

Policy title: Domestic Abuse Policy

Date written: March 2010

Date(s) reviewed: Reviewed March 2012, March 2015, March 2018, May 2021

Purpose: To set out our approach to tackling domestic abuse and supporting its victims.

Scope: All applicants, residents, and employees (including all its subsidiary companies).

Definitions:

Domestic abuse, or domestic violence, is defined across Government as any incident of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are personally connected to each other. This is defined as intimate partners, ex-partners, family members or individuals who share parental responsibility for a child. There is no requirement for the victim and perpetrator to live in the same household.

Associated documents:

Allocations Policy
Equality and Diversity Policy
Complaints Policy
Tenancy agreements
Staff Handbook
Anti-Social Behaviour Policy & Procedure
Safeguarding Policy & Procedure

Date for review: March 2022

Responsibility: Assistant Director Care & Support

Policy

1. Introduction

- 1.1 Domestic abuse, as defined above, is unacceptable and will not be tolerated.
- 1.2 We recognise domestic abuse can take many forms, which may include:
- Physical Abuse– hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing or shoving, cutting or stabbing, restraining, strangulation, choking, murder.
 - Sexual abuse – rape and coerced sex, forcing a survivor to take part in unwanted sexual acts, refusal to practice safe sex or use contraception, threatened or actual sexual abuse of children.
 - Emotional or Psychological abuse – intimidation, humiliation, verbal abuse, and not allowing contact with family and friends.
 - Economic or Financial abuse – not allowing access to money, or withholding money.
 - Controlling behaviour - A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
 - Coercive behaviour - An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim. It includes forced marriage and so-called ‘honour violence’.
- The above list is not exhaustive and there may be other ways in which domestic abuse is perpetrated.
- 1.3 We recognise that domestic abuse can happen to anyone at any time in any kind of relationship regardless of any personal characteristics
- 1.4 Domestic abuse is a direct breach of the tenancy conditions contained in tenancy agreements.

2. Policy statements

- 2.1 **Our Commitments;**
- 2.1.1 We are committed to tackling domestic abuse effectively, and will take action, where appropriate against all perpetrators of domestic abuse.
- 2.1.2 We are committed to supporting all residents and applicants who may experience or are at risk of domestic abuse.

2.1.3 We are committed to supporting any of our employees who may be experiencing domestic abuse.

2.1.4 We are committed to keeping clear and detailed confidential records of all incidents and reports of domestic abuse, so as to be able to support victims in any legal proceedings.

2.2 Supporting residents who are victims of domestic abuse;

2.2.1 We will treat anyone who reports domestic abuse to us sensitively.

2.2.2 We will provide good quality advice, support and information. Where necessary, signposting residents to other agencies.

2.2.3 We will not insist on legal action being taken against any perpetrator, however, we will encourage the victim to report the matter to the police, as many forms/acts of domestic abuse are criminal offences.

2.2.4 We will keep all reports of domestic abuse confidential. There may be some exceptions to this, including those cases where we have a duty to share information by law. For example, where a child or a vulnerable person is at risk we will follow our safeguarding policy. This could involve working with other agencies.

2.2.5 We will offer anyone reporting domestic abuse the chance to speak to someone of the same sex should they wish to do so.

2.2.6 We will provide anyone reporting domestic abuse with an interpreter should they require it. If requested, we will endeavour to offer the complainant an interpreter of the same sex or from a specific community.

2.2.7 We will assist victims of domestic abuse to stay in their homes (if they wish to do so), by working with other agencies and providing additional security measures as part of our wider package to support witnesses and victims.

2.2.8 Where the victim is unable or afraid to return to a property, we will seek to re-house them into temporary accommodation until alternative accommodation can be found.

2.3 Supporting an employee who is a victim of domestic abuse

2.3.1 We recognise that domestic abuse can affect all elements of a victim's life, including their work.

2.3.2 We encourage employees to raise any issues with their manager, and should they do so, they will be treated with sympathy and in confidence.

