

# Housing Landlord Domestic Abuse Policy

Housing Landlord Services

HLSPOL23

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# Introduction

Domestic abuse is an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases it is experienced by women and is perpetrated by men.

We believe that no person should live in fear of violence or abuse. This policy sets out the Council's Housing Landlord commitment to take efficient and effective action to deal with all reports of incidents of domestic abuse where they involve a tenant of the Council. The Policy explains how we provide support tailored to individuals, working in partnership with specialist agencies to provide a co-ordinated response.

We take all reports of domestic abuse or sexual violence seriously and believe everyone should feel safe in their home and local community regardless of age, disability, sex, sexual orientation, gender identity, gender reassignment, race, religion or belief, marriage or civil partnership or any other protected characteristics.

We are committed to providing the right advice and support, to minimise the risk of further incidents and to help our tenants and leaseholders stay safe in their home where appropriate, by encouraging early reporting and a rapid response to include signposting to appropriate specialist agencies.

You can report domestic abuse to us through any contact you have with us, for example, by telephone, email, in person, in writing or through a third party including internal and external agencies. **If you are in an emergency situation you should always call the police on 999.**

# Legislative and regulatory context

We recognise the vast amount of legislation regarding Domestic Abuse and we will continue to monitor relevant legal guidance governing this space. The list below reflects some of the existing legal framework and relevant publications:

- Domestic Abuse Act 2021
- Family Law Act 1996
- Protection from Harassment Act 1997
- Domestic Abuse Crime and Victims Act 2004
- Housing Act 1996
- Crime and Security Act 2010
- Anti-Social Behaviour, Crime and Policing Act 2014
- Care Act 2014
- Serious Crime Act 2015
- Clare's Law 2017 – also known as Domestic Violence Disclosure Scheme (DVDS)
- Homelessness Reduction Act
- General Data Protection Regulations 2018
- The Secure Tenancies (Victims of Domestic Abuse) Act 2018
- Civil Partnership Act 2004
- Equality Act 2010

# Purpose

This Housing Landlord Domestic Abuse policy sets out how the council will respond to reports of domestic abuse and is intended to ensure that New Forest District Council tenants & leaseholders should not live in fear of abuse or violence.

Domestic abuse is serious crime that often takes place behind closed doors in the home. It impacts on the safety of individuals, households and communities. We want all our residents to feel safe in their homes and local community.

The purpose of this policy is to:

- Improve the safety of our tenants affected by domestic abuse
- Support and empower victim-survivors to report and engage with us to minimise the risk of further incidents by encouraging early reporting and a rapid response.
- Provide clarity to tenants and our staff about what steps the Council's Housing Landlord function will carry out when it receives reports regarding domestic abuse.

This policy applies to all reports of domestic abuse that involve New Forest District Council tenants and leaseholders or members of their household.

## Policy objectives

The aim of the domestic abuse policy is to ensure the safety of New Forest District Council tenants and leaseholders who may be affected by domestic abuse. The council are aware that domestic abuse can occur in any home and will aim to support any tenant who is victim-survivor of domestic abuse. The council recognise that domestic abuse can be a distressing experience and will collaborate with tenants and all relevant agencies to ensure support.

# Defining domestic abuse

This policy uses an abridged version of the definition of domestic abuse provided by the Domestic Abuse Act 2021.

The 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.

Personally connected means:

- 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 each have had, a parental relationship in relation to the same child
- they are relatives

The 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 a course of conduct.

The Domestic Abuse Act 2021 recognises that children can be victim of domestic abuse, even when the abusive behaviours are not directly aimed at them.

They can also be victims if they:

- See, hear, or experience the effects of abuse
- Are related to the victim or perpetrator of the abuse (or both).

## Our aims

To ensure that all tenants and leaseholders, not just those experiencing domestic abuse, are aware of the council's policy, its implications and where to get advice, including residents who are perpetrating domestic abuse.

To ensure that all tenants and leaseholders who ask for help in addressing domestic abuse can access appropriate advice and support, including signposting to other agencies.

