

Domestic Abuse Policy

Purpose	<p>This Policy exists to reinforce Eastlight Community Homes’ organisational culture; where it is understood that anyone can experience domestic abuse and that seeking support at the earliest opportunity is a positive thing.</p> <p>We aim to provide a supportive response that helps reduce risk and enhance safety and will do this by leading a culture that takes the subject seriously, with staff who have a positive, non-judgemental attitude. Our business aim is to raise the status of survivors by understanding their personal journey, while being part of a co-ordinated community response with partners.</p>
Owner	Head of Housing Services
Related documents	<p>ASB policy</p> <p>ASB procedure</p> <p>Taking legal action procedure</p> <p>Safeguarding policy</p> <p>Income Policy</p>
Approved by	<p>Eastlight DAHA Steering Group</p> <p>Executive Director of Operations</p> <p>Director of Housing</p>
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1. Introduction

1.1 This Policy exists to reinforce Eastlight Community Homes organisational culture where it is understood that anyone can experience domestic abuse and that seeking support at the earliest opportunity is a positive thing. We aim to provide a supportive response that helps reduce risk and enhance safety and will do this by leading a culture that takes the subject seriously, with staff who have a positive, non-judgemental attitude. Our business aim is to raise the status of survivors by understanding someone's personal journey while being part of a co-ordinated community response with partners.

1.2 This policy applies to all Eastlight Community Homes tenants, leaseholders, temporary licensees, shared owners and occupants.

Eastlight Community Homes Stance

1.3 Eastlight Community Homes will take a zero-tolerance approach to domestic abuse. We will do this by adopting a believing, trust-based approach, ensuring that the individual is aware we take the issue seriously whilst being sensitive and understanding to the individual's needs.

1.4 We recognise that not all people see themselves as a "victim" and we will ensure that these labels are not associated with the individual. We will listen to the needs of the individual and ensure that their voice is heard.

1.5 Our domestic abuse response will not be labelled or addressed as anti-social behaviour.

1.6 We will take reasonable and proportionate action against proven perpetrators which will include tenancy enforcement in addition to ensuring we adopt a support-based approach as a means of intervention to changing someone's behaviour, where they want to.

1.7 Eastlight Community Homes recognise that housing is one of the main factors why survivors do not leave abusive homes, meaning that we have a key role to play within a partnered response.

2. Policy Aims

2.1 This policy will aim to achieve the following.

- Raising the status of survivors by ensuring their voices are heard and influence the services we deliver.

- Adopt a coordinated community response by working hand in hand with our partners to meaningfully safeguard survivors.
- Ensure that staff are trained on a rolling programme to ensure domestic abuse is always at the forefront of our minds and dealt with confidently with sensitivity at the core.
- We will adopt a culture to demonstrate that it is okay to talk about this hidden crime and Eastlight Community Homes is a safe place to seek support.
- We will take appropriate action against those who choose to abuse individuals utilising all available powers within (but not limited to) the ASB Crime and Policing Act 2014.
- We will deliver a two-tier risk assessment approach with the individual being assessed at the first point of contact.
- The policy will aim to enhance the safety and security of those affected through sanctuary work at their home, with a view to increase confidence, resilience and empower them to live safely and independently.
- We will work in partnership with appropriate agencies to support or signpost perpetrators of domestic abuse who recognise and seek to change their behaviour; to increase their motivation, skills, knowledge and build confidence and resilience to combat their abusive behaviour patterns.
- We will actively promote awareness through various communication channels, whilst also supporting national campaigns.
- Eastlight Community Homes will remain committed to the CIH make a stand pledge to ensure a consistent national approach is delivered.

3. Definition of Domestic Abuse

3.1 The UK Home Office define Domestic 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 sexual orientation..."

3.2 The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Economic
- Emotional
- Digital / online abuse
- Harassment and stalking
- FGM (female genital mutilation)

- 3.3 Eastlight Community Homes recognise that Domestic Abuse is built around control and coercive behaviour. These types of acts largely go unnoticed and can include making an individual subordinate / dependent, whilst being exploited for personal gain. This will, in some cases, mean the person is deprived of independence limiting their ability to escape from an abusive life.
- 3.4 Coercive behaviour will be identified by our trained staff as a pattern of acts, including but not limited around humiliation, intimidation and fear which is used to harm, punish, or frighten the individual. This definition includes honour-based violence.
- 3.5 The policy is clear that victims are not confined to one gender, sexual orientation, or ethnic group. There may, in some cases, be multiple perpetrators, usually family members who can be defined such as mother, father, son, daughter, brother, sister and grandparents whether directly related or not.
- 3.6 Domestic Abuse can be perpetrated by women towards men; however, research shows it is mainly abuse from men against women. Women are more likely to be injured, repeatedly abused, and murdered. Male perpetrators are far more likely to abuse post-separation than women and Eastlight Community Homes recognise that this can be the highest risk period for women.