2.3.3 We understand that an employee may feel unable to tell their manager directly if they are suffering domestic abuse, and employees are able to involve a third party, such as a colleague.

- 2.3.4 We have a free 24 hour counselling service available to our employees via our insurer. Posters for this are displayed across the organisation, and this helpline can provide free, confidential advice and support to all our staff.
- 2.3.5 We will, at the request of the employee, consider altering working times and patterns so as to ensure that the employee suffering domestic abuse is at less risk at work.
- 2.3.6 We will, if required, make changes to an employee's specific duties and practices such as answering the phone or working on reception, as well as changes to office layout to avoid being visible from windows, if requested, and where practicable.
- 2.3.7 Line managers will consider all reasonable requests by employees who are suffering domestic abuse to help keep them safe.
- 2.3.8 We will consider requests for domestic leave for employees to enable a victim to deal with their specific circumstances.

2.4 Our approach to the perpetrators of domestic abuse (a resident)

- 2.4.1 Where domestic abuse is taking place we will identify whether it is possible to support the perpetrator / household if the behaviour has a specific root cause that can be tackled. This support would only be offered where the person suffering from domestic abuse feels it is appropriate.
- 2.4.2 Should a perpetrator require it, we may offer support, or refer them to agencies. We will seek to tackle any specific issue or root cause of behaviour alongside legal action necessary and appropriate.
- 2.4.3 We will pursue action that is flexible and proportionate against the perpetrators of domestic abuse. We will speak to the person suffering domestic abuse about the action, where necessary with the support of specialist agencies.
- 2.4.4 If we consider that someone suffering domestic abuse requires safeguarding, we may take action against the perpetrator without discussing the action.
- 2.4.5 Where a victim has fled their home as a result of domestic abuse, and then wishes to return, we will consider appropriate legal action (or support the victim to do so) to remove the perpetrator from the property.

2.5 Taking action against the perpetrators of domestic abuse (an employee)

- 2.5.1 Any employee who is established, acknowledged, admitted or witnessed to have perpetrated domestic abuse should be aware that it could lead to disciplinary action being taken, including dismissal if appropriate.

In relation to these matters, an employee should seek advice from the HR Manager.

3. Responsibility for implementation

- 3.1 Directors and Managers responsible for ensuring that this policy is adhered to and implemented.

4. Actioning the policy

- 4.1 This policy will be actioned every time there is a report of domestic abuse perpetrated by or against a resident or member of staff.

5. Monitoring the policy

- 5.1 We will report domestic abuse to the relevant Boards throughout the year to form a judgement on the service we provide in relation to the issue. This will be the responsibility of the Assistant Director Care & Support.

6. Resources

- 6.1 There are no resource implications of this policy as all actions should be able to be delivered from existing resources.

7. Equality and Diversity

- 7.1 An equality and diversity impact assessment has been undertaken on this policy.
- 7.2 In carrying out its services, we are committed to:
- Treating all customers and employees positively regardless of any personal characteristics including gender, age, ethnicity, disability, sexuality, gender reassignment or religion.
 - Taking seriously all complaints and investigating and responding accordingly.
 - Using plain language and providing information in other languages, large print, audio and Braille on request.

Uncontrolled if printed – This may not be the latest version of the policy

All policies must be printed from Connect only – please make sure it is the latest version.

Policy Planning Document (PPD)



ALL sections must be completed with a review or any creation of a new, policy. For anything that doesn't apply, please state N/A. Anything left blank will be returned to you.

