

Customer Domestic Abuse Policy



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1.0 Introduction

- 1.1 Incommunities Limited believes its customers should not live in fear of abuse from a spouse or partner, former spouse or former partner or any other member of their family/household and will take steps to assist and support any person suffering from or threatened with violence or abuse.
- 1.2 This policy forms part of our commitment to the Chartered Institute of Housing (CIH) Make a Stand campaign.
- 1.3 The purpose of this policy is to ensure Incommunities Limited employees are aware of their role in identifying, preventing and reporting domestic abuse.
- 1.4 This policy covers victims and survivors of domestic abuse who are Incommunities Limited customers and household members.
- 1.5 We recognise that at times our staff may also be victims or survivors of domestic abuse and are committed to supporting them in any way that we can.
- 1.6 We have a separate policy for staff who are affected by domestic abuse and their needs will be considered in conjunction with our suite of detailed procedures to support staff.

2.0 Purpose and definitions

- 2.1 The purpose of this policy is outlined as follows:
 - To provide a fair, confidential, and empathetic response to all customers who are experiencing any form of domestic abuse or violence.
 - To provide staff with the information and support they need to understand their role in identifying and responding to domestic abuse.
 - To outline how we work in partnership with other agencies to support victims/survivors and tackle domestic abuse.
 - To take firm and effective action against perpetrators where possible.
 - To meet our legal and regulatory requirements.

2.2 Incommunities Limited has adopted the definition of Domestic Abuse as issued by the Home Office, which states that it is:

‘Any incident or pattern of incidents of controlling, coercive or 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’

Behaviour is abusive if it consists of any of the following:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse

It does not matter whether the behaviour consists of a single incident or an ongoing course of conduct.

Controlling behaviour is:

‘A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour’.

Coercive behaviour is:

‘An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim’.

Economic abuse is:

‘Any behaviour that has a substantial adverse effect on one’s ability to—

- *Acquire, use or maintain money or other property*
- *Obtain goods or services.*

- 2.3 The definition also includes 'honour' based violence, female genital mutilation and forced marriage defined by the Crown Prosecution Service as follows;

Honour based violence: 'A crime or incident which has or may have been committed to protect or defend the honour of the family and/or community'

Female Genital Mutilation (FGM): 'A collective term for a range of procedures which involve partial or total removal of the female genitalia for non-medical reasons'

Forced marriage: 'A marriage conducted without the valid consent of one or both parties and where duress is a factor'

3.0 Legislative Framework

- 3.1 This policy has been developed in line with all relevant legislative requirements and must be adhered to.

4.0 Policy

4.1 General Principles

- 4.2 Where any form of domestic abuse is suspected or reported, we will make every effort to give sensitive advice and support and take effective and appropriate action. The safety of victims/survivors and their families is our main priority.

- 4.3 Incommunities Limited will ensure that advice regarding domestic abuse services is easily accessible and incidents can be reported in a number of ways including in person, via telephone, online or in writing.

- 4.4 Incommunities Limited recognises that multi-agency working is the most effective way to deal with incidents of domestic abuse. We will work with the victim to identify relevant agencies that are able to provide appropriate support alongside ourselves.

- 4.5 Incommunities Limited Safeguarding Policy and Procedures will always be used in conjunction with this policy. Where a report of domestic abuse raises safeguarding concerns, Incommunities Limited will report this to the relevant local authority as required. The customer will be informed of our intention to do so.

- 4.6 Perpetrating domestic abuse is a breach of tenancy agreement. Therefore, perpetrators will be dealt with under Incommunities Limited Domestic Abuse Policy. However, any action taken against the perpetrator will be agreed with the victim/survivor as it is important that the victim/survivor is not detrimentally affected by any action undertaken.
- 4.7 Incommunities Limited will raise awareness of domestic abuse among all our staff, contractors and relevant partners through a range of methods to ensure that staff are equipped to recognise and deal with domestic abuse incidents.