4. How Eastlight Community Homes will respond

- 4.1 No single agency or professional has a complete picture of the life of an individual or family living with domestic abuse, however many will have insights that are crucial to their safety. Eastlight Community Homes will adopt a collaborative approach with partner agencies when supporting people who are being abused.
- 4.2 We will ensure that the response to those reporting domestic abuse is consistent and that our services are accessible for all regardless of their identity or protected characteristics.
- 4.3 Safety and accountability will be at the centre of Eastlight Community Homes processing of cases. They will be managed in a safe and sensitive manner where trust and a non-judgemental attitude will form the basis of a response. This will be overseen by senior members of staff who will ensure that our approach is as we say, through regular case audits.

4.4 Risk management will be crucial to us working with people who are suffering, and we will ensure that every case is risk assessed appropriately.

4.5 We want to ensure that all staff working at Eastlight Community Homes recognise that domestic abuse is a real issue affecting our customers and colleagues. We will provide training that enables staff to do their jobs through a “domestic abuse lens” making it daily business rather than something we react to before it is too late.

5. Legal Framework

5.1 There is a range of civil and criminal action that can be taken to protect people from domestic abuse. These vary according to the circumstances of individuals. Some of these are outlined in [Appendix A](#) however Eastlight Community Homes will always advise individuals and families that legal advice is being taken.

6. Safeguarding

6.1 A significant number of adults who experience domestic abuse in some form will also require safeguarding in accordance with the Care Act 2014. If domestic abuse is an isolated issue and there are no other safeguarding concerns Eastlight Community Homes will support the individual / family through the relevant policy and procedure.

6.2 If an individual experiencing domestic abuse has care and support needs relating to their physical or mental health, then an adult safeguarding referral should also be made in accordance with the Care Act 2014. Please refer to Eastlight Community Homes’ Safeguarding Policy and Procedure.

6.3 Eastlight Community Homes acknowledge that there are strong, evidenced based links between domestic abuse and child abuse. Exposure to domestic abuse is always detrimental to children, although the impacts may vary. Children exposed to abuse at home may be affected by physical and/or emotional abuse, neglect, and ongoing psychological damage.

6.4 Where children are present within a domestic abuse scenario our staff will always make the relevant Child safeguarding referrals to ensure any children are adequately protected (please see Eastlight Safeguarding Policy & Procedure).

7. Equality Considerations

- Eastlight Community Homes will meet the needs and choices of customers from all backgrounds taking into consideration age, disability, sex, gender reassignment, race, religion and sexual orientation.
- We will understand and consider cultural implications and the barriers to reporting domestic abuse
- We will ensure that all sections of our communities can have equal access to our services

8. Monitoring and Review

8.1 This policy will be reviewed every 3 years or in line with business needs or changes in regulation / legislation.

9. Appendices

(A)

Legal framework

Part IV of the **Family Law Act 1996** (FLA 1996) provides a civil remedy for molestation, abuse and occupation. The court can grant occupation orders to exclude a perpetrator from the home altogether or prevent them from re-entering the home or coming within a certain area of the home. A non-molestation order is used to restrain someone from causing or threatening abuse to the applicant or any children. Applications can be made on-notice or ex-parte (without notifying the respondent) where there is a risk of harm. A Power of Arrest can be attached to an order, especially where the court finds that there has been abuse or a threat of it.

The **Protection from Harassment Act 1997** contains both criminal and civil remedies for domestic abuse. Its main advantage has been its availability to those who have not lived with their abusive partner or had children with them - however this is improved by the Domestic Abuse Crime and Victims Act 2004 (see below). Civil remedies include injunctions and seeking damages for harassment offences. Breach of an order is a criminal offence.

The **Housing Act 1996** allows Eastlight Community Homes as a landlord to apply for a possession order (using Ground 2A for secure tenants or ground 14A for assured tenants) where the tenant has been violent. It depends on the tenant who is experiencing domestic abuse leaving the property with no intention of returning. It does not enable the survivor of abuse to stay in the property but is a way of regaining possession of the home when the perpetrator remains in occupation.

The **Domestic Abuse Crime and Victims Act 2004** introduces stronger protection for survivors with measures such as making it an arrestable offence to breach a non-molestation order, making common assault an arrestable offence, setting up a register of civil orders, extending protection to same-sex couples and permitting non-molestation orders for couples who have never co-habited.

The **Crime and Security Act 2010** Sections 24-33 of the Act relate to Domestic Violence Protection Notices and Orders (DVPNs and DVPOs).

