



Derwentside
Homes

Domestic Violence Policy

Policy Number

POL 21

Purpose of Policy

To set out a framework within which Derwentside Homes and its partners will work with victims of domestic violence.

Policy Statement

Derwentside Homes will:

- Not tolerate domestic violence;
- 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;
- Refer victims of domestic violence to suitable agencies offering advice and support;
- Use and / or recommend a range of remedies as appropriate to protect the victim;
- Derwentside Homes will work with partners to raise public awareness of domestic violence.

Performance Measures

The number of cases where rehousing has taken place as a result of Domestic Violence, including repeat cases.

To respond to 100% requests for advice and assistance within one day.

Number of responses made within one day to request for advice and assistance.

Responsible Officer
Policy Author(s)
Date Approved by the Shadow Board

Frequency of Review

Three years or as dictated by legislation/guidance

Review Date

File Reference

Consultees

Tenants' Forum

Staff

Derwentside Homes' Shadow Board

Domestic Violence Policy

1. Statement of Intent

1.1 Derwentside Homes 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, to anyone of any age, on any income level and in any tenure. It can 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.

1.3 Domestic violence is:

“Any incident of 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”

1.4 In dealing with victims of domestic violence Derwentside Homes will:

- show respect for the dignity of victims at all times;
- give serious consideration to the victims 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;
- consider options for transferring the tenancy, and the mechanisms by which this might be achieved using housing management procedures (such as assignment) or relevant legislation (such as the Matrimonial Causes Act and the Matrimonial Homes Act);
- 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 Derwentside Homes;
- with the victim’s consent signpost / refer to appropriate statutory, voluntary or community organisations if it is unable to help the victim.

1.5 Derwentside Homes 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.

1.6 Derwentside Homes is committed to working in partnership with Derwentside District Council, Durham County Council, the Derwentside Domestic Violence Forum, 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 Derwentside Homes 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 Derwentside Homes has a separate policy on Relationship Breakdown. Whilst there is a link between relationship breakdown and domestic violence the two issues can be quite separate. Not all relationships involving violence will end and many relationships end without violence.

2. Implementation

2.1 Prevention and early intervention

2.1.1 Derwentside Homes recognises that where incidents of domestic violence occur, intervention at an early stage has the potential to prevent further incidents of domestic violence. Derwentside Homes will:

- publicise and make staff and customers 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 for the perpetrator;
- 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 that local domestic violence and other relevant services are adequately publicised, so that tenants can make self referrals (if they do not wish to use Derwentside Homes 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 interviews to be undertaken by staff 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' Associations to encourage the development of an awareness programme of community issues such as domestic violence, racial harassment etc;
- work in partnership with Derwentside District Council, Durham County Council, the Derwentside Domestic Violence Forum, the Community Safety Partnership and local, voluntary and community groups to develop appropriate strategies, policies and protocols which prioritise the safety of the victim.

2.2 Advice and Information

2.2.1 Key information will be provided in a variety of formats and community languages.

2.2.2 Advice and assistance will be given to any customer who wishes to access any of the services provided by Derwentside Homes, or by its partners.

2.3 Partnership Working

2.3.1 Derwentside Homes 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.

2.3.2 Durham 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 Derwentside, and services are continually well utilised.

2.3.3 Derwentside Homes 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.

2.3.4 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.

2.4 Tenancy Agreement

2.4.1 Derwentside Homes makes explicit reference in its Tenancy Agreement to Domestic Violence (Section 4(8)):

"You (or anyone living with you or visiting your home, including children) must not:

- i) inflict violence or threaten violence against any other person living with you or living elsewhere;
- ii) harass or carry out mental or sexual abuse which makes anyone who lives with you leave the home;
- iii) use or threaten to use violence or abusive or insulting words or behaviour towards any other person, including our employees, agents or contractors or anyone on official business."

2.5 Anti-Social Behaviour

2.5.1 Derwentside Homes considers that domestic violence is a form of anti social behaviour and a hidden crime because it may occur within an intimate relationship.

2.5.2 Accordingly Derwentside Homes will help / signpost the victim in accessing legal remedies specifically designed to deal with domestic violence (for example, non-molestation orders).

