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| <b>Domestic Violence</b>   |  |
| <b><u>WHAT ARE WE TRYING TO DO?</u></b><br>To seek to develop a sensitive and appropriate way that the Association will work with victims of domestic violence.  |  |
| <b><u>HOW WILL WE DO IT?</u></b><br>The Association will: <ul style="list-style-type: none"><li>▪ Work in partnership with a variety of statutory, voluntary and community agencies to develop and implement appropriate strategies for responding to the needs of those experiencing domestic violence;</li><li>▪ Refer victims of domestic violence to suitable agencies offering advice and support;</li><li>▪ Use and / or recommend a range of remedies as appropriate to protect the victim.</li></ul> |  |
| <b><u>HOW WILL WE KNOW IF IT IS WORKING?</u></b><br>The Association will: <ul style="list-style-type: none"><li>▪ monitor performance as detailed in section 5;</li><li>▪ work with its own tenants and service users to measure satisfaction with relevant services;</li><li>▪ carry out a thorough review of its Domestic Violence Policy every three years, consulting with tenants and other partners and comparing best practice around the country.</li></ul>  |  |
| <b><u>WHO TO CONTACT IF YOU NEED TO USE THIS SERVICE:</u></b><br>Amanda Nicklin Tel. 01785 216789<br>Email: <a href="mailto:Amanda.nicklin@sarh.co.uk">Amanda.nicklin@sarh.co.uk</a>   |  |
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| DATE DOCUMENT PRODUCED: July 2005  |  |
| NEXT REVIEW DATE: To be determined   |  |

## **1. Statement of Intent**

1.1 Stafford and Rural Homes (the Association) believes that none of its tenants should live in fear of violence from a spouse or partner, former spouse or partner, or other member of their household, and will take steps to assist and support any person suffering from or threatened with domestic violence. Priority at all times will be given to the safety of the person suffering from domestic violence.

1.2 Domestic violence can happen in any household, of any age, on any income level and in any tenure. It tends to consist of systematic and repeated abuse, with only a small percentage of cases involving a single incident. Half of all reported incidents of domestic violence involve families with children. Emotional upheaval and fear can mean that even when people seek assistance they do not follow advice to leave the home in the first instance. In addition, a lack of choice of alternative or safe housing can influence whether a victim of domestic violence returns to the perpetrator.

1.3 The Association defines domestic violence as:

“Any incident of a threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality”.

Some service users prefer the term “domestic abuse” as this better reflects their experiences and the non-violent oppression experienced.

1.4 The Association will treat and deal with victims of domestic violence in the following ways:

- Respect and dignity at all times;
- Will accept the victim’s account of the incident, recognising that evidence of violence may not always be readily available, and that systematic abuse does not only and necessarily include physical violence.
- Listen and be guided by the victim in determining the most appropriate course of action in responding to an incident of domestic violence;
- Provide a realistic appraisal of the options that can be explored by the Association in its landlord role;
- If, as a landlord, the Association is not in a position to resolve the situation, it will with the victim’s consent signpost / refer to appropriate statutory, voluntary or community organisations.

1.5 The Association recognises that the issues surrounding domestic violence are often complex, requiring both statutory, voluntary and community agencies to work in partnership, in their respective areas of strength, as a means to try and resolve the issues.

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- 1.6 The Association is committed to working in partnership with Stafford Borough Council, the Community Safety Partnership and a variety of voluntary and community agencies to develop appropriate strategies for responding to the needs of those experiencing domestic violence.
- 1.7 The Association will take a flexible approach in responding to instances of domestic violence, to take account of the varying circumstances of victims of violence and the different courses of action which may be possible and appropriate.
- 1.8 The Association has a separate policy on Relationship Breakdown. Whilst there is a link between relationship breakdown and domestic violence, relationship breakdown is a wider problem. The two issues can be quite separate; not all relationships involving violence will end and many relationships end without violence.

## 2. Detail

### Prevention and early intervention

- 2.1 The Association recognises that where incidents of domestic violence occur, prevention and early intervention is critical. As a housing landlord, the Association will:
- Publicise and make staff aware of its domestic violence policy;
  - Publicise to its customers and staff that domestic violence is a crime;
  - Publicise to its tenants that domestic violence is a breach of tenancy and can lead to a loss of a tenancy;
  - Publicise this policy within its Tenants Handbook and on its website, including the provision of information on organisations that can offer help and support to victims of domestic violence;
  - Ensure local domestic violence and other relevant services are adequately publicised, so that tenants can make self referrals (if they do not wish to use the Association initially for disclosure)
  - Offer accessible and confidential reporting facilities, private and confidential interview facilities or a home visit (or a visit in another location if appropriate) for victims of domestic violence;
  - Arrange for Officers of the same sex as the interviewee if this is appropriate in the circumstances or is requested by the interviewee;
  - Provide appropriate training for staff;
  - Work with the Tenants and Residents Association to encourage the development of an awareness programme of community issues such as domestic violence, racial harassment etc.
  - Work in partnership with Stafford Borough Council, the Community Safety Partnership and local, voluntary and community groups to develop appropriate strategies, policies and protocols which prioritise the safety of the victim.