A Domestic Violence Protection Notice and Order is aimed at perpetrators who present an on-going risk of violence to the survivor with the objective of securing a co-ordinated approach across agencies for the protection of survivors and the management of perpetrators. The DVPN / DVPO provides immediate emergency

protection for the survivor allowing them protected space to explore the options available to them and make informed decisions regarding their safety.

Anti-Social Behaviour, Crime and Policing Act 2014 makes provision for a civil injunction to prevent anti-social behaviour. Part 2 makes provision for an order on conviction to prevent behaviour which causes harassment, alarm or distress. An injunction may be granted on the application of the chief officer of police for a police area. A housing provider may make an application only if the application concerns anti-social behaviour that directly or indirectly relates to or affects its housing management functions.

The **Care Act 2014** emphasises promoting wellbeing and prevention of needs. Wellbeing has a broad definition, including personal dignity, physical mental health, protection from abuse and neglect and control over day to day life, participation in work, education or training. Clause 2 of the Act places a duty on local authorities to prevent, reduce and delay needs for care and support. This includes providing or arranging for the provision of services in their area which will prevent or delay the development of or reduce the need for support by carers.

The **Serious Crime Act 2015** (Section 76) created a new offence of controlling or coercive behaviour in an intimate or family relationship. Controlling or coercive behaviour towards another can include or be committed in conjunction with a range of other offences. A pattern of controlling or coercive behaviour can be well established before an incident is reported. Behaviour of the perpetrator can include:

- Isolating a person from their family or friends
- Depriving them of their basic needs
- Monitoring their time
- Monitoring a person via online communication tools or using spyware
- Taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep
- Depriving them access to support services, such as specialist support or medical services
- Repeatedly putting them down such as telling them they are worthless
- Enforcing rules and activity which humiliate, degrade or dehumanise the other person

- Forcing the other person to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities
- Financial abuse including control of finances, such as only allowing a person a punitive amount
- Control ability to go to school or place of study
- Taking wages, benefits or allowances
- Threats to hurt or kill
- Threats to harm a child
- Threats to reveal or publish private information (e.g. threatening to 'out' someone)
- Threats to hurt or physically harming a family pet
- Assault
- Criminal damage (such as destruction of household goods)
- Preventing a person from being able to attend school, college or university
- Family 'dishonour'
- Reputational damage
- Disclosure of sexual orientation
- Disclosure of HIV status or other medical conditions without consent
- Limiting access to family, friends and finances

Clare's Law 2017 (also known as Domestic Violence Disclosure Scheme (DVDS)) gives people the right to ask police if their partner has been violent and if they are at risk.

Homelessness Reduction Act 2017 - includes two new duties to the original statutory rehousing duty:

- Duty to prevent homelessness
- Duty to relieve homelessness

General Data Protection Regulation (2018) expands the rights of individuals to control how their personal **data** is collected and processed, and places a range of new obligations on organisations to be more accountable for **data protection**.

Domestic Abuse Bill – 2020, progressing through Parliament. Changes expected to include making breach of DVPO a criminal offence; DA commissioner to be appointed to hold the government to account; Economic abuse to be recognised; Survivors of DA to be automatically permitted special measures in court.

To raise awareness and understanding about the devastating impact of domestic abuse on victims and their families.

To further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice while strengthen the support for victims of abuse by statutory agencies.

Local DA Contacts

Essex

Compass

A partnership of **domestic abuse** services providing a response in **Essex**.

Helpline: 0330 333 7444.

Helpline available from 8 am to 8 pm weekdays and 8am – 1pm weekends.

Website: www.essexcompass.org.uk

Next Chapter

Next Chapter is a domestic abuse charity working across the areas of Tendring, Colchester, Maldon, Chelmsford, Braintree & Uttlesford. We provide free and confidential services to support people who are currently experiencing or have previously experienced domestic abuse.

Helpline: Via Compass 0330 333 7444

Direct line: 01206 500 585

Website: www.thenextchapter.org.uk

Victim Support Essex

If you've been affected by crime, call Victim Support in Essex

Telephone: 0808 17 81 694 Lines are open 8am to 5pm Monday to Friday. Or

0808 16 89 111 If you need support outside of our open hours.

Website: www.victimsupport.org.uk/help-and-support/get-help/support-near-you/east-england/essex

Suffolk

Anglia Care Trust

Support for male and female victims of domestic abuse, along with their children.

Suffolk DA hotline: 0800 9775690

Helpline: 01473 622888

Email: admin@angliacaretrust.org.uk

Website: www.angliacaretrust.org.uk

The Ferns

Sexual assault support.

Helpline: 0300 123 5058

Email: contact@theferns-suffolk.org.uk

Website: www.theferns-suffolk.org.uk

Victim Support Suffolk

If you've been affected by crime, call Victim Support in Suffolk.

