| 8.2 | When was EIA conducted and by who? | A full EIA was conducted by the Policy and Strategy Manager and the Independent Living Manager in June 2021. | | |
| 8.3 | Results of EIA | The EIA recommended inclusion in staff training awareness of groups who may, due to vulnerabilities associated with their protected characteristics, be more prone to domestic abuse | | |
| 9 | Scheme of Delegation | | | |
| 9.1 | Responsible committee for approving and monitoring implementation of the policy and any amendments to it | DMT | | |
| 9.2 | Responsible officer for formulating policy and reporting to committee on its effective implementation | Operations Director -PCHA | | |
| 9.3 | Responsible officer for formulating, reviewing and monitoring implementation of procedures | Operations Director- PCHA | | |
| 10 | Amendment Log | | | |
| Date of revision: | | Reason for revision: | Consultation record: | Record of amendments: |
| NA – first version of the Policy- 28 th January 2022 | | NA | See Section 6 | NA |