1. Policy Title*	Domestic Abuse Policy
2. Staff/Departments that must be tested*	N/A,
3. Staff/Departments for mandatory read*	Housing, Care and Support, Retirement Housing
4. Supporting documents, procedures & process maps*	Safeguarding Adults and Childrens' Reporting Procedure.
5. Associated Policies*	Safeguarding Adults, Safeguarding Children, Anti-Social Behaviour, Equality & Diversity, Allocations
6. Completed E&D Submitted:*	Yes / No
7. Reason for review (scheduled/non-scheduled)*	Scheduled / Non-scheduled
8. Minor or Significant change?*	Minor / Significant
9. Details of Changes (if any)*	Definition of Domestic Abuse changed in the Domestic Abuse Act 2021 to include personally connected relationship.
10. What good practice and ext. learning sources have been used?*	Government website: Domestic Abuse. Website: Home Office
11. Who has been consulted?*	N/A
12. Does this Policy need to go to Board for approval?*	Yes / No
13. If any significant change, who has approved this?*	N/A
14. Have all legal implications been considered in the policy?*	Yes / No
15. Does this policy meet regulatory requirements?*	Yes / No
16. How is the impact of this policy measured?*	Recording of incidence and reports of domestic. Responsibility of the Assistant Director Care and Support.
17. How will training be offered to support these changes?*	Domestic Abuse covered within in-house Safeguarding training. Policy made available to staff through Connect.
18. How will the distribution of knowledge be tested?*	With recording of Domestic Abuse reports through safeguarding process.
19. Any other information	None

Please confirm details below

Policy Holder	Assistant Director Care and Support – Mel Baynes
Next Review Date	March 2022

Policy Risk and Compliance Assessment

“Policies are documents devised to advise individuals as to a set of behaviours required on a specific topic. Within an organisation they provide a “voice” to the organisation and ensure consistency as well as providing a mechanism for performance management and monitoring.”

As part of reviewing or developing a new policy it is important you complete one of these Policy Risk & Compliance Assessments to tell us a little more about what you are planning so we can support you and your teams appropriately.

Please answer the following questions as honestly and openly as you are able.

This assessment is not to prevent you doing anything, but to centrally offer you the best advice and support in developing and reviewing your policies whilst minimising risk from the outset.

All policies will require this document prior to being hosted on Connect and the review being logged as complete.

Policy Risk & Compliance Assessment	
Name and Job Title	Anne McDonough Safeguarding and Compliance Coordinator
Department	Care and Support
Title of new policy / policy to be reviewed	Domestic Abuse Policy
Brief description of the policy, its purpose, and the areas of the business it covers	Purpose: To set out our approach to tackling domestic abuse and supporting its victims. Scope: All applicants, residents, and employees (including all its subsidiary companies).

Policy Title: Domestic Abuse		
Date: 17/5/21	Name: Anne McDonough	
	Yes	No
1. Equality and Diversity, Will the policy be likely to impact or involve...		
Any individual specifically because of one of their protected characteristics?	x	
The collection or processing of information relating to the protected characteristics?	x	
An event or initiative only open to certain people or groups of people?		x
The processing of any information relating to a persons protected characteristics?	x	
The monitoring of a service take up, by protected characteristics?		x
2. Data Protection, Does the policy relate to / involve...		
Collecting data (electronically, with a form or face to face)?	x	
Using, sharing or sending data?	x	
Taking photos?	x	
Sending any information outside of Bernicia?	x	
Asking for any information about children?	x	
Any sensitive information (sexuality, ethnicity, race, religion etc.)?	x	
Technology that will automatically makes decisions or evaluates data?		x
Any systematic monitoring – such as CCTV or tracking?		x
The large scale processing of data? (there is no definition of large scale, so please use of your discretion in line with Bernicia's business)		x
Using electronic communications (text, email)?	x	
3. Money Laundering		
Will you be collecting any cash as part of the activity covered in the policy?		X
4. Health and Safety, Will the policy involve...		
Any predominantly any offsite activity?		x
Undertaking an activity with members of the public?		x
Using any PPE?		x
Vehicles (or their use) as a key component?		x
Vulnerable adults, young people or children?	x	
Bernicia staff be working on their own or out of hours?		x

Equality and Diversity Impact Assessment

Policy Name: Domestic Abuse Policy

Date: May 2021

Names of those undertaking the assessment: Anne McDonough & Mel Baynes

Question 1: Please delete as appropriate.