Telephone: 0300 303 3706

Websites: www.victimsupport.org.uk/help-and-support/get-help/support-near-you/east-england/suffolk

www.nsvictimcare.org/#

Essex and Suffolk

The Change Hub -

Our charity has been delivering RESPECT accredited [domestic violence perpetrator programmes](#) since 2009. Through the behavioural change of the abuser we aim to increase the well-being of people who are, or have been, living with conflict or domestic violence & abuse.

Tel: 0845 3727701 / 01245 258680

Text: 07872 541982

Email: tcp@thechange-project.org

Website: www.thechange-project.org/the-change-hub

National DA Contacts

Action on Elder Abuse

Charity giving help and information about the abuse of older people, including abuse by family members and partners.

Helpline: 0808 808 8141 (Freephone)

Email: enquiries@elderabuse.org.uk

Website: www.elderabuse.org.uk

Broken Rainbow

For the lesbian, gay, bisexual, and transgender community.

Tel: 0300 999 5428.

<https://www.brokenrainbow.org.uk/help/helpline/>

Childline

The UK's free and confidential helpline is not just for children.

They also offer help to young people up to the age of 19 who are in distress or danger.

Tel: 0800 11 11 (24-hour helpline)

Website: www.childline.org.uk

Freedom Charity

We aim to empower young people to feel they have the tools and confidence to support each other and have practical ways in which they can help their best friend around the issues of family relationships which can lead to early and forced marriage and dishonour-based violence. The Helplines and are manned by trained professionals to help victims of forced marriage and their friends who are seeking help, support and advice.

24/7 Helpline: 0845 607 0133

Textline (text '4freedom' to 88802)

www.freedomcharity.org.uk

Galop

Galop offers support for lesbian, gay, bisexual, and transgender (LGBT) people experiencing hate crime, sexual violence or domestic abuse.

Helpline: 0800 999 5428 (Monday and Thursday 10am-8pm, Tuesday and Wednesday 10am-5pm, Friday 1pm-5pm).

Email: help@galop.org.uk

Website: www.galop.org.uk

Honour Network - Karma Nirvana

Karma Nirvana is a registered Charity that supports victims and survivors of forced marriage and honour-based abuse.

Telephone Number: 0800 5999 247

Email Address: info@karmanirvana.org.uk

Website: <https://www.karmanirvana.org.uk>

Rape & Sexual Abuse Support Centres

Rape & Sexual Abuse Support Centres offer a range of services for women and girls who have been raped or experienced another form of sexual abuse.

National Freephone helpline: 0808 802 9999 (12 noon-2:30pm and 7pm-9.30pm any day of the year. Also 3pm – 5:30pm on weekdays)

Refuge

Supports women, children & men experiencing domestic violence with a range of services.

Telephone Number: 0808 2000 247

Website: <https://www.refuge.org.uk>

Respect

Respect is a charity which runs support services and programmes for those who inflict abuse in relationships including young men and women.

Phoneline: 0808 802 4040 Monday to Friday 9am-5pm

Email: info@respectphoneline.org.uk

Website: www.respectphoneline.org.uk (incl. online chat service)

Respect also provides an advice line for men who are victims of an abusive relationship.

Men's Advice Line: 0808 801 0327 Monday to Friday 9am-5pm

Email: info@mensadviceline.org.uk

Website: www.mensadvice.org.uk (incl. online chat service)

National LGBT Domestic Abuse Helpline

Helpline: 0800 999 5428 <http://www.galop.org.uk/domesticabuse/>

Emotional and practical support for LGBT people experiencing domestic abuse. Abuse isn't always physical- it can be psychological, emotional, financial and sexual too. Speak out, don't suffer in silence.

Relate

Offers advice, relationship counselling, sex therapy, workshops, mediation, consultations and support face-to-face, by phone and through their website.

Helpline: 0300 100 1234

Website: www.relate.org.uk

Sharan Project (South Asian Women Help & Support)

Information Line: 0844 504 3231

Website: www.sharan.org.uk

The National Centre for Domestic Violence provides a free, fast emergency injunction service for survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation.

Freephone: 0800 970 2070

Text: NCDV to 60777 (they will call you back)

Email: office@ncdv.org.uk

Website www.ncdv.org.uk

Victim Support

Confidential support for all victims of crime and domestic abuse.

Support Helpline: 0808 1689111

Website: www.victimsupport.org.uk (24/7 help chat line)

Women's Aid

Women's Aid is a national charity which works to end abuse against women and children.

Tel: 0808 2000 247 (Freephone 24-hour national domestic abuse helpline)

Email: helpline@womensaid.org.uk

Website: www.womensaid.org.uk