

## DOMESTIC ABUSE POLICY

### 1. Introduction

Citizen recognises the impact that domestic abuse has on our customers, our staff, families and neighbourhoods. It is a widespread problem that cannot be ignored. It is unacceptable, and we will promote the understanding that everyone has the right to live free from violence and abuse in any form and the responsibility for the violence and abuse lies with the perpetrator.

Citizen's Domestic Abuse Policy supports the objectives of the Domestic Abuse Act 2021 – by promoting awareness, protecting and supporting victims and holding perpetrators to account.

Citizen will strive to create a working environment that promotes this view and help those involved in or experiencing domestic abuse. We will work in partnership with statutory and voluntary agencies to provide support and advice to customers affected by such abuse.

This policy should be read in conjunction with both our Safeguarding Adults, Safeguarding Children and ASB and Hate Crime policies.

Citizen also works in partnership with several partners who manage specific domestic abuse services including the provision of supportive accommodation on our behalf under Management Agreements.

### 2. Scope

#### 2.1 Definition

The Domestic Abuse Act 2021 defines domestic abuse in the following way;

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if— (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive.

Behaviour is "abusive" if it consists of any of the following— (a) physical or sexual abuse; (b) violent or threatening behaviour; (c) controlling or coercive behaviour; (d) economic abuse, (e) psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

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Date: Light touch review Dec 22

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“Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to— (a)acquire, use or maintain money or other property, or (b)obtain goods or services. For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

Domestic abuse is an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, stalking and harassment in the majority of cases by a partner or ex-partner, but also by a family member. The definition includes so called ‘honour-based violence’, female genital mutilation (FGM) and forced marriage and is clear that it can occur in all domestic situations, regardless of the race, gender, sexuality, age, religion, mental or physical ability of those involved.

This policy extends to all operational areas and applies to Citizen customers, members of their household, and Citizen staff.

### 3. Policy detail

#### 3.1 Policy overview

This policy sets out how we will deal with domestic abuse by following the key principles as set out below;

- **Listen** – we will always listen to those experiencing domestic abuse and place their needs at the centre of our approach
- **Ask and act** – we will ask the right questions safely and ensure we act appropriately
- **Specialist support** – we will know when and how to refer to local specialist services
- **Tools** – we will provide clear procedures, roles, information and training to our staff

#### 3.2 Reporting

Anyone who is experiencing or has experienced domestic abuse can report the issue, in the knowledge that we will treat the matter effectively, sympathetically and confidentially.

We will ensure that reporting is as straightforward as possible and can be done in a variety of ways including; phone, email, online, in writing or in person.

We will treat those experiencing domestic abuse with respect and dignity. We will believe their disclosure and ensure they are given priority advice and assistance in a non-judgemental, empathetic and supportive way.

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We will take all allegations seriously; deal with them sensitively and in confidence unless there is a legal obligation to disclose information to statutory services. We will not judge those experiencing domestic abuse, and we will ensure that our response and actions focus on their needs.

### **3.3 Action**

We will work with those experiencing domestic abuse and be guided by them to ensure that we take the most appropriate action for that individual, decisions will be made on a case by case basis. We will also consider the severity of the abuse, any criminality and inclusion of children within the household.

We will work alongside other agencies and make referrals, including Safeguarding where appropriate.

Our priority will always be the safety of those experiencing domestic abuse including their family. We will liaise with other agencies to provide the most suitable option, including, where appropriate improved security to the home and whether it is appropriate for them to remain there.

We will agree an action plan with those experiencing domestic abuse which will include how and when we will keep in contact, any support needs they may have, helping to manage expectations and set out our intention as to how we manage the case.

Any action taken will be in consultation with those experiencing domestic abuse as far as possible. The primary consideration of any intervention taken by us is to reduce the risk to those experiencing domestic abuse and others. Legal action will not be undertaken where this is likely to increase the risk to those experiencing domestic abuse, the decision will be taken in conjunction with other appropriate agencies.

The action that we can take will also depend upon the tenure of those experiencing domestic abuse and the perpetrator, i.e. who is the tenant. Our Lettings Policy outlines options that staff have available to them in further detail.

Where those experiencing domestic abuse, and the perpetrator have a joint tenancy and we are unable to intervene to decide which party should occupy the property, we will refer those experiencing domestic abuse to obtain independent legal advice on their options, which may include:

- Seeking an occupation order
- A court order to transfer the tenancy to their sole name
- One of the tenants signs a notice to quit; ending the tenancy

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Where the perpetrator is the tenant and they remain in the family home, we may take court action to get possession of the property providing that we have the required evidence. We will give regard to those experiencing domestic abuse and any children as to their housing need. We may initiate legal action against the perpetrator in accordance with our Anti-Social Behaviour and Hate Crime Policy.

Where the perpetrator is not a tenant, we will refer those experiencing domestic abuse to access appropriate support to increase their safety and seek advice on taking legal action.

### **3.4 Training**

We will provide relevant training, capacity building and support across all levels of the organisation (including staff, contractors, board and partners). The level of training they receive will be considered in proportion to the role within the organisation, clients they work with and risk they are potentially dealing with.

### **3.5 Partnership Working**

We may not always be the most appropriate agency to deal with abuse, we will work closely with other support agencies to ensure the most effective and swift response for those experiencing domestic abuse.

Citizen has signed up to the Chartered Institute for Housing's 'Make a Stand' pledge which commits us to ensuring that;

- Customers are supported
- Direction to support services are available on our website and other appropriate places
- Policies include staff as well as customers
- We promote the reporting of domestic abuse for staff

### **3.6 Information sharing**

We will treat all disclosures of domestic abuse confidentially. However, there may be circumstances in which we have a duty to disclose information given to us for example involving the Safeguarding of children or vulnerable adults. Where possible we will discuss the information sharing process with the person involved prior to sharing. Our Safeguarding policy contains further information.

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### **3.7 Support**

We will ensure that a range of public awareness materials are available and visible to customers so that everyone is aware of the support available to them.

## **4. Roles and responsibility**

It is the responsibility of the Board to seek assurance that this Policy is successfully implemented. The Senior Leadership Team and Heads of Service are responsible for ensuring the effective implementation of this Policy and that all staff understand the importance of this Policy, the related procedures and that they comply with them.

Everyone working on behalf of Citizen is expected to behave towards those experiencing domestic abuse and staff in a way that demonstrates their commitment to this policy.

Managers are responsible for ensuring that their team have undertaken the appropriate Policy eLearning and training,

Any changes to this Policy must be made in line with the requirements set out in Citizens Standing Orders and our Policy framework.

## **5. Monitoring and review**

All cases of domestic abuse are recorded and monitored to ensure appropriate action is taken. Regular case audits are carried out by local managers.

Regular reports will be provided to the Safeguarding Committee in relation to caseload, progress, analysing trends and risk.

This policy will be reviewed at a minimum every three years, or earlier due to:

- significant changes to legislation or regulation;
- deficiencies or failures in this policy, as a result of complaints or findings from any independent organisations

## **6. Equality impact assessment**

An equality analysis has been carried out and shows that this policy has or has the potential to have a positive impact on all individuals regardless of their protected characteristic as per the Equality Act 2010.

## 7. VERSION CONTROL

Version	Date	Amendments	Approved at/by	Next full review
1.0	Oct 2020	Policy Review	ELT	August 2023
2.0	Dec 2022	Light touch annual review. Definition changed to DA Act 2021 definition. Reference to chapter 1 (DA act objectives). Reference to 'Make a Stand' CIH pledge. Training section added.	Director of Housing, Care and Support	August 2023

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