### Advice and Information

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- 2.2 Key information will be provided in a variety of formats and community languages.
- 2.3 Advice and assistance will be given to any customer who wishes to access any of the services provided by the Association, or by its partners.

### Partnership Working

- 2.4 The Association is committed to working in partnership with a range of statutory, voluntary and community agencies to develop and contribute to strategies that respond to the needs of victims of domestic violence and their children.
- 2.5 Staffordshire County Council's Supporting People Strategy (5 Year Strategy 2005 – 2010) explains that domestic violence is one of the main reasons for people accessing services in Staffordshire, and services are continually well utilised.
- 2.6 The Association will continue to build relationships with a variety of other agencies, which may have resources to intervene and assist those experiencing domestic violence. Other agencies will be able to play an important role in giving support and advice to people experiencing domestic violence
- 2.7 In some cases, particularly where the person is vulnerable or marginalised, a representative from another agency or body may be able to act on the person's behalf (as an Advocate) and to guide them through the process.

### Tenancy Agreement

- 2.8 The Association makes explicit reference in its Tenancy Agreement to Domestic Violence (paragraph 3.13):  
  
"You agree not to harass, assault or mentally, physically or sexually abuse anyone living in your household."

### Anti Social Behaviour

- 2.9 Domestic violence is a form of anti social behaviour but tends to be a hidden crime because it occurs within an intimate relationship and because of the stigma and shame attached to it.
- 2.10 The Association will help / signpost the victim in accessing legal remedies specifically designed to deal with domestic violence (for example, non-molestation orders).
- 2.11 Other measures designed to tackle anti social behaviour (for example, an Injunction) would normally only be used where the relevant Police Domestic Violence Unit has been consulted and there is no other option available in order to provide protection and this appears to be

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the most effective way.

2.12 Please refer to the Anti Social Behaviour Policy for more details

Additional Security

2.13 When dealing with cases involving violence or threat of violence from outside the home, the Association may consider the option of improving the security of the tenant's home to enable him or her to continue to live their safely.

2.14 The Association recognises, that if the victim wishes to pursue this option, action to improve security may prevent homelessness.

Confidentiality and reporting domestic violence incidents

2.15 The Association will seek to encourage victims of domestic violence to report incidents to the Police in appropriate circumstances.

2.16 Where the victim of domestic violence gives consent, case details will be discussed with the Police / appropriate agencies in accordance with information sharing protocols.

2.17 In certain situations the Association will inform other partner organisations of the situation whether or not it has the victims consent to do so. These situations may include child protection, or the protection of vulnerable adults from abuse.

2.18 The Association will also monitor reported incidents and outcomes. Statistical data will be shared with partner organisations to help develop and implement appropriate strategies to reduce incidents of domestic violence.

Allocations

2.19 The Association recognises that when domestic violence occurs, people often have a number of very practical problems to deal with at a time when they are already feeling vulnerable. Finding somewhere suitable to live is not the least of these problems.

2.120 In its Selection Allocation and Transfer Policy, the Association makes provision for considering transferring a tenant on management grounds where violence (domestic or other) has been experienced and a move would ease the situation.

2.21 It is important that the victim is able to access advice on their options, whether such advice is available from the Association or another agency.

2.22 If the victim indicates that they wish to move home, the following options can be explored:

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- Transfer on management grounds under the Association's Selection Allocation and Transfer Policy;
- Advice on the MoveUK scheme, particularly where the person is seeking a move out of the district area;
- Refer to Stafford Borough Council's homelessness and housing advice service.

2.23 When dealing with domestic violence within the home, the Association may consider the scope for evicting the perpetrator and allowing the victim to remain in their home. However, where there would be a probability of violence or the threat of other forms of serious abuse if the victim continued to occupy his or her present home, the Association may consider referring the case to Stafford Borough Council for them to consider under the homelessness provisions.

### Homelessness

2.24 People suffering domestic violence are at risk of becoming homeless. In many cases, the first approach will be to refer the person to the Council's homelessness and housing advice service, who will be able in appropriate cases to obtain a placement in a place of safety (refuge) or appropriate temporary accommodation).

2.25 The Association recognises that victims need a safe refuge from their abusive partner, and often outreach and resettlement support to enable them to establish a new home. The Local Authority has a statutory duty to provide alternative accommodation in specific circumstances.

### Other options / remedies

2.26 The Association will consider the use of any rights and remedies available to people who are victims of domestic violence and need to resolve issues relating to housing. This may include, amongst other things, seeking injunctions; arranging mediation where the parties are interested in reconciliation; or ensuring that the person gets legal representation. In many instances, other agencies will have the expertise in these matters, and so the Association's primary role will be in signposting the person to appropriate advice and support agencies.

