



Arawak Walton Housing Association

Domestic abuse Policy 2022

Approved by	Board of Management
Date of Approval	July 2023
Date issued to staff	July 2023
E&D impact Assessed	Yes
Date of Next Review	2026
Policy Ownership	Housing Services Manager
Strategic Bridges	Wider role in the community
Legal Review	Yes
Version	3.0
Revision details	Removed reference to 'partner' at 4.8.2. following feedback from Board. Changed 'victim' to 'survivor' to keep consistent with procedure document.
Statement of Values	We value people We rely on teamwork We are open and accountable

1. Policy Statement

- 1.1. Preventing and ending domestic abuse is everybody's business and Arawak Walton Housing Association (AWHA) recognise the critical role we can play in tackling this issue.
- 1.2. AWHA take a zero-tolerance approach to domestic abuse. We believe that all our tenants and households should be free from fear of violence and abuse from any person, including their partner, their former partner, or any member of their household or extended family. We recognise that some survivors face additional barriers and discrimination when trying to access services and AWHA recognise the need to work in a coordinated way with other specialist agencies to overcome these barriers.
- 1.3. As a housing provider AWHA is well placed to recognise the signs of domestic abuse. Our front-line housing teams and contractors enter people's homes every day and will inevitably meet survivors and perpetrators. We are therefore uniquely placed to identify physical, financial and coercive abuse.
- 1.4. We recognise that AWHA cannot tackle all the issues relating to domestic abuse alone, and we are committed to working collaboratively with agencies and partners through a coordinated approach in our response to reports of domestic abuse. We will work with other agencies and aim to ensure the safety of survivors of domestic abuse, meet their needs, and take action against perpetrators where possible. We will support and participate in local and national initiatives to raise awareness of domestic abuse.
- 1.5. Any person experiencing domestic abuse will be treated in a supportive and sympathetic way, and their report will be taken seriously.
- 1.6. AWHA will act upon reports of domestic abuse as a matter of priority and provide appropriate advice, assistance and support to the survivor and their family. The support will be survivor led and our approach will be survivor focused at all times. AWHA are mindful of the disruption that can be caused by moving a survivor and children from their communities, networks, and schools, and will therefore give consideration to moving perpetrators where appropriate.
- 1.7. We understand the need to work with and engage with perpetrators to try and stop the cycle of domestic abuse and where appropriate we will support perpetrators of domestic abuse in trying to change their behaviour and recognise the detrimental effect their behaviour can have on survivors and others.
- 1.8. We will robustly challenge perpetrators of domestic abuse and will take enforcement action where appropriate, as well as support legal action being taken by partner agencies to protect survivors of domestic abuse from further harmful behaviour.
- 1.9. AWHA recognise that domestic abuse is a criminal act and as such those experiencing it are considered to be victims of crime.

1.10. AWhA is committed to raising awareness around domestic abuse through its tenant contact, website, social media campaigns and work within our communities.

2. Aims

2.1. This Policy aims to:

2.2. Improve the safety of the people who live in our properties who may be affected by domestic abuse, regardless of race, sex, gender reassignment, disability, sexual orientation, religion or belief, marriage or civil partnership, age, or financial status, to prevent homelessness of those affected by domestic abuse, and to prevent further incidents by encouraging earlier reporting and responding rapidly.

2.3. Provide all stakeholders with a clear understanding of AWhA's approach and commitment to supporting tenants who may be at risk of, or experiencing domestic abuse, as well as our approach to the perpetrators responsible for the domestic abuse.

2.4. Outline the appropriate legislation and regulations that will inform guidance to the service offered.

2.5. Ensure that staff who deal with reports of domestic abuse are trained to recognise signs of domestic abuse, to confidently support survivors and their families to increase safety and reduce risk, in partnership with specialist agencies, and are clear about how to escalate their concerns.

2.6. Ensure that staff are confident and competent in challenging perpetrators of domestic abuse through the use of appropriate legal remedies, and make appropriate referrals and signposting perpetrators who recognise and want to change their behaviours to local and national organisations who deliver behaviour change programmes and offer support to break the cycle of their abusive behaviour.