5.0 Safety and Confidentiality

- 5.1 We recognise the importance of ensuring that personal data is always treated fairly, lawfully and appropriately and that the rights of individuals are upheld. However, we are clear that where an individual's safety is at risk, we are required to report our concerns to the responsible authorities and share information with them.
- 5.2 Information that may be shared includes names, contact details, a person's physical or mental health, or relations with others. The sharing of this information will be restricted to those who have a demonstrable need to know and robust protections, such as online referrals, zipped files and encrypted email systems will be used to share information.
- 5.3 If a member of staff or one of our contractors becomes concerned about the safety or welfare of a person and the situation is not thought to be as clear cut then it is imperative that advice is sought from the Domestic Abuse Coordinator or Safeguarding Lead.
- 5.4 The victim's/survivor's safety is of paramount importance and will be considered when options to tackle domestic abuse are explored and discussed. We will ensure the victim/survivor knows we want to assist them but on their terms. It is important to remember that the victim/survivor may not wish to leave their home, therefore advice will be offered in terms of safety advice and additional security (often provided in conjunction with other agencies) to ensure the victim/survivor is supported in their decisions.

- 5.5 Where there are safeguarding concerns, including where there are children in the household, we will make a safeguarding referral to the local authority. The victim/survivor will be informed if we are making a referral.
- 5.6 We may make referrals to other agencies as agreed with the victim/survivor. This could include (but not limited to) referrals to the Police and other agencies that can provide support. Where relevant we may also make a referral to Multi-Agency Risk Assessment Conferences (MARAC). The MARAC brings together a group of designated professional representatives from a number of agencies to agree actions to support victims/survivors of high risk domestic abuse cases.
- 5.7 For safety, we will ensure that any contact with the victim/survivor is arranged at convenient times and places where the victim/survivor is at the least risk.
- 5.8 Details of conversations, meetings and monitoring will be recorded accurately and treated as confidential. Detail relating to any case will be accessed on a 'need to know' basis.

6.0 Support for victims

- 6.1 Incommunities Limited will adopt a victim-led approach when dealing with all cases of domestic abuse. We will aim to ensure that the victim/survivor and any witnesses feel confident that all matters will be dealt with in a safe and confidential manner. Where it is appropriate, we will work in partnership with other agencies to provide the best service to the victim/survivor. We will take appropriate supportive or legal action after considering the views of the victim/survivor.
- 6.2 All staff will have access to information regarding local and national agencies and projects that can help victims/survivors. Staff will be advised to complete a 'concern card' in line with safeguarding procedures when they become aware of a domestic abuse incident.
- 6.3 We will discuss personal safety and tenancy issues with the victim/survivor and any other parties involved with their consent. This may also include legal options available to the victim/survivor such as injunction orders or possession proceedings.
- 6.4 Where language is a barrier to support a victim/survivor, it may be necessary for us to use an interpreter. The interpreter will be briefed on the need for confidentiality

and sensitivity in domestic abuse cases. Children, family and ideally members of the same community, will not be used for interpreting unless in an emergency.

- 6.5 Given the sensitivity of domestic abuse cases, we will ensure that a person wishing to report or discuss domestic abuse will be supported by an employee of their choosing, where requested. This includes a staff member of the same gender, sexual orientation, or faith.
- 6.6 We recognise that adults with decision making capacity can decide to report abuse or leave abusive relationships or they can choose not to. We will respect their decision and support the victim/survivor to minimise harm in these situations, this may include signposting to other services and applying target hardening measures. However, we will use our professional judgement when deciding if a case needs to be referred due to safeguarding concerns.
- 6.7 Incommunities Limited recognises that domestic abuse can be repeated, and a victim/survivor may require access to services more than once. We will ensure that each report of domestic abuse is taken seriously and treated fairly. However, to deal with cases effectively it will often be necessary to consider the history of any previous reports.
- 6.8 All disclosures of domestic abuse will be responded to within 48 hours excluding bank holidays and weekends. In cases referred to a specialist Tenancy Enforcement Officer Incommunities Limited will respond to the complainant within 24 hours of receipt of the complaint.