To ensure that all tenants and leaseholders experiencing domestic abuse and seeking assistance are confident that their situation will be handled sympathetically and confidentially.

To provide options to victims-survivors of domestic abuse so that they are empowered to make their own decisions about what they would like to happen next and can make informed choices.

To ensure that our staff are trained to deal with disclosures of domestic abuse effectively.

We will work in partnership and collaboratively with relevant and specialist services when responding to incidents of domestic abuse, taking into account everyone's personal circumstances and what different course of action and outcomes maybe possible and appropriate.

## Our commitments

We take all reports of domestic abuse seriously. Domestic abuse is a serious crime, and we will always treat people experiencing abuse in a sympathetic, supportive, and non-judgemental way.

Reports can be made through telephone, email, in person or writing. If a report of domestic abuse is made to us, we will respond within one working day to discuss the next steps.

We will offer a meeting with a trained member of staff from STOP domestic abuse and will have regard to circumstances and preferences, whenever



possible, when allocating that member of staff e.g. offering the option of a meeting with a staff member of a particular gender.

We will train internal members of staff to deal with reports of domestic abuse alongside STOP domestic abuse.

We will carry out/ facilitate a risk assessment in accordance with the Domestic Abuse, Stalking and Honour based violence risk identification model (DASH 2009), a UK-wide accreditation from used by partners organisations to plan how survivors and children will be supported.

We will agree how to communicate e.g. by phone, in our offices or another safe space, video calling or in writing.

We will take into account the needs of each individual case and recognise our response needs to be based on a risk assessment of your personal circumstances. We will advise about the possible course of actions open to you, which may require a response to an immediate situation or/ and support in the longer term.

We will make sure the victim-survivor of domestic abuse is always aware of our response and that they agree any actions, including referrals to specialist support, community-based support, target hardening/ sanctuary support, and offers of accommodation in line with the Domestic Abuse Act 2021.

We will provide advice and assistance around any need for alternative accommodation, including refuge and move-on, consider additional security measures in your home, if following a risk assessment, this is a safe option, temporary accommodation or a management move if there is no prospect of a safe return, in accordance with our allocations and tenancy policy.

We appreciate that victim-survivors of domestic abuse may not want to take legal action, but we will offer advice if it is something they wish to pursue. Including advice around any joint tenancy a survivor holds.

We will, where appropriate, safeguard adults and children who experience domestic abuse. Employees are trained in safeguarding referrals, and referrals will be in line with our **Safeguarding Policy**.

Our support will continue until the victim-survivor is satisfied their situation has been resolved.

Our support will be based on individual needs. We recognise that not all people see themselves as victim-survivors. We will always treat people experiencing domestic abuse in a sympathetic, supportive and non-judgemental way.

## Awareness

We will publicise information to raise awareness of domestic abuse, this will include:

- Providing information at sign up.
- Hometalk Tenants' Magazine
- NFDC Website
- Supporting national campaigns.
- Staff training & DA champions.

## Partnership working

We will work collaboratively with agencies and partners in the New Forest, neighbouring local authorities and across Hampshire when responding to incidents of domestic abuse.

We will work proactively in partnership with local agencies regarding support service available locally including:

- Participating and sharing information through the Multi Agency Risk Assessment Conference (MARAC) and Hampshire Police.
- Influencing and agreeing strategic priorities with Hampshire County Council through the Hampshire DA partnership.
- New Forest DA Forum.
- STOP domestic abuse who provide support for victims and for young people and children.

We will work in partnership with appropriate agencies to support or signpost perpetrators of domestic abuse who recognise and want to change their behaviour including Hampton Trust.

We will never force our residents to share information they do not want to and respect our customers' right to privacy.

In the course of our work, we may need to share some information with other organisations. We will only share information with the victim-survivors' permission, unless there is a risk to the safeguarding of children or vulnerable adult and it is required to meet the Council's duty of care.

