

Harrow Churches Housing Association

DOMESTIC VIOLENCE AND ABUSE POLICY

1. INTRODUCTION AND KEY PRINCIPLES

- 1.1 Harrow Churches Housing Association (HCHA) will not tolerate domestic violence and abuse. We will treat every report of domestic abuse with the utmost standards of confidentiality and with sensitivity. We will treat every report with equal seriousness, regardless of the victim's gender or sexuality and will never ignore any report. Our aim will be to support victims to access services, to be safe and to reduce the risks to victims and others including children.
- 1.2 This policy applies to anyone working with or for HCHA and to tenants affected by:
 - Violence in the home from partners, former partners or family members;
 - Abuse or coercive control from partners, former partners or family members;
 - Sexual violence;
 - Stalking;
 - Forced Marriage;
 - Female Genital Mutilation;
 - Honour based violence or threats.
- 1.3 HCHA recognises that to protect victims and potential victims of abuse and violence that a multi-agency approach is needed. We will not work alone when dealing with domestic violence and or abuse. We will always work closely with specialist services such as:
 - National helplines;
 - Local Domestic Violence agencies;
 - Safeguarding teams (where relevant);
 - Police.
- 1.4 High risk cases of abuse and violence must be managed by the local authority based Multi-Agency Risk Assessment Conference (MARAC). Police, Domestic Violence or Social Services can risk assess cases and refer them direct to a MARAC.
- 1.5 HCHA will offer safe spaces to tenants or to anyone working with us who is affected by domestic abuse or violence to allow them to safely contact agencies that can support them and check information online safely.

2. DOMESTIC VIOLENCE AND ABUSE

- 2.1 On average two women are killed every week in England and Walesⁱ. On average the

police receive over 100 calls relating to domestic abuse every hour.ⁱⁱ

- 2.2 HCHA has a large population of older people and recognises that they too are victims of Domestic Violence who are often unrecognised and where long term abuse may have been unreported for many years. ONS statistics have not been collected for those aged 60 or over in the past and so evidence is anecdotal. However it is clear from work by the domestic abuse sector that murders by partners and adult sons of older women are recorded by the criminal justice system among the more familiar pattern of deaths alongside younger victims.
- 2.3 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”.
- 2.4 Acts of domestic violence and abuse are most often systematic and are designed to gain power and control over the victim Domestic abuse can include, but is not limited to, the following:
- Psychological and/or emotional abuse;
 - Physical or sexual abuse;
 - Financial abuse;
 - Harassment and stalking;
 - Online or digital abuse.
- 2.5 **Coercive control** is a crime. It is part of the pattern of domestic abuse and is an offence, it is when a person with whom you are **personally connected**, repeatedly behaves in a way which makes you feel controlled, dependent, isolated or scared. The following types of behaviour are common examples of coercive control:
- isolating you from your friends and family
 - controlling how much money you have and how you spend it
 - monitoring your activities and your movements
 - repeatedly putting you down, calling you names or telling you that you are worthless
 - threatening to harm or kill you or your child
 - threatening to publish information about you or report you to the police or authorities
 - damaging your property or household goods
 - forcing you to take part in criminal activity or child abuse
- 2.6 Violence and abuse often increase in frequency and severity over time. There are some known risk factors for the violence to become more severe or to occur for the first time (this is not an exhaustive list):
- If the perpetrator believes the victim is leaving, planning to leave or when the victim has recently left;
 - If the victim is pregnant, or recently given birth;

- Where sexual and physical violence are both used;
- The victim is being stalked;
- Violence has escalated;
- Where the perpetrator has a history of substance misuse and/or mental health problems, or a history of violent offending including domestic abuse/coercive control;
- If the perpetrator has made threats towards the victim or close relatives including their children or has attempted or threatened to attempt suicide.

3. FEMALE GENITAL MULTILATION

- 3.1 Female genital mutilation (FGM) involves procedures that include the partial or total removal of the external female genital organs for non- medical reasons. The practice has serious consequences both at the time of mutilation and in later life. It is an offence to:
- Perform female genital mutilation;
 - Assist a female to carry out female genital mutilation on herself;
 - Assist anyone (whether a UK national or not) to carry out female genital mutilation on a UK national anywhere in the world;
 - Fail to protect a girl aged 16 or under from female genital mutilation.
- 3.2 Where any suspicion of female genital mutilation is reported to us, we will respond to the report this to the relevant agencies without delay.

4. FORCED MARRIAGE & HONOUR BASED VIOLENCE

- 4.1 A forced marriage is where one or both people do not (or cannot, in cases of individuals with learning disabilities or cognitive impairment) consent to the marriage and coercion or abuse is used.
- 4.2 There is a strong risk correlation between forced marriage and honour based violence/murder. Both women and men are victims of forced marriage and honour based violence.
- 4.3 Honour based violence is where a person has brought shame on their family and the resolution to that shame is to kill that person. Potential victims may be at high risk of murder for many years, may be pursued using private detectives or others or may have a bounty placed on their life. Escalation can happen very quickly in these cases and often family members are involved. There may be a high risk to life.

