



# Ongo's

## Domestic Abuse Policy

### March 2017

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## **1. Our policy is...**

- 1.1 To commit to the principle that domestic abuse is unacceptable behaviour and that everyone has a right to live free from fear and abuse.
- 1.2 To include all diversity groups as they are all potential victims of domestic abuse. We accept that for many individuals it can take repeated incidents before they seek support, however, we believe that each incidence of domestic abuse is a serious matter. We will therefore work with people who are experiencing domestic abuse for the first time, as well as those who are suffering repeated incidents.
- 1.3 To ensure that those suffering domestic abuse are provided with a fair, victim centred, confidential and consistent level of service within the constraints of current legislation and the resources available to us.
- 1.4 To recognise the impact that domestic abuse can have on the family and household, and to take account of this when taking action in relation to Ongo Homes tenancies. We are committed to delivering a service that will protect our residents and their families from harm.
- 1.5 To acknowledge that our staff may also be survivors and to deal sensitively with those staff experiencing domestic abuse.

## **2. It applies to...**

- 2.1 This policy applies to all Ongo customers and staff.
- 2.2. This policy covers identifying domestic abuse, ensuring information and support is available to survivors, and the importance of confidentiality and effective partnership working.
- 2.3 Some aspects specifically relate to Ongo Homes and its role as a landlord.

## **3. Because we want to...**

- ✓ Be clear on our approach to domestic abuse;
- ✓ Demonstrate to customers and outside agencies, the extent to which Ongo Homes as a landlord is able to be involved in the tackling of domestic abuse, e.g. the identification of abuse and provision of (or signposting to) information and support from the relevant experts / partner agencies;
- ✓ Ensure this policy supports the relevant conditions in the Ongo Homes tenancy agreements;
- ✓ Send a clear message to perpetrators that we condemn any form of domestic abuse and, where possible, we will take appropriate action against perpetrators of domestic abuse;

- ✓ Remove fear of stigmatisation for staff who have experienced domestic abuse by highlighting the support we can give.

#### **4. We will...**

##### **4.1 Use the most recent Government definition of domestic abuse (2015):**

4.1.1 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. This can encompass but is not limited to the following types of abuse:

- ✓ psychological
- ✓ physical
- ✓ sexual
- ✓ financial
- ✓ emotional

4.1.2 Controlling behaviour is: 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.

4.1.3 Coercive behaviour is: 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.” This definition, which is not a legal definition, includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage, and is clear that survivors are not confined to one gender or ethnic group.

##### **4.2 Have trained staff and clear procedures**

4.2.1 We’ll make sure our staff are appropriately trained so they:

- ✓ Can understand domestic abuse and the effect it can have on the victim
- ✓ Have the right skills to identify where domestic abuse may be occurring
- ✓ Know what action to take according to our procedures, e.g. supplying of relevant information, signposting to partners for the provision of expert support, participation in multi agency working etc.
- ✓ Understand the importance of seeking the survivors approval if referring to partner agencies (unless a specific Safeguarding issue is evident)Can identify and assess any health & safety risks arising from domestic abuse cases and follow health & safety and lone working guidance at all times.

4.2.2 We'll take published best practice into account when drafting our procedures to ensure that we:

- ✓ Deal sensitively, quickly and effectively with all reports of domestic abuse;
- ✓ Treat survivors with dignity and respect;
- ✓ Respect confidentiality from the outset - although we will refer to a relevant agency without consent as required under s115 of the Crime and Disorder Act 1998 where an individual is at risk;
- ✓ Make sure our staff are aware of the referral care pathway for all survivors of domestic abuse so they know what support and advice is available;
- ✓ Give information and signpost to relevant agencies regarding options and contacts if the victim wishes to consider this;
- ✓ Play our part in providing information and guidance on re-housing options, rent arrears, rechargeable repairs, lettings issues and tenancy issues;
- ✓ Take firm, prompt and appropriate action against perpetrators of domestic abuse;
- ✓ Take measures, where appropriate, to protect the victim in their home if they are one of our tenants. This may include changing or adding locks to ensure the victim's safety within 24 hours;
- ✓ Consider whether to apply a recharge for the lock or key fob change in line with our Recharge Policy.

### **4.3 Work in partnership with others**

4.3.1 We will work with a range of partner agencies so they can provide expertise around domestic abuse. We fully recognise that staff from other agencies can provide the wide range of measures, support and protection to survivors of domestic abuse.

4.3.2 We will work in partnership with others to meet the aims and objectives set out in the North Lincolnshire Integrated Domestic Abuse Strategy.

4.3.3 We will actively participate in the MARAC (Multi- Agency Risk Assessment Conference) to help reduce the risk of serious harm or homicide of a victim of domestic abuse.

4.3.4 We will refer 'high-risk' survivors to the MARAC in order for them to get the support, advice and protection they deserve. We will also contribute to the forum by supplying information, support and assistance on cases in accordance with data protection and confidentiality protocols.