## Equalities

We acknowledge that domestic abuse is a crime that predominantly affects women and girls, often referred to as a gendered crime. We do, however, recognise that all victims-survivors should be able to access appropriate support. We must ensure our local response to domestic abuse is accessible to all, regardless of sex and other protected characteristics, and view the problem through an intersectional (refers to a framework that examines how various social and political identities, such as race, gender, class, and sexuality, intersect to create unique experiences of discrimination and privilege) lens. Whilst both men and women are subjected to domestic abuse, women are considerably more likely to experience repeated and more severe forms of abuse. We recognise that every individual will have unique needs and experiences and that many people will face additional barriers and concerns in seeking and accessing help and support, including those in marginalised groups.

We are committed to ensure our services are accessible to all tenants and leaseholders who can access services in the way they need. Tenants and leaseholders can report domestic abuse in a variety of ways. We can also arrange independent translators and interpreters, when required.

We recognise that domestic abuse occurs across society, regardless of age, sex, gender identity, race, religion or belief, sexual orientation, marriage/ civil partnership, disability, pregnancy, wealth, level of education and geography.

We appreciate that victims-survivors' experience of domestic abuse may in part be defined by their background (economic status, gender, sexual orientation, ability, age, religion, ethnicity or immigration status). We acknowledge this and will recognise this intersectionality and appreciate that some victim-survivors

may face multiple and intersectional forms of discrimination. We will consider the individual needs of each survivor when tailoring our approach.

Domestic abuse can affect anyone, some victim-survivors might be disproportionately affected or particularly vulnerable and some groups are affected by specific forms of domestic abuse. We also understand there are cultural and other barriers to reporting domestic abuse. We will take all of this into account in the support we provide.

We will train employees to understand how domestic abuse differently affects individuals and work in partnership with specialist providers to take action and make sure survivors get the right support. We will partner with and support local organisations with all relevant experience and understanding in order to better support survivors needs.

## Perpetrator accountability

We will take a zero-tolerance approach to domestic abuse and will hold perpetrators of abuse to account. Our approach is survivor-centred, and we will consider the views and ongoing safety of the individual when deciding the most appropriate course of action.

We will only take action in support for the victim-survivor. Action can include:

- Participating and sharing information through the Multi Agency Risk Assessment Conference (MARAC) and Hampshire Police.
- Referring perpetrators who want to change to Hampton Trust.
- Possession proceedings.

We will encourage and support perpetrators to address violent and abusive behaviour of all kinds.

We will work in partnership with other local agencies to ensure that a holistic response is in place for tackling perpetrator behaviour.

We will work alongside partner agencies to ensure that there are adequate local provisions in place for perpetrators to access to address their behaviour or other needs. Staff will seek to promote these services to perpetrators as appropriate.

## Links to other strategies and policies

This policy should be read in conjunction with the following strategies and policies:

- Hampshire Domestic Abuse Partnership Strategy 2023
- New Forest District Council Domestic Abuse Strategy
- New Forest District Council Safeguarding policy
- Data Protection Information Governance Policy
- Housing Landlord Strategy (In development)
- Housing Landlord Vulnerable Persons' policy (In development)
- Housing Landlord Anti-social behaviour strategy and policy
- Tenancy management policy
- Allocations policy
- Tenancy Agreement

# How to feedback

You can get this policy in large print, Braille, audio or in another language by contacting our tenancy management team.

Email: [tenancy.management@nfdc.gov.uk](mailto:tenancy.management@nfdc.gov.uk)

Telephone: 02380 285222.

## Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

Email: [tenancy.management@nfdc.gov.uk](mailto:tenancy.management@nfdc.gov.uk)

Telephone: 02380 285222

## Complaints

If a customer is unhappy with the service, they can refer to our Corporate Complaint procedure - [Corporate Complaints Procedure](#)

Email: [complaints@nfdc.gov.uk](mailto:complaints@nfdc.gov.uk)

Telephone: 02380 285000

## Housing Ombudsman

If a customer is unhappy, after they have followed the complaints process, they can contact the Housing Ombudsman Service

Online complaint form: [Online complaint form | Housing Ombudsman Service](#)

Telephone: 0300 111 3000

## Review

This policy will be reviewed every 3 years, or amendments will be implemented sooner if required due to legislation changes or feedback from customers.