2.7. Ensure our tenants know what our approach is when responding to reports of domestic abuse, and they know how they can access our services if they are experiencing domestic abuse.

2.8. Ensure our volunteers and contractors are made aware of their responsibility to report any concerns they may have about potential domestic abuse, to AWhA staff.

2.9. Ensure our response to reports of domestic abuse is easily accessible to all tenants who are experiencing domestic abuse.

3. Scope

3.1. This Policy applies to all AWHHA tenants living in properties owned and managed by AWHHA, their household members, and staff who may be experiencing domestic abuse.

4. Definition

4.1. AWHHA use the Government's definition of domestic abuse as outlined in the Domestic Abuse Act 2021:

'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.'

4.2. Domestic abuse is therefore coercive, intimidating behaviour used to establish power and maintain control in the context of a relationship, or a previous relationship.

4.3. Domestic abuse can include, but is not limited to, the following types of abuse:

- Physical
- Psychological
- Sexual
- Financial
- Emotional
- Discriminatory

4.4. It does not matter whether the behaviour is one single incident or a course of conduct.

4.5. This definition includes honour-based abuse, female genital mutilation and forced marriage, and is clear that survivors are not confined to one gender, religion, or ethnic group.

4.6. What constitutes domestic abuse is commonly misunderstood, and it is important to remember that no single act defines it; there are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous and can be life-threatening. Some examples of these are:

4.7. Controlling behaviour

4.7.1. This 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.

4.8. Coercive behaviour

4.8.1. 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.

4.8.2. Coercive and controlling behaviour is a sustained pattern of behaviour that stop short of serious physical violence, but amounts to extreme psychological and emotional abuse. Victims of coercive control can have every aspect of life controlled, often being subjected to daily intimidation and humiliation. Coercive and controlling behaviour underpins domestic abuse. These behaviours are often used as the primary mechanisms for achieving power and control in an abusive relationship and these behaviours reinforce the threat or reality of physical abuse

4.9. Harassment

4.9.1. This is a crime involving behaviour that takes place more than once, and the perpetrator's actions must have an unwanted effect on the victim. Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) what amounts to harassment. The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress." A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.

4.10. Stalking

4.10.1. There is no specific legal definition of stalking, but the Protection of Freedoms Act 2012 created two new offences of stalking by adding new sections into the Protection from Harassment Act 1977. Section 2A(3) PHA 1977 sets out examples of omissions/acts e.g. following a person, watching or spying on them or forcing contact with the victim through any means, including social media.

It is also helpful to know that in cases of stalking there is a pattern of unwanted, fixated, and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

4.11. Physical Abuse

Examples include:

- Hitting, punching, kicking, slapping
- Hitting with objects
- Pulling hair, pushing or shoving
- Cutting or stabbing, restraining, strangulation, choking

4.12. Rape and coerced sexual acts

Examples include:

- Rape and coerced sex
- Forcing a victim to take part in unwanted sexual acts

- Refusal to practice safe sex or use contraception
- Threatened or actual sexual abuse of children.

4.13. Financial abuse

Examples include:

- Controlling money and bank accounts
- Making a victim account for all their expenditure
- Running up debts in a victim's name
- Allowing no say on how monies are spent
- Refusing to allow them to study or work

4.14. Psychological and Emotional Violence and Abuse

Examples include:

- Creating isolation e.g. not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them
- Use of threats e.g. threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad
- Putting them down - humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent.

4.15. Discriminatory Abuse

4.15.1. This type of abuse may manifest itself as any of the other categories of abuse, however what makes discriminatory abuse distinctive is that it is motivated by oppressive and discriminatory attitudes towards a person's:

- Race
- Sex
- Gender reassignment or identity
- Disability including sensory or learning disability
- Sexual orientation
- Religion or Belief
- Marriage or Civil Partnership
- Age
- Pregnancy and Maternity explicitly
- Culture
- Appearance and Physical appearance

4.16. Family and Inter-generational Abuse

4.16.1. Approaches have traditionally focused upon heterosexual partner abuse and more recently have been seen to address abuse in lesbian, gay,

bisexual and transgender relationships. More focus is required to address family and inter-generational abuse, and how it differs from partner abuse, for example if the perpetrator is the victim's teenage or adult sibling, child or grandchild.

