

Domestic Abuse Policy and Toolkit

Responsible Officer	Head of Housing and Communities
This policy is applicable to	Byker Community Trust
Approved by	Director of Operations
Date approved	December 2018
Frequency of review	Every 4 years
Date of next review	December 2022
Implementation date	January 2018
Key related documents (policy, procedure, customer literature)	<ul style="list-style-type: none"> • Safeguarding Adults and Children Protection Policy and Procedures • Anti-Social Behaviour Policy and Procedures • Data Protection Policy • Lone Working Policy • Domestic Abuse and The Workplace Policy and Toolkit

1.0 Policy Statement

- 1.1 This policy sets out the steps that Byker Community Trust (BCT) will take to assist and support any person experiencing or threatened with domestic abuse; it applies to all customers including those living with our tenants.
- 1.2 Domestic abuse is still considered to be a hidden crime and measuring the true scale of the issue can be very difficult. We acknowledge that domestic abuse happens in all communities regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- 1.3 As a registered provider of social housing BCT are well placed to recognise the signs of domestic abuse. It is also essential that we take all of the appropriate and necessary steps when information is brought to us to immediately support and work with the victim(s).
- 1.4 In addition, we will also seek to assist perpetrators of domestic abuse who wish to positively change their behaviours by helping them to access support and assistance.

2.0 What is Domestic Abuse?

- 2.1 The Home Office definition of domestic violence and abuse 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.

- 2.2 In 2014, the Government announced a new domestic abuse offence – controlling and coercive behaviour.
- 2.3 Controlling behaviour includes a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capabilities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 2.4 Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.
- 2.5 This law helps to protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive behaviour can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

3.0 Purpose

- 3.1 The Domestic Abuse Policy sets out BCT's approach to identifying signs of domestic abuse, or receiving a disclosure and offering the appropriate advice and assistance. It is also in place to ensure that we provide a service which effectively assists and supports any person experiencing, or threatened with domestic abuse.
- 3.2 This policy and toolkit has been prepared to inform staff at BCT how to approach domestic abuse and how to deal with a disclosure. It is designed to enable staff to support and signpost in a sensitive and victim-led way. It also gives details of our approach to taking action against perpetrators who live in our properties.
- 3.3 The toolkit aims to provide staff with clear and practical guidance to ensure the victim is supported and protected.

4.0 BCT approach

- 4.1 At BCT we believe that our customers should not live in fear of violence, abuse or harassment from a partner, former partner or any member of their household or family.
- 4.2 Anyone reporting domestic abuse to BCT will be treated in a sympathetic, supportive and non-judgemental way. Any disclosure of abuse will be taken seriously and advice and assistance will be given as a priority.

5.0 BCT staff responsibilities

- 5.1 All staff within BCT who come into contact with customers are responsible for reporting any concerns that they may have in relation to safeguarding or if they

believe that someone may be a victim or a perpetrator of domestic abuse. This policy is therefore closely linked to BCT's Safeguarding Adults and Children Protection Policy and Procedures.

- 5.2 In addition, any member of staff who receives a disclosure of domestic abuse has a responsibility to signpost the victim to the correct support services and to gather as much information as possible to enable colleagues to investigate further.
- 5.3 The Neighbourhood Housing Officers (NHO's) are responsible for investigating any reports or dealing with any disclosures and ensuring that the appropriate safeguards are put in place for the victim.
- 5.4 The NHO's along with the Tenancy Enforcement and Interventions Officer (TEIO) must also consider whether or not it is appropriate to take enforcement action against the perpetrator in a proportionate way (depending upon the needs and wishes of the victim).