2.27 By informing the victim of the option of seeking an injunction, the Association recognises that injunctions ordering persons not to molest, or enter the home of, the victim, will not always be effective in deterring perpetrators from carrying out further violence or incursions. Victims will not automatically be expected to return home on the strength of an injunction.

### Rent Arrears/Service Charge Arrears

2.28 Where victims of domestic violence have rent or service charge arrears the Association will:

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- make sure that tenants have access to benefits advice and debt counselling in order to maximise their income and manage any debt. Advice on benefits is available from the Association or by referral to another agency;
- offer tenants reasonable repayment plans to clear any arrears of rent without undue hardship.
- Be aware/sensitive to the possibility that financial abuse may often be linked to rent arrears.
- Depending on the merits of the case, arrears will not be a sufficient ground to refuse rehousing in a new tenancy with the Association.

2.29 More details are given in the Association's Rent Arrears Recovery Policy.

### Repairs

2.30 In circumstances where the person subject to domestic violence leaves an Association property unoccupied for a temporary period, the Association will make the property safe in line with its landlord responsibilities.

2.31 Additional security measures may be considered to enable the victim to remain in their own home (if they choose that position). Each case will be considered on its own merits.

2.32 In circumstances where damage has been caused to an Association property as a direct result of a domestic violence incident, the Association will consider re-charging the appropriate person for any remedial work. The Association will maintain contact with the Police to confirm if incidents have been reported to them and if crime numbers have been issued.

### Support needs

2.33 Independent living is a key factor for victims of domestic violence, who need to quickly re-establish their independence once they have decided to leave an abusive situation, but may need support to empower them and build confidence.

2.34 The provision of support is essential in these situations. In many instances, a person will return to an abusive partner because coping on their own, without adequate support, proves too difficult.

2.35 The Association acknowledges that funding and resources amongst other issues will determine whether a floating support service is provided and to whom it is made available; these decisions will be made primarily by the Supporting People Administering Authority which is Staffordshire County Council. Floating outreach support for those resettled in independent housing has been identified as one of the priorities for service development in Staffordshire County Council's Supporting People Strategy 2005 – 2010.

2.36 More details can be found in the Care and Support Policy.

Staff training

2.37 All staff will receive training on domestic violence issues appropriate to their role within the Association.

**3 Specific Needs**

The Association will take into account the specific needs, which may arise, of younger, older and vulnerable people, people with disabilities and Black and Minority Ethnic groups, in a manner that promotes equality and inclusiveness.

**4. Consultation**

The following stakeholders were consulted in the writing of this policy:

- Domestic Violence Coordinator – Community Safety Partnership
- Stafford Women's Aid
- Service Review Groups

Over the last year, tenant representatives have worked with housing managers in reviewing policies and procedures. Service review groups, comprising tenant representatives and housing managers, have considered specific areas of housing management policy and practice. These reviews and consultations have been used as the basis for the drafting of the policy statements.

Further consultation will take place on this policy statement after gaining Board approval, when it will be submitted to the Tenants Federation for an extended period of consultation.

**5 Monitoring**

Housing Corporation Mandatory Performance Indicators

None

Local Performance Indicators

None

**NB Performance indicators to be developed prior to the policy becoming live.**

**6. Links to the Housing Corporation's Regulatory Code**

This policy has been written to comply with the following elements of

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the Regulatory Code and incorporates the identified legislation/guidance.

### Regulatory Code:

- Properly Governed: Sections 2.3, 2.5, 2.7
- Properly Managed: Sections 3.5, 3.6, 3.7

### Legislation / Guidance

- Housing Corporation Regulatory Code
- Section 12 of the Anti-Social Behaviour Act 2003,
- The small print.... National Housing Federation:
- Domestic Violence & Housing Associations: Housing Corporation sector study 28
- Developing Domestic Violence Strategies – A Guide for Partnerships: Home Office Violent Crime Unit 2004
- Stafford Borough Council's Community Safety Strategy 2002 –5
- Staffordshire County Council's Supporting People Strategy (5 Year Strategy 2005 – 2010)

## 7. Links to Other Policies

- Selection, Allocation and Transfer Policy
- Care and Support Policy
- Rent Collection Policy
- Current Rent Arrears Recovery Policy
- Former Tenant Arrears Policy
- Anti Social Behaviour Policy
- Relationship Breakdown Policy
- Harassment Policy
- Equality and Diversity Policy
- Customer Care Policy

### Responsibility

## 8.

The Director of Neighbourhood Services has overall responsibility for the implementation and monitoring of this policy

## 9. Author of Policy

Ian Philp, Head of Housing Management  
Mandy Dancocks, Policy & Performance Manager

## 10. Review Date

To be determined.