Are there concerns that this policy or practice could have a positive or negative impact on any of the following?							
Race	Gender	Age	Sexual Orientation	Disability	Religion	Gender Reassignment	Other
Y	Y	Y	Y	Y	Y	Y	Y

Question 2: Please complete all fields, detailing any supporting knowledge you have for your assertions. Please note, the term N/A should not be used, and all field should be completed.

Please describe the positive and negative impacts for each group as identified above, and what supporting knowledge you have for identifying these impacts:		
Race	Impact	There is a positive impact on people of minority racial groups as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.
	Support knowledge	
Gender	Impact	There is a positive impact on people of all genders as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.

	Support knowledge	Domestic abuse is often talked about in a gendered manner, but it is important to recognise that men experience domestic abuse as victims too. Men's experiences are likely to be significantly different to women though. (Domestic Violence: NHS)
Age	Impact	The definition of domestic violence in England and Wales was expanded in March 2013 to include victims aged 16 and 17 years old.
	Support knowledge	Domestic abuse is not limited to adults; there is an increasing awareness of domestic violence within teen relationships. Recent surveys (including NSPCC, Zero Tolerance and End Violence Against Women campaign) reveal that approximately 40% of our young people are already being subjected to relationship abuse in their teenage years.
Sexual Orientation	Impact	There is a positive impact on people of all sexualities or sexual orientations as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.
	Support knowledge	Any person can experience domestic violence regardless of race, ethnic or religious group, class, disability or lifestyle. Domestic violence can also take place in lesbian, gay, bi-sexual and transgender relationships, and can involve other family members, including children. (Womens Aid)
Disability	Impact	There is a positive impact on people who may have any sort of disability as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.
	Support knowledge	Any person can experience domestic violence regardless of race, ethnic or religious group, class, disability or lifestyle. Research commissioned by Women's Aid in October 2007 reveals that people with disabilities are more vulnerable to domestic violence and will often face additional difficulties in attempting to access support.
Religion	Impact	There is a positive impact on people of all religions, faiths and beliefs as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.
	Support knowledge	Any person can experience domestic violence regardless of race, ethnic or religious group, class, disability or lifestyle. Domestic violence can also take place in lesbian, gay, bi-sexual and transgender relationships, and can involve other family members, including children. (Women's Aid)

Gender Reassignment	Impact	There is a positive impact on people of all sexualities or sexual orientations as throughout the policy we acknowledge that domestic abuse can happen to anyone and our supporting documentation provides advice and support services for all, with specialist agencies or specific groups.
	Support knowledge	Any person can experience domestic violence regardless of race, ethnic or religious group, class, disability or lifestyle. Domestic violence can also take place in lesbian, gay, bi-sexual and transgender relationships, and can involve other family members, including children. (Women's Aid)
Other	Impact	The policy may have a negative impact on those people who have literacy issues as promotional material and support advice associated with this policy is all documented. There is also a feasibility that the use of posters to promote domestic abuse advice for staff may have a negative impact for those with visual impairments or hearing impairments as it is a telephone helpline promoted by posters.
	Support knowledge	One in six people in the UK struggle with literacy. This means their literacy is below the level expected of an eleven year old. – Source: National Literacy Resource 2010

Question 3: Please complete all fields.

Can any of the above impacts be justified? Please describe how and why.	
Race	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Gender	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Age	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Sexual Orientation	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Disability	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Religion	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.
Gender Reassignment	The positive impacts can be justified because it is important to acknowledge that anyone can be a victim or a perpetrator of domestic abuse, and it is appropriate to promote the support available for all.

Other

The staff helpline is supplied free by the companies' insurer and we would reply upon them to make their services as accessible as possible.

How do you feel that you can minimise any of the negative impacts identified? Please describe what actions you will take to do so, and undertake or escalate these as appropriate.

Publish policy on Connect for staff to access and familiarise themselves with the content of the domestic Abuse Policy.
Staff should be informed by other mechanisms i.e., team meetings to ensure knowledge of the staff helpline.

Does this policy require a fuller impact assessment?

Please delete as appropriate

No