6.0 Dealing with a report or disclosure

- 6.1 If a victim reports an incident in person they should be offered a confidential interview with a NHO immediately, in the absence of a NHO another senior member of the team must conduct the interview.
- 6.2 The member of staff carrying out the interview should take full details of the disclosure in order to support the person in the most appropriate way. Refer to Appendix 1 – Checklist for Initial Interview.
- 6.3 If a disclosure is not made in person (for example over the telephone or email), the details should be passed onto the NHO immediately. The NHO will then make contact with the victim as soon as possible, but within 24 hours of receiving the report.
- 6.4 It is important to identify a safe method of contact and this should be discussed with the victim as it is vital that we do not accidentally alert the perpetrator that a disclosure has been made.
- 6.5 If a member of staff is present at the home of a victim when a disclosure is made, it is important to gather as much information as possible if it is safe to do so. If the alleged perpetrator is in the property or is expected to return to the property imminently, the member of staff should offer to reconvene the discussion in an alternative safe place.
- 6.6 In all circumstances it is important to approach the situation in a supportive victim-led way. Members of staff should also ensure they are safeguarding themselves and the victim ensuring that our actions are not placing them in any additional risk.
- 6.7 Staff may receive a disclosure from a third party e.g. a neighbour, or family member. Disclosures may even take the form of a noise complaint within the household. These reports should be passed to the NHO immediately for investigation and as much detail should be taken from the third party prior to any contact being made with the alleged victim.

- 6.8 If any member of staff working for BCT, a Partner or Contractor suspects that a person may be suffering from domestic abuse they should contact a NHO to raise and discuss their concerns as soon as possible.
- 6.9 In all cases of safeguarding, concerns should be reported to Social Services at the earliest opportunity and in line with BCT's Safeguarding Adults and Children Protection Policy.

7.0 Links to Safeguarding

- 7.1 Adults who need safeguarding can often be experiencing domestic abuse in some form.
- 7.2 If domestic abuse is an isolated issue and there are no other safeguarding concerns, support can be sought via other agencies which can be found at the end of the Domestic Abuse Toolkit.
- 7.3 If there are other safeguarding issues present such as, physical or mental health problems, or any potential risk to children, a safeguarding referral should also be made so that a coordinated approach can be taken.
- 7.4 There are links between domestic abuse and child abuse. Exposure to domestic abuse can be detrimental to children and impacts may vary depending upon how much or how little they witness and also the type of abuse. Children exposed to abuse at home may be affected by psychological, emotional or physical abuse, neglect and ongoing psychological damage.
- 7.5 In domestic abuse cases where children are present it is vital that a safeguarding referral is made to ensure that children are adequately protected. Staff should refer to BCT's Safeguarding Adults and Children Protection Policy for further information and always inform their line manager.

8.0 Ongoing support and next steps

- 8.1 If the victim engages in ongoing support it may be appropriate and necessary for the NHO to attend multi-agency meetings and offer support from a housing perspective. Close links must be maintained with the victim and any support worker in order to sustain their current tenancy or support given to obtain an alternative.

9.0 Monitoring and Review

- 9.1 Overall responsibility for this Policy lies with the Head of Housing and Communities and will be reviewed every 4 years or in line with business need or changes to regulation and/legislation. Appropriate training and guidance will be given to staff initially and as a result of any changes.
- 9.2 This Policy and Toolkit has been cross-referenced with good practice and Domestic Abuse Housing Alliance (DAHA) standards. There are no specific Domestic Abuse standards in the CIH Best Practice Manual.

10.0 Equality and Diversity

10.1 We are committed to the principles of equality and diversity throughout the organisation. In the context of dealing with domestic abuse cases, we aim to:

- Meet the needs and choices of people from all backgrounds and take into consideration, gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- Ensure our service is responsive and meets the needs of our existing and prospective customers.
- Understand the cultural implications and barriers to reporting domestic abuse.

Our Toolkit will ensure that customers are treated as individuals and with fairness and respect.

11.0 Data Protection and Privacy

11.1 We have a clear policy on data protection and sharing data with other partners/outside agencies under the requirements of the Data Protection Act 1998 and . This is clearly set out in our Data Management Policy which, along with the supporting Data Management Guidelines, must be followed throughout the operation of this policy.