2.6 Confidentiality and Reporting Domestic Violence Incidents

- 2.6.1 Derwentside Homes will seek to encourage victims of domestic violence to disclose incidents to the Police in appropriate circumstances.
- 2.6.2 Where the victim of domestic violence gives consent, case details will be discussed with relevant agencies including the Police in accordance with information sharing protocols.
- 2.6.3 In certain situations (and subject to the Data Protection Act 1998 and the Children Act 1989) Derwentside Homes will inform other partner organisations of the situation whether or not it has the victim's consent to do so.
- 2.6.4 Derwentside Homes will also monitor reported incidents and outcomes. Statistical data will be shared with partner organisations to help raise awareness of domestic violence, and to develop and implement appropriate strategies to reduce incidents of domestic violence.

2.7 Allocations

- 2.7.1 Derwentside Homes 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.
- 2.7.2 In its Selection Allocation and Transfer Policy, Derwentside Homes 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.
- 2.7.3 It is important that the victim is able to access advice on their options, whether such advice is available from Derwentside Homes or another agency.
- 2.7.4 If the victim indicates that they wish to move home, the following options can be explored:
- Transfer on management grounds under Derwentside Homes 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 Derwentside District Council's Homelessness and Housing Advice Service.
- 2.7.5 When dealing with domestic violence within the home, Derwentside Homes 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, Derwentside Homes may consider, with the consent of the victim, referring the case to Derwentside District Council for them to consider under the homelessness provisions.

2.8 Homelessness

- 2.8.1 People suffering domestic violence are at risk of becoming homeless. Where possible Derwentside Homes will refer the victim to an agency offering a placement in a place of safety (refuge) or other appropriate temporary accommodation.
- 2.8.2 Derwentside Homes 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.

2.9 Other Options/Remedies

- 2.9.1 Derwentside Homes will give victims all relevant information to enable them to make an informed decision to 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. In many instances, other agencies will have the expertise in these matters, and so Derwentside Homes' primary role will be in signposting the person to appropriate advice and support agencies.
- 2.9.2 By informing the victim of the option of seeking an injunction, Derwentside Homes 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.

2.10 Repairs and Additional Security

- 2.10.1 In circumstances where the person subject to domestic violence leaves a Derwentside Homes' property unoccupied for a temporary period, Derwentside Homes will make the property safe.
- 2.10.2 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 and works will be carried out at no charge to the victim.
- 2.11.3 In circumstances where damage has been caused to a Derwentside Homes property as a direct result of a domestic violence incident, Derwentside Homes will consider re-charging the perpetrator for any remedial work.

2.11 Support Needs

- 2.11.1 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.

2.11.2 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.

2.11.3 Derwentside Homes 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 Durham County Council. Floating outreach support for those resettled in independent housing has been identified as one of the priorities for service development in the strategy.

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

2.12 Staff Training

2.12.1 All staff will receive training on domestic violence issues appropriate to their role within Derwentside Homes.

3. Specific Needs

3.1 Derwentside Homes 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

4.1 Derwentside Homes will work and consult with Derwentside District Council, Durham County Council, the Derwentside Domestic Violence Forum, the Community Safety Partnership and local, voluntary and community groups, in particular Norcare and Womens' Aid, to develop appropriate strategies, policies and protocols which prioritise the safety of the victim.

4.2 Equally Derwentside Homes will seek the views of tenants on this policy in a variety of different ways including service review groups in line with the arrangements established by Derwentside Homes' Tenant Participation and Consultation policy 05.

5. Monitoring

5.1 Performance will be reported to the Board through a regular quarterly summary report on the volume, progress of reports of domestic violence and outcomes, together with an analysis of resident satisfaction with the service.

6. Links to the Housing Corporation's Regulatory Code

6.1 This policy has been written to comply with the following elements of the Regulatory Code and incorporates the identified legislation/guidance.

6.2 Regulatory Code:

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

6.3 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;
- Derwentside District Council's Crime, Disorder and Substance Misuse Reduction Strategy 2005-08;
- Durham County Council's Supporting People Strategy (5 Year Strategy 2005 – 2010);
- Housing Act 1988.

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.
- Racial Harassment & Harassment Policy.
- Equality and Diversity Policy.
- Customer Care Policy.

8. Responsibility

8.1 The Board and Chief Executive of Derwentside Homes will be responsible for ensuring that this policy is implemented.

8.2 It is the responsibility of all employees and those working on behalf of or in partnership with Derwentside Homes to ensure that work is carried out in line with this policy and any related procedures.

9. Review Date

- 9.1 Derwentside Homes will review this policy, as a minimum every three years or whenever there are any changes to legislation or case law, taking into consideration good practice and any research that would impact on this policy and/or service delivery, including trends in complaints received by Derwentside Homes. This policy will be reviewed and implemented in line with the Housing Corporation's Regulatory Code and Guidance.