4.16.2. Careful consideration is required when dealing with family and intergenerational abuse due to the complexities of family composition and safeguarding implications.

4.17. Elder Abuse

4.17.1. Elders abuse can be detrimental to a victim's wellbeing due to problems with mobility, mental or physical health, social isolation culture or language. Older people may have come to accept some aspects of domestic abuse as the 'norm' dependent upon their life experiences.

4.18. Wellbeing

4.18.1. The Care Act 2014 specifies that freedom from abuse and neglect is a key part of a person's wellbeing. The guidance outlines that abuse takes many forms, and practitioners should not be constrained in their view of what constitutes abuse or neglect. It describes numerous types of abuse including:

- Domestic violence
- Psychological abuse
- Financial and material abuse
- Sexual abuse
- Physical abuse

4.18.2. The Care Act guidance outlines specific aims to stop abuse and neglect, prevent harm and address what has caused the abuse.

5. Legislative and Regulatory Framework

5.1. This Policy is informed by the following legislation and regulation:

- RSH Regulatory Consumer Standards
- Domestic Abuse Act 2021
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- Domestic Violence, Crime and Victims Act 2004
- Serious Crime Act 2015
- Crime and Security Act 2010
- Family Law Act 1996
- Civil Partnership Act 2004
- Protection from Harassment Act 1997
- Equality Act 2010
- Housing Act 1996
- Data Protection Act 2018
- Female Genital Mutilation Act 2003
- Forced Marriage (Civil Protection) Act 2007

- Domestic Abuse Act 2021
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2003
- Protection of Freedoms Act 2012
- Adoption of Children Act 2002

6. Quality Assurance and Monitoring

6.1. Individual domestic abuse cases will be closely supervised and managed by the Housing Services Manager (HSM) / Communal Services Manager (CSM) on a regular basis with the Housing Officer. The HSM/CSM will provide appropriate advice and support to the Housing Officers and provide direction ensuring that cases are progressed in line with operating guidelines and procedures

6.2. Information about Domestic abuse cases will be presented to the Senior Management Team, Committees and to the Board when required.

7. Review Process

7.1. This Policy and associated procedures and guidance will be reviewed every three years, or sooner if there are significant changes to legislation, regulatory changes, national Policy changes or there is an operational need to do so.

7.2. Any amendments will be appropriately consulted on and signed off, and clearly communicated to the wider AWhA staff groups as well as our tenants.

8. Related Policies

- 8.1. Safeguarding Policy
- 8.2. Anti-Social Behaviour
- 8.3. Whistle Blowing
- 8.4. Data Protection Policy
- 8.5. Modern Slavery
- 8.6. Equality, Diversity and Inclusion Policy

9. Equality, Diversity and Inclusion Policy

9.1. AWhA recognises all forms of discrimination and victimisation including all the protected characteristics of the Equality Act 2010. In addition, and not only particular to this Policy we recognise that isolation and communication difficulties can isolate individuals from society and make them vulnerable to abuse.

10. Consultation

10.1. This Policy has been consulted on with the Housing Services Team and tenants, and feedback has been considered.

11. Data Protection

11.1. In taking applications under the Policy, we are aware that we will be handling personal information. All handling of personal data will be conducted under AWhA's Data Protection Policy ensuring compliance with the Data Protection Act 2018.

11.2. Personal data that is inappropriately accessed or disclosed may constitute a data breach. The UK GDPR (United Kingdom General Data Protection Regulation) requires organisations to keep a record of all data breaches and, where the breach is likely to result in a risk to the rights and freedoms of individuals, the organisation must notify the Information Commissioner within 72 hours of becoming aware of the breach. If the data breach results in a high risk to the rights and freedoms of individuals, those individuals must be notified without undue delay.