7.0 Housing & Tenancy Management

- 7.1 Where a customer reports domestic abuse to Incommunities Limited this will be recorded and a DASH Risk Indicator Checklist (RIC) carried out with the person reporting the incident. This will enable us to understand any support needs and agree appropriate actions with the victim/survivor.
- 7.2 Where domestic abuse is prevalent in a household, we may advise the victim/survivor that we will refer their tenancy to our Intensive Housing Management service, which will provide additional tenancy support alongside another appropriate support provider.

- 7.3 We will consider each incident reported to us or identified by our staff separately where there has been damage to the home. We will agree on the work to be carried out and the person to be charged for that work. We will not re-charge victim/survivor for the damage caused to premises unless there is insufficient evidence to support that the damage was caused unbeknown to the victim/survivor and/ or outside of their control.
- 7.4 In circumstances where the victim/survivor is in acute danger and is unable to move to family or friends, we will discuss their rehousing options with the appropriate local authority and assist the victim/survivor to move to a safe location as a matter of urgency.
- 7.5 In circumstances where the victim/survivor wishes to move to permanent alternative accommodation, Incommunities Limited will award their rehousing application with the appropriate level of need in line with the Incommunities Group Allocation & Lettings Policy.
- 7.6 We can accept a signed termination to end the tenancy by only one joint tenant, for example where the victim/survivor and perpetrator are currently joint tenants. The victim/survivor would be offered the opportunity to re-sign the tenancy in their sole name.
- 7.7 Where the perpetrator is the named tenant at the address, Incommunities Limited will support the victim/survivor in terms of obtaining an alternative accommodation or pursuing legal action against the perpetrator if they wish to do so.
- 7.8 The Domestic Abuse Act 2021 will give those who are homeless as a result of domestic abuse, priority need for accommodation secured by the council, helping to ensure victims/survivor do not remain with their abuser for fear of not having a roof over their head. Under the Act, victims of domestic abuse with a lifetime social tenancy who need to flee their current home to escape abuse, and are granted a new council tenancy, will have their security of tenure protected in their new social home – ensuring they have a safe and stable home to rebuild their lives.

8.0 Approach to perpetrators

- 8.1 Where possible, and where considered safe to do so without placing victim/survivor at greater risk, we will take prompt and effective action against perpetrators of domestic abuse in line with this policy.
- 8.2 If appropriate, when the perpetrator is a tenant, we will consider action leading to eviction when there have been serious and/or persistent incidents. We will support victims/survivors who have joint tenancies with their perpetrators.
- 8.3 We will offer support and advice to perpetrators as necessary, including referral to perpetrator programmes where appropriate.
- 8.4 In conjunction with our partners, who have access to the following tools, we will participate in the delivery of the following interventions where appropriate;
- Restraining Order: in a criminal law case, when a person is sentenced, they may also have a restraining order imposed on them. Different restrictions will be placed on the offender, depending on the severity of the case.
 - Domestic Abuse Protection Notice (DAPN): the police have powers to serve a Domestic Abuse Protection Notice (DAPN) on an abusive partner who presents an ongoing risk of abuse. This will be provided in writing and served to the abusive partner by a police officer. The order lasts for 48 hours and requires the abusive partner to leave the premises and not contact the victim/survivor. This can be extended further (up to 28 days) by a magistrate at court. If a DAPN is served by the Police, they will normally then apply for a Domestic Abuse Protection Order (DAPO) granted by Magistrates Court. A DAPO may also be applied for in family proceedings.
 - Domestic Abuse Protection Order (DAPO) impose both prohibitions and positive requirements on perpetrators. These could include prohibiting the perpetrator from coming within a specified distance of the victim's/survivor's home and/or any other specified premises, such as the victim's/survivor's workplace, alongside requiring the perpetrator to attend a behaviour change programme, an alcohol or substance misuse programme or a mental health assessment. The requirements imposed by a DAPO will be varied by the courts so that they can respond to changes over time in the perpetrator's behaviour and the level of risk they pose. Courts will be provided

with the express power to use electronic monitoring ('tagging') to monitor a perpetrator's compliance with certain requirements imposed by a DAPO. A breach of a DAPO will be a criminal offence, carrying a maximum penalty of up to five years' imprisonment, or a fine, or both.