### **4.4 Support staff affected by domestic abuse by:**

- ✓ Creating a supportive environment in the workplace;
- ✓ Having confidential mechanisms for staff to seek help and information;

- ✓ Offering on-going support to staff including time off, for example, for counselling, visits to a solicitor or to support agencies.

## 5. Making sure we do what we say...

- 5.1 The Head of Customer & Support Services will monitor the impact of this policy to ensure appropriate and consistent application.
- 5.2 An annual compliance report will be taken to the Board which will include safeguarding (incl. Domestic Abuse).
- 5.3 We are working towards understanding all incidents of domestic abuse, including diversity information covering the nine equalities strands.

## 6. Other things to bear in mind...

- 6.1 Are our policies and procedures related to:

- ✓ Anti-social behaviour;
- ✓ Choice-based Lettings;
- ✓ Data Protection Policy;
- ✓ Equality & Diversity;
- ✓ ICT acceptable use;
- ✓ Safeguarding;
- ✓ Tenancy Management;
- ✓ Unacceptable Behaviour Policy;
- ✓ Vulnerable Persons.

- 6.2 Is the North Lincolnshire Integrated Domestic Abuse Strategy.

- 6.3 Are the main pieces of legislation and regulation relevant to this policy which include:

<a href="#">Clare's Law – Domestic violence disclosure scheme;</a>	<p>Gives members of the public a 'right to ask' Police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual. Under the Right to Know, professionals can also make a disclosure if they have concerns.</p>
<a href="#">Crime and Disorder Act 1998</a>	<p>Local authorities must formulate and implement a strategy to reduce crime &amp; disorder in their area, including domestic abuse.</p>
<a href="#">Crime and Security Act 2010</a>	<p>Introduced Domestic Violence Protection Orders (DVPOs). Under the DVPO scheme, the police and magistrates can, in the immediate aftermath of a domestic violence incident, ban a perpetrator from</p>

	returning to their home and from having contact with the victim for up to 28 days.
<a href="#">Domestic Violence, Crime &amp; Victims Act 2004 (DVCVA)</a>	Introduced a statutory requirement for local authorities to undertake a multi-agency review following a domestic homicide to identify what needs to change to reduce the risk of further incidents. We would take part in these as required. Also introduced max of 5 years penalty for breach of a 'non molestation order.
<a href="#">Family Law Act 1996</a> (as amended by the DVCVA 2004)	<ul style="list-style-type: none"> <li>✓ Introduced Occupation Orders (which governs the occupation of the family home) and Non-molestation Orders.</li> <li>✓ Gave county courts the power to transfer certain tenancies from one party to another (Assignment by court order).</li> </ul>
<a href="#">Housing Act 1996</a> and <a href="#">Homelessness Act 2002</a>	<ul style="list-style-type: none"> <li>✓ Means local authorities have a duty to accommodate anyone at risk of violence.</li> <li>✓ Section 153A Housing Act 1996 provides that a relevant landlord may apply to the court for an injunction if it can show that the defendant has engaged or threatened to engage in housing-related conduct which is capable of causing a nuisance or annoyance to a relevant person.</li> </ul>
<a href="#">Protection from Harassment Act 1997</a>	Provides civil and criminal remedies for domestic abuse, including non-harassment and restraining orders.
<a href="#">Protection of Freedoms Act 2012</a>	Created two new offences of stalking. See also: <a href="#">Stalking and harassment legislation</a>

## 7. We'll look at this again...

7.1 In three years time, or sooner if anything changes.

## 8. What the words mean...

Reference	Definition
<b>MARAC</b>	Multi-Agency Risk Assessment Conference. The MARAC is a forum for agencies to share information and take joint action that will provide a safeguarding plan for high risk victims of domestic abuse and their families.
<b>Honour Based Violence</b>	The Crime Prosecution Service (CPS) and the Association of Chief Police Officers (ACPO) have a common definition of 'Honour Based Violence'. "Honour based violence is a crime or incident, which has or may have been

	<p>committed to protect or defend the honour of the family and/or community”.</p> <p>This definition is supported by further explanatory text, “Honour based violence is a fundamental abuse of Human Rights. There is no honour in the commission of murder, rape, kidnap and the many other acts, behaviour and conduct which make up violence in the name of so-called ‘honour’”.</p>
<b>Forced Marriages</b>	The ‘Forced Marriage Unit’ defines a ‘Forced Marriage’ as “a marriage conducted without the valid consent of both people, where pressure or abuse is used”
<b>Female Genital Mutilation</b>	Female Genital Mutilation (FGM) comprises all procedures involving the partial or total removal of the external female genitalia or any other injury to the female genital organs for non-medical reason. FGM is considered a grave violation of the rights of the rights of girls and women.