11.2 This policy will adhere to the requirements of the General Data Protection Regulation (GDPR).

12.0 Regulation and Legislation

12.1 Relevant legislation:

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Data Protection Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2014
- Clare’s Law, also known as Domestic Violence Disclosure Scheme

12.2 National Policy Links:

- HM Government Violence against Women and Girls Strategy and Action Plan (2010)
- CAADA Insights Report
- ADASS Adult Safeguarding and Domestic Abuse – Guide to support practitioners and managers

Domestic Abuse Toolkit

1.0 Confidentiality

- 1.1 Information regarding any disclosure of domestic abuse will be treated in the strictest of confidence. Under the Data Protection Act we owe a duty of confidentiality to any victim of domestic abuse, unless we have a statutory duty to disclose information in order to:
- Protect the victim, or
 - Prevent harm to someone else e.g. children or adult(s) at risk, or
 - Prevent or detect a crime
- 1.2 Our NHO's have been trained to know when we have an obligation to share information, for example to the Police and/or Social Services. Others members of staff must not share any information without prior discussion with the NHO's or their line manager.

2.0 Disclosure of domestic abuse by customer

- 2.1 If a customer makes a report that they are subject to domestic abuse at the BCT Office, they should be immediately offered a confidential interview if they are not already in one. If the disclosure is not in person i.e. over the telephone or in an email then the information should be passed immediately to the relevant NHO to make contact within 24 hours.
- 2.2 If a member of staff is present at the home of a victim when a disclosure is made, it is important to gather as much information as possible if it is safe to do so. If the alleged perpetrator is in the property or is expected to return to the property imminently, the member of staff should offer to reconvene the discussion in an alternative safe place.

3.0 Disclosure of domestic abuse by third party

- 3.1 Staff may receive a disclosure from a third party e.g. a neighbour, or family member. Disclosures may even take the form of a noise complaint within the household. These reports should be passed to the NHO immediately for investigation and as much details should be taken from the third party prior to any contact being made with the alleged victim as this will need to be done in a safe way.

4.0 Concern raised by other BCT staff, Partners or Contractors

- 4.1 Any member of BCT staff, partners or contractors in contact with customers should be able to identify the potential signs of domestic abuse and know when and who to report their concerns to.
- 4.2 If any member of staff suspects a person or household to be suffering from domestic abuse they must contact the NHO's and report their concerns as soon as possible.

5.0 Conducting interviews

5.1 All interviews must be carried out in a sensitive and supportive way and in a safe environment that is agreed with the victim. You must also consider:

- Suitable venue that is accessible
- Same sex interviews
- Translation Services
- Third party representation/support
- Confidentiality
- Believing the person and reassuring them
- Keeping all notes as detailed and as accurate as possible
- Allowing the victim to do things for themselves – make calls if they are happy and able to do so
- Immediate risk and rehousing options including tenancy rights
- Referral to the Police and/or Social Services
- Referral to other support providers

5.2 Before you begin any interview you should:

- Ensure that you and the victim have enough time
- Explain that you are going to ask a series of questions (an information gathering checklist can be found in appendix 1) in order to gain a better understanding of their situation
- Establish their whereabouts of the alleged perpetrator and/or any children

5.3 At the start of the interview it is important to inform the victim about confidentiality and ensure they wish to proceed.

5.4 If the victim is unable to return to their home, establish if they have an alternative safe place to stay. In cases where they do not a referral to HAC must be made.

6.0 Referrals and support

6.1 The NHO will need to support the victim by offering them support options, these options are covered in a list for service providers in section 11.0 of the Toolkit.

6.2 If it is necessary a Safeguarding referral will need to be made according to the Safeguarding Adults and Children Protection Policy.

7.0 Tenancy

7.1 Housing requirements should be discussed with every person experiencing domestic abuse. Every effort should be made to ensure that the attention is focussed on providing a safe environment for them and their dependents and staff should work alongside specialist agencies to provide advice and assistance.

7.3 Staff should reassure the person experiencing domestic abuse that they can remain in their own home if it is safe for them to do so. However, there may be occasions when temporary emergency accommodation is required whilst safety measures are

implemented. The duty to provide immediate temporary accommodation lies with Newcastle City Council under the Housing Act 1996 and Homeless Act 2002. A person experiencing domestic abuse should be given the details for the Homeless and Prevention Team on 0191 277 1731 and the Housing Advice Centre (HAC) on 0191 277 1711. These organisations will be able to support the person in accessing emergency temporary accommodation.