- The Domestic Violence Disclosure Scheme (DVDS), often known as Clare's Law: the scheme gives any member of the public the right to ask the police if their partner may pose a risk to them. It is often called 'Clare's Law' after the landmark case that led to it. This scheme also allows a member of the public to make an enquiry into the partner of a close friend or family member.
- Civil Law: victims/survivors of domestic violence can apply to civil courts (family proceedings courts or county courts) for an injunction or court order to help protect them. The most common types of court orders are:
 - Non-molestation orders
 - Occupation orders
 - Prohibited steps order
 - Domestic Abuse Violence Protection Order

8.5 Domestic Abuse is a breach of the tenancy agreement. We may take any appropriate enforcement action as set out in this policy. In particular:

- Injunction Proceedings - a civil court order to prevent breach of the tenancy and/or ASB.
- Possession proceedings - a civil court order where the abuser may be removed as a tenant of the property, or the tenancy ended.

Domestic Abuse is a specific reason upon which the court may grant possession where it is considered reasonable.

Where a tenant has been convicted of certain offences or breach of certain court orders (including breach of a DAPN or DAPO) when the court must grant a possession order (other than in exceptional cases).

9.0 Staff members

9.1 We have developed a standalone domestic abuse policy for staff who may be victims/survivors of domestic abuse.

10.0 Safeguarding links to Domestic Abuse

10.1 Vulnerable adults or young people that need safeguarding interventions are often victims/survivors of domestic abuse too. Irrespective of the close links between domestic abuse and safeguarding they are two separate pathways.

11.0 Training

11.1 As part of their induction training, all staff, board members, volunteers and placements are required to read and understand this policy to ensure that they can identify signs and symptoms of domestic abuse and act appropriately in the event of being faced with a disclosure. We will offer appropriate training in recognising and responding to concerns and disclosures of domestic abuse.

11.2 All staff will be given regular safeguarding training, and will be updated on any changes to policy, procedure, or legislation around domestic abuse.

11.3 All training will be recorded on individual training records.

12.0 Monitoring

12.1 **The Domestic Abuse Coordinator** will:

- Ensure that every domestic abuse concern is appropriately recorded
- Ensure case is allocated to the relevant patch officer for follow up and investigation
- Ensure case information is recorded on the 'domestic abuse tracker'
- Ensure cases are progressed on a weekly basis
- Ensure reporting dashboard provides pertinent data
- Ensure reporting data is made available for monthly NMT meetings
- Ensure periodic steering group updates are provided
- Ensure awareness raising updates are available on web page

12.2 **The IHM Manager** will:

- Ensure policy is approved and embedded across the business
- Ensure awareness raising campaigns are theme driven
- Ensure customers and staff can access domestic abuse information through a range of methods
- Ensure recording system is fit for purpose and maintained
- Ensure availability of appropriate training for staff
- Ensure partnership working is built on across areas of operations
- Ensure domestic abuse progress updates are made available as part of safeguarding updates every 6 months.

13.0 **Implementation**

13.1 The Assistant Chief Executive Neighbourhoods has overall responsibility for the implementation of this policy with the support of the Senior Leadership Team.

13.2 All Incommunities Limited staff, contractors or other partners are responsible for raising concerns regarding suspected or observed domestic abuse by following the procedures set out in the Safeguarding Policy.