5. SUPPORTING VICTIMS

- 5.1 HCHA advertises to tenants that our offices are **safe spaces**. This means that if any tenant approaches any member of staff saying that they need a safe space, they should be offered reasonable access to:
- The use of a phone and a computer in a private space.
 - Confidential space to meet with professionals such as Police, Social Services.

Solicitors or Domestic Abuse service workers.

- The facilities to scan, print or produce reasonable amounts of documents necessary to deal with immediate housing/rehousing or immediate safety needs, including preparing evidence for Police and/or legal teams.

- 5.2 Information about any victim must NEVER be shared with family members, partners and spouses who make enquiries of HCHA. They have no automatic right to information.** Any joint tenant requesting information even if through a Subject Access Request under Data Protection legislation must NOT be given information about the other tenant.
- 5.3 When a safe space is used, the information must not be recorded in the general case notes in WRAPP (HCHA digital tenant database). Staff must seek guidance from a senior member of staff about where to record notes and what to record.
- 5.4 If a victim reports domestic violence or abuse in person a member of staff must make themselves immediately available to them. If they make a disclosure by other means, they will be offered a meeting within one working day, or at a later time that is convenient and or safe for them however staff must be mindful of safe contact.
- 5.5 Staff must make every effort to ascertain safe routes for contact. For example, mobile phones may be tracked and/or monitored by a perpetrator, email accounts and post may be intercepted.
- 5.6 HCHA will respond to all disclosures by:
- Taking all reports seriously;
 - Taking a victim-centred approach;
 - Giving priority to the safety of victims and their household;
 - Ensuring confidentiality and consent except where the risk to life, public protection or safeguarding case is too high to rely on consent;
 - Working with specialist agencies to manage the victim's safety;
 - Taking or supporting legal action against perpetrators where appropriate.
- 5.6 Victims will be referred to external agencies with their consent including:
- Police; where there is a direct imminent threat to life staff must report via 999.
 - Appropriate agencies, for example National Domestic violence helplines, local agencies with expertise, National Stalking Helpline, Forced Marriage Unit and/or statutory agencies.
 - Social Services where children are involved.
- 5.7 Staff should avoid giving advice to tenants suspected of being victims of abuse or violence by telephone as the phone may be tracked, recorded or monitored. Staff should not visit the home of a suspected victim to discuss the abuse/violence as the home may be being monitored, sound and/or vision recorded. This could increase the risk to the victim and put staff at risk.
- 5.8 Staff may approach someone who they believe to be a victim of domestic abuse or violence in order to offer them safe space or advice about contacting supportive agencies. This may be safely done by offering the tenant a meeting to discuss a housing matter on HCHA premises. If the person arrives accompanied staff should where they deem it safe to do so, attempt to speak to the person alone.

- 5.9 An important part of supporting victims will be to **record matters affecting family members or joint tenants outside of the day to day tenancy files (both paper and electronic versions)** so that anyone accessing the files does not have the automatic access to information that could put their partner or family member at risk. Staff must immediately seek the advice of their line manager when setting up an annexed tenancy file for safety reasons.

6. MAINTENANCE & ASSET MANAGEMENT

- 6.1 There is a high correlation between persistent reports of some repairs and domestic violence, including:
- Repeated damage to locks particularly where evidence of force or attempted force can be seen;
 - Damage (holes) in internal doors or large dents in walls;
 - Broken windows;
 - Bolts on the outside of internal doors/ locks on internal doors;
 - Repeated attempts to gain new keys/change locks.
- 6.2 Where repeated patterns of such repairs are noted they must be reported to the staff member responsible for managing the housing. That staff member must check the tenancy history and discuss the case with their line manager and decide the best and safest course of action.
- 6.3 Where a tenant is known or suspected to be a victim of violence or abuse and needs additional security measures in order to keep them safe HCHA will supply and fit reasonable levels of increased security without delay at our discretion and free of charge.
- 6.4 Where requested to do so by the Police, a Domestic Violence agency, MARAC Coordinator or other statutory agency, or where we consider the risk to be immediate and high HCHA will supply and fit additional security measures as an emergency at our discretion.
- 6.5 HCHA may also refer the victim to a local Sanctuary Scheme where they are in operation.
- 6.6 Where HCHA reasonably accept that damage to a property has been caused a perpetrator of domestic or sexual violence or an act allied to stalking, honour based violence, forced marriage or FGM, HCHA will not charge any victim for the damage and will make good any damage without delay.
- 6.7 Where the perpetrator is an HCHA tenant and where it would not put the victim at risk to do so, HCHA will pursue perpetrators in full for the cost of damage to HCHA property.

7. HOUSING

- 7.1 HCHA recognises that leaving a perpetrator is a very high risk process for a victim and that to do so without safety planning and support may put the victim at greater risk. With this in mind HCHA staff should not see the victim leaving home as the safest or only solution and should not offer this advice.