- 7.4 Each case of domestic abuse will need to be assessed based upon the individual's situation and needs. Taking into account what the victim experiencing the abuse wants, how they feel and the severity of the abuse they are experiencing.
- 7.5 BCT will treat domestic abuse as a tenancy breach under section(s) 20. Nuisance and annoyance and 21. Racial and other harassment in our Tenancy Agreement.
- 7.6 We will make use of appropriate tools and powers to sanction and support those who are perpetrators of domestic abuse, including but not limited to injunctions, notice of seeking possession and possession proceedings. NHO's should discuss these options with the TEIO and Head of Housing and Communities.

8.0 Tenancy in joint names

- 8.1 There is no statutory requirement for BCT to re-house victims of domestic abuse. However, we would support the victim and work closely with other service providers and through our partnership with Tyne and Wear Homes Choice Based Lettings Scheme. We would not recommend or support a re-housing request for customers within the Byker Wall Estate as due to its small scale we do not believe it would be safe or appropriate to do so.
- 8.2 Rent arrears should never prevent a person experiencing domestic abuse from moving, however rent arrears will not be ignored and a repayment plan will need to be discussed.
- 8.3 When a relationship has broken down as a result of domestic abuse and there is a joint tenancy, we may seek to re-house the perpetrator with their agreement. This however, does not mean that BCT condone the behaviour but it may have significant benefits to the victim, which can include:
 - Quick removal of the perpetrator from the home, which also enables BCT and other agencies to make the property safe and secure.
 - Monitor their residence/location and where data sharing allows, to provide information to the Police and other appropriate agencies.
 - Manage their behaviour more effectively by placing them on a starter tenancy.
 - Engage with the perpetrator and offer support to enable them to change their behaviour.
 - Enabling the victim to stay in their home should they wish allowing them to remain within their current support network avoiding any potential isolation. This is especially important if there are dependants.
- 8.4 Neither a victim nor a perpetrator should be advised to terminate their tenancy. Each case should be discussed with the individuals and the best course of action taken.

- 8.5 The victim may also be able to access Family Law remedies to remove a perpetrator from the home and a NHO will be able to signpost to the appropriate relevant agencies.

9.0 Tenancy in perpetrators name

- 9.1 Where the tenancy is in the perpetrators name staff should ascertain if emergency accommodation is required and signpost to HAC. They should also if possible support the victim in registering a housing application.
- 9.2 The NHO will need to explore if the property remains suitable for the needs of the perpetrator and make contact to discuss their housing needs. It may be that the property is under-occupied and may have financial implications to the detriment of the perpetrator.

10.0 Tenancy in victim's name

- 10.1 When the tenancy is in the sole name of the victim the NHO will need to establish a best course of action. This may be signposting the person to HAC should they require immediate emergency accommodation until the perpetrator can be removed from the property and it made safe.
- 10.2 If the victim requests that the perpetrator leaves the property the NHO will need to work closely with partners such as the Police to have the perpetrator removed and target hardening measures put in place.
- 10.3 If the victim does not wish to remain in or return to the property the NHO will assist and support them with re-housing options, working closely with support services.

11.0 Domestic Violence and Abuse Services in Newcastle

- 11.1 Domestic violence and abuse has a profound impact on individuals, families and communities. In Newcastle there are a broad range of services to support victims and survivors of domestic violence including raising awareness, reducing risk, providing support and moving victims and their families towards recovery. During an interview with a victim or perpetrator below is a list of support services where referrals can be made either by the person themselves or by you on their behalf:

Newcastle Integrated Domestic Abuse Service (NIDAS) 01912146501

We offer support to people experiencing domestic violence and abuse in Newcastle. This includes refuge, outreach and support for people at high risk of harm.

Newcastle Women's Aid Freephone 0800 923 2622 or 0191 265 2148

24 hour safe, emergency accommodation for women and children fleeing domestic violence and / or experiencing abuse and control. Outreach service also offers telephone support, advice and advocacy.