13.3 We will publicise our approach to tackling domestic abuse with our staff and customers through a range of methods, this will include details of relevant agencies that victims/survivors can be signposted to for specific support.

14.0 **Performance monitoring**

14.1 Domestic Abuse cases will be discussed with the relevant line manager/team leader as the need arises. The line manager will support and assess any supervision or training needs for their team member.

14.2 Details and records of incidents will be treated as confidential. This will be further restricted if the victim/survivor or perpetrator is a staff member.

14.3 We will not collect customer satisfaction data for domestic abuse cases due to the sensitivity of the situation and to ensure the victim/survivor is not put back at risk.

- 14.4 We will monitor the number of domestic abuse cases reported to Incommunities Limited and consider any changes required to our approach based on outcomes of cases dealt with.
- 14.5 We will develop case studies to highlight the benefits of combinations of support and identify gaps in service provision.

15.0 Review

- 15.1 There will be an annual desktop review of this policy and a formal comprehensive review every three years. Unless a legislative or regulatory change requires for the policy to be reviewed sooner. Or when other information becomes available that will impact policy, such as the outcome of a service review.

16.0 Associated Policies

- Incommunities Limited Staff Domestic Abuse Policy
- Incommunities Limited Safeguarding Children & Vulnerable Adults Policy
- Incommunities Limited Data Protection Policy
- Incommunities Limited Allocations & Lettings Policy
- Incommunities Limited Domestic Abuse Toolkit

Domestic Abuse Toolkit

Domestic abuse - organisations that provide information and advice

In an emergency, when there is a crime in progress or a danger to life, always dial **999**.

You should report any incidents of domestic abuse to the police by calling **101**.

Silent solution - If you are in danger and unable to talk on the phone, call 999 and then press 55. This will transfer your call to the relevant police force that will assist you without you having to speak.

West Yorkshire Police **online reporting tool** –

<https://www.westyorkshire.police.uk/report-it/report-domestic-abuse>

Local services

Bradford

Safeguarding Unit	01274 376581	bd.safeguarding@westyorkshire.pnn.police.uk
District Domestic Abuse Unit	01274 376744	bddistrictdomesticabuse@westyorkshire.pnn.police.uk)
Bradford Council Housing Options	01274 435999; 01274 381 999	housingoptions@bradford.gov.uk
Survive and Thrive Bradford consortium formed by Staying in Put, Family Action, DVS and WomenCentre offering specialist, comprehensive advice for victims of abuse and practical help including temporary accommodation and legal aid.	0808 2800 999	referrals@stayingput.uk.net
Oasis Project overcoming abuse through social independence with support	01274 634850	info@oasisproject.co.uk
Rape Crisis & Sexual Abuse Survivors Service	01274 308 270	
The Sexual Assault Referral Centre (SARC)	0330 223 3617	
Anah Project Bradford based services supporting BME women including those in same sex relationships; offering training, support and safe temporary refuge accommodation for up to two years	0845 960 601	www.anahproject.org

Kirklees

Safeguarding Unit	01924 335 073	ea.safeguarding@westyork shire.pnn.police.uk
Pennine Domestic Abuse Partnership a registered charity that provides high quality specialist support, advice, information and safe accommodation to anyone effected by or experiencing domestic abuse	0800 052 7222	www.pdvg.org
Kirklees & Calderdale Rape & Sexual Abuse Centre	01484 450040	https://www.kcrasac.co.uk/
Kirklees out of hours emergency service (24 hours a day)	01484 414933	housing.solutions@kirklees. gov.uk
Child Abuse	01484 414933	

Sheffield

IDAS specialist charity supporting people affected by domestic abuse and sexual violence	0808 808 2241	https://www.idas.org.uk/
Sheffield Rape & Sexual Abuse Centre (SRASAC)	0114 241 2766	www.sheffieldrapecrisis.org .uk
Housing Solutions	0114 273 6306 0800 7311 689	