- 7.2 HCHA manages a point based system for transfers and domestic abuse is a matter of both urgency and high points are normally awarded. Evidence of abuse required by HCHA must be reasonable and proportionate, for example, the evidence of a domestic violence agency should be sufficient.
- 7.3 Where a victim is neither a tenant nor licensee they will normally be advised to approach a specialist agency for support before approaching a local authority. Where they need to do so as a homeless applicant HCHA staff must offer written support to their case.
- 7.4 **Where the victim is a spouse, partner or family member of the perpetrator HCHA without tenancy rights** HCHA may at our discretion consider other legal remedies including granting a licence or tenancy to the victim, and/or taking action obtain an occupation order against the perpetrator. The permission of the CEO will be required before any such tenancy or licence is created.
- 7.5 HCHA cannot offer emergency accommodation to victims and have very limited stock in order to effect a management transfer. Where there is a void available and an immediate risk any void must be offered to any current victim who needs to move as a priority and without any unnecessary delay. Any transfer will be based on need and will not be able to take into consideration desired locations, garden or parking for example. For example; we cannot offer a person less or more rooms than their household needs.
- 7.6 Where it could be possible a senior manager may approach other Housing Associations or local authorities in order to try and effect and reciprocal transfer with the permission of the CEO.
- 7.7 **Where the victim and perpetrator are joint tenants** we will support the victim to seek the appropriate advice in order to find the best and safest solution for them. This may be in supporting the victim to:
- Obtain an occupation order;
 - Obtain a court order to transfer the tenancy to their sole name;
 - Take possession proceedings against a perpetrator where a victim has rightfully served a Notice to Quit in order to end a joint tenancy and where the perpetrator fails to vacate and consider granting a sole tenancy to the victim at our discretion. Staff must advise victims to obtain a determination of HCHA intentions before serving any Notice to Quit.
- 7.8 HCHA may support victims to take a range of action against perpetrators at our discretion including:
- Injunctions
 - Non-molestation orders
 - Occupation orders
 - Restraining orders
- 7.9 Where appropriate and safe to do so HCHA will take anti-social behaviour action against any perpetrator.
- 7.10 Staff must also consider the safety of others at all times.

8 STAFF

- 8.1 Where HCHA staff report to any other member of staff that they are at risk from domestic abuse and/or violence that person must offer the victim **safe space**. It is imperative that the person hearing the report advises the victim to seek immediate professional support during work time. This can be done by contacting a national helpline.
- 8.2 HCHA may offer additional support to staff who are victims of abuse or violence up to and including:
- Leave to take legal action or manage immediate safety or medical needs;
 - A safe space to contact supportive or statutory agencies and/or meet with those agencies;
 - A safe space to prepare and/or store documents or evidence;
 - Putting workplace safety in place, such as managing approaches from the perpetrator to the workplace.
- 8.3 Confidentiality is very important when dealing with allegations of abuse or violence however where a member of staff makes any disclosure to another member of HCHA staff that would leave children at a risk of significant harm, where there were a need for public protection or where threats are made against any person, the member of staff should not keep that information confidential. They must inform their line manager at the earliest opportunity. It is the expectation of HCHA that no child or adult be at risk of significant harm because of confidentiality.

9 AGENCIES

- 9.1 **Domestic Abuse** national agencies for women:
- The 24hr Freephone National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge) is available on 0808 2000 247 24 hours a day, 7 days a week;
 - Women's Aid: <https://www.womensaid.org.uk/>
 - Refuge: <https://www.refuge.org.uk/>
- 9.2 **Domestic Abuse** national agencies for men:
0808 801 0327 Freephone, available Monday – Friday 9:00am – 5:00pm or email info@mensadviceline.org.uk
- 9.3 **National Stalking Helpline**
0808 802 0300 - Freephone
- 9.4 **Forced Marriage Unit**
fmufco.gov.uk
Telephone: 020 7008 0151
From overseas: +44 (0)20 7008 0151
Monday to Friday, 9am to 5pm
Out of hours: 020 7008 1500 (ask for the Global Response Centre)

9.5 **Female Genital Mutilation**

- **Childline** for any child who needs support or advice now Freephone 0800 1111.
(If a child is at risk HCHA staff **MUST** report this – see below):
- **NSPCC FGM Helpline** if you know a child or young woman is at risk:

Email: fgmhelp@nspcc.org.uk

Freephone 0800 028 3550

9.6 For men or women who are worried they may be or know that they are **perpetrators of abuse or violence** and want help to address their behaviours:

Respect Phonenumber - <http://respectphonenumber.org.uk>

email info@respectphonenumber.org.uk or Freephone Monday – Friday 09:00am – 5:00pm
- 0808 802 4040

ⁱ Office for National Statistics, *Crime Statistics, Focus on Violent Crime and Sexual Offences, Year ending March 2016, Chapter 2: Homicide* (Published [online](#): Office for National Statistics, 2017)

ⁱⁱ HMIC, *Increasingly everyone's business: A progress report on the police response to domestic abuse* ([Published online](#): HMIC, 2015), p. 28