Panah Refuge 0191 284 6998

Specialist project which offers safe refuge accommodation for black and minority ethnic women and their children.

Victim Support 0191 281 3791 or 0191 295 4958
Independent Domestic Violence Advisor (IDVA) Service
Independent Sexual Violence Advisor (ISVA) Service

Confidential advice and support for victims of domestic and sexual violence and abuse, including male victims, lesbian, gay, bisexual and transgender people.

The Safe Project 0191 273 4942

Practical and emotional support and advice to victims and survivors of domestic violence and abuse. Also provide specialist support for victims and survivors of honour based violence and forced marriage.

EDAN (Ending Domestic Abuse in Newcastle) Outreach Service
07501 227 780 or 07501 227 820

Confidential outreach and support service for female victims of domestic violence and abuse.

The Angelou Centre 0191 226 0394

Support, practical advice and help on issues relating to domestic violence and abuse, including honour based violence and forced marriage and a children's service. Workers in the centre can speak a number of community languages including Urdu, Punjabi, Hindi, Arabic and French.

Rape Crisis Tyneside and Northumberland

0191 222 0272 (general enquiries)
0800 035 2794 (helpline Tues, Wed, Thurs 6pm-8.30pm)

Information, support and counselling for women aged 16 and over who have been raped or sexually abused.

Domestic Violence Protection Project (DVPP) 0191 240 4800

This project works with male abusers who want to change their violent behaviour. The programme offers men the opportunity to look at their abusive behaviour and learn new ways of thinking. The project can also work with women if their ex/partner is participating in the programme.

Protecting Vulnerable People (PVP) Unit 101

Northumbria Police

The PVP Unit leads on issues relating to child abuse, domestic violence and abuse, rape investigations, management of dangerous offenders (MAPPA) and the protection of vulnerable adults.

National Services:

A number of domestic violence services also operate nationally providing specialist support to victims of domestic violence, perpetrators and their families.

National Domestic Violence Helpline 0808 2000 247

The 24/7 Freephone National DV Helpline can provide confidential advice for women experiencing domestic abuse, or others calling on their behalf, from anywhere in the UK. They can also point you towards domestic abuse organisations in your area.

Men's Advice Line Freephone 0808 801 0327

Advice and support for men experiencing domestic violence and abuse.

Broken Rainbow 0300 999 5428

Support for lesbian, gay, bisexual and transgender people experiencing domestic violence and abuse, their families and friends and agencies supporting them.

Forced Marriage Unit 020 7008 0151

The Foreign and Commonwealth Office's Forced Marriage Unit (FMU) is raising awareness about forced marriage across the public sector. We provide expert advice to professionals, especially those confronted by forced marriage for the first time.

National Centre for Domestic Violence 0844 8044 999

Free, fast emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation.

Rights of Women

Free confidential legal advice to women on the following advice lines: family law, criminal law and immigration and asylum. Check the website for telephone numbers and session times.

Respect Freephone 0808 802 4040

Confidential phone line for domestic violence perpetrators, male or female. They offer information and advice to support perpetrators to stop their violence and change their abusive behaviours.

Checklist for Initial Interview

Customer name:

Address:

Safe contact number:

<ul style="list-style-type: none"> Where is the individual staying/calling from? 	
<ul style="list-style-type: none"> Is there any immediate danger? 	
<ul style="list-style-type: none"> Is the person pregnant? 	
<ul style="list-style-type: none"> Does the person have any dependents? Name/Sex/Age 	
<ul style="list-style-type: none"> Have the Police be called? 	
<ul style="list-style-type: none"> Is emergency accommodation required? 	
<ul style="list-style-type: none"> Are they safe to remain in the property? Is a lock change required? 	
<ul style="list-style-type: none"> Are there any other agencies involved or aware? 	
<ul style="list-style-type: none"> Any other risks or information we need to know? 	
<ul style="list-style-type: none"> Do they have access to personal belongings e.g. money, clothes, medication 	
<ul style="list-style-type: none"> Do they have friends and family? Do they need us to contact anyone on their behalf? 	