Rotherham

Rise support for survivors of domestic abuse and sexual exploitation	0330 2020571	help@rotherhamrise.org.uk
IDVAS (Independent Domestic Violence Advocate Service)	0170 9823 981	

Wakefield

Wakefield District Abuse Services (WDDAS) a comprehensive specialist service providing a range of advice and support for those experiencing domestic abuse. Men and women who use abusive behaviours and want to make changes can contact for information and signposting	0800 915 1561	domesticabuse@wakefield.gov.uk
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Craven

North Yorkshire IDAS specialist charity supporting people affected by domestic abuse and sexual violence	03000110 110	https://www.idas.org.uk/
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National services

Refuge Free National Domestic Violence Helpline supports women and children who have experienced domestic abuse by providing refuges and support in the community. Runs a free phone 24-hour confidential helpline	0808 2000 247	
Women's Aid coordinates a network of 180 local domestic abuse services nationwide and runs an online chat service		www.womensaid.org.uk
Karma Nirvana Supporting victims of honour- based abuse and forced marriage	0800 5999 247	https://karmanirvana.org.uk/

Galop LGBT Domestic Abuse Helpline support for lesbian, gay, bisexual and transgender people experiencing domestic violence	0300 999 5428 0800 999 5428	help@galop.org.uk
Victim Support free, confidential support for people affected by crime of traumatic events	08 08 16 89 111	https://www.victimsupport.org.uk/
The Salvation Army 24 hour confidential helpline for reporting modern slavery	0300 3038 151	
The Modern Day Slavery Foundation 24 hour confidential helpline	0800 0121 700	
NSPCC helpline if a child is in danger of trafficking	0808 8005 000	
A21 non-profit organisation combating modern slavery	020 7736 6994	https://a21.or.uk
Hope for Justice non-profit organisation combating human trafficking	0300 008 8000	https://hopeforjustice.org/united-kingdom/
IKWRO Women's right organisation protecting Middle Eastern and Afghan women and girls who are at risk of honour based violence, forced marriage, child marriage, female genital mutilation and domestic abuse	020 7628 6469	http://ikwro.org.uk/
Rights of women providing women with free, confidential legal advice by specialist women solicitors and barristers	Family Law 020 7251 6577 Criminal Law 020 7251 8887 Immigration Law 020 7490 7689 EU settlement scheme 020 7118 0267 Sexual harassment at work 020 7490 0152	www.rightsofwomen.org.uk

Action on Elder Abuse confidential advice and information to older people who are victims of violence or abuse. A relative or friend of the person being abused can also contact the helpline on behalf of the older person. The helpline can be used in the case of older people who live at home, in a care home or who are in hospital	0808 808 8141 020 8835 9280	enquiries@elderabuse.org.uk
National Stalking Helpline advice on how to deal with any type of stalking behaviour. This includes advice on how to report the behaviour to the police, and what you can expect if you report something	0808 802 0300	advice@stalkinghelpline.org
Surviving Economic Abuse support information for survivors experiencing economic abuse		https://survivingeconomicabuse.org/
Forced Marriage Unit	020 7008 0151 From overseas: +44 (0)20 7008 0151	fmu@fcdo.gov.uk

Specialist services for men

Man Standing Up/Cyrenians non-profit organisation offering housing and support to all men who are victims of domestic abuse	0300 303 0167 01274 214 631	menstandingup@bradfordcyrenians.org.uk
Mankind support for men affected by domestic abuse	01823 334244	www.mankind.org.uk
Men's Advice Line support for abused men	0808 801 0327	www.mensadviceline.org.uk

Support for people perpetrating domestic abuse and wanting to change

MAZE (part of Bradford Survive & Thrive)	07949595 227 0808 2800 999	referrals@stayingput.uk.net
Respect phone line information and advice to men and women in heterosexual or same-sex relationships who want to stop their violent behaviour	0808 8024040	info@respectphoneline.org.uk