



POLICY DOCUMENT

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1. INTRODUCTION

- 1.1 Progress Housing Group is committed to working with other agencies to take a zero tolerance approach to domestic abuse. We recognise that domestic abuse is a crime, and has a considerable impact on the victim's physical and psychological wellbeing, and as such we will endeavour to help support them in living a life free from abuse.

2. SCOPE OF THE POLICY

- 2.1 This policy applies to all areas of work that Progress Housing Group (the Group) and its subsidiaries undertakes and is for the people and communities in which it operates, including employees of the Group.

3. RESPONSIBILITY

- 3.1 Employees – All employees should be able to identify domestic abuse and refer cases as necessary to the Group's Domestic Abuse Champions.
- 3.2 Domestic Abuse Champions– Nominated employees will be trained to advise, risk assess and signpost.

4. POLICY

4.1 Identifying Abuse

The Group has adopted the definition of domestic abuse as set out in Domestic Abuse Act 2021. This being:

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;

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(d) economic abuse (see subsection (4));

(e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

“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 the 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).

References in the Act to being abusive towards another person are to be read in accordance with this section.

Definition of “personally connected”

For the purposes of this Act, two people are “personally connected” to each other if any of the following applies

(a) they are, or have been, married to each other;

(b) they are, or have been, civil partners of each other;

(c) they have agreed to marry one another (whether or not the agreement has been terminated);

(d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);

(e) they are, or have been, in an intimate personal relationship with each other;

(f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));

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(g) they are relatives.

A person has a parental relationship in relation to a child if

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

In this section

- “child” means a person under the age of 18 years;
- “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
- “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Children as victims of domestic abuse

This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.

Any reference in the Act to a victim of domestic abuse includes a reference to a child who

- (a) sees or hears, or experiences the effects of, the abuse, and
- (b) is related to A or B.

A child is related to a person for the purposes of subsection (2) if

- (a) the person is a parent of, or has parental responsibility for, the child, or
- (b) the child and the person are relatives.

In this section

- “child” means a person under the age of 18 years;
- “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act);

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- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

4.1.1 Controlling behaviour is a range of acts 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.

4.1.2 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 the victim.

4.1.3 The definition also includes so-called honour based violence, female genital mutilation and forced marriage. It also includes elder abuse.

4.1.4 Abuse can include, but is not limited to the following:

- **Destructive criticism and verbal abuse:** shouting; mocking; accusing; name calling; verbally threatening.
- **Pressure tactics:** sulking; threatening to withhold money, disconnecting the phone and internet, taking away or destroying your mobile, tablet or laptop, taking the car away, taking the children away; threatening to report you to the police, social services or the mental health team unless you comply with his demands; threatening or attempting self-harm and suicide; withholding or pressuring you to use drugs or other substances; lying to your friends and family about you; telling you that you have no choice in any decisions.
- **Disrespect:** persistently putting you down in front of other people; not listening or responding when you talk; interrupting your telephone calls; taking money from your purse without asking; refusing to help with childcare or housework.
- **Breaking trust:** lying to you; withholding information from you; being jealous; having other relationships; breaking promises and shared agreements.

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- **Isolation:** monitoring or blocking your phone calls, e-mails and social media accounts, telling you where you can and cannot go; preventing you from seeing friends and relatives; shutting you in the house.
- **Harassment:** following you; checking up on you; not allowing you any privacy (for example, opening your mail, going through your laptop, tablet or mobile), repeatedly checking to see who has phoned you; embarrassing you in public; accompanying you everywhere you go.
- **Threats:** making angry gestures; using physical size to intimidate; shouting you down; destroying your possessions; breaking things; punching walls; wielding a knife or a gun; threatening to kill or harm you and the children; threatening to kill or harm family pets; threats of suicide.
- **Sexual violence:** using force, threats or intimidation to make you perform sexual acts; having sex with you when you don't want it; forcing you to look at pornographic material; constant pressure and harassment into having sex when you don't want to, forcing you to have sex with other people; any degrading treatment related to your sexuality or to whether you are lesbian, bisexual or heterosexual.
- **Physical violence:** punching; slapping; hitting; biting; pinching; kicking; pulling hair out; pushing; shoving; burning; strangling, pinning you down, holding you by the neck, restraining you.
- **Denial:** saying the abuse doesn't happen; saying you caused the abuse; saying you wind them up; saying they can't control their anger; being publicly gentle and patient; crying and begging for forgiveness; saying it will never happen again.

4.1.5 While women are more likely than men to experience multiple incidents of abuse, different types of domestic abuse (intimate partner violence, sexual assault and stalking) and in particular sexual violence, anyone can experience domestic abuse regardless of race, ethnic or religious

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group, sexuality, gender, class, or disability, but some people who experience other forms of oppression and discrimination may face further barriers to disclosing abuse and finding help.

- 4.1.6 Domestic abuse also includes different forms of family violence such as forced marriage, female genital mutilation and so called “honour crimes” that are perpetrated primarily by family members, often with multiple perpetrators.

Dealing with victims of domestic abuse

- 4.1.7 The Group will attempt to treat victims sensitively and respectfully at all times. We will listen to them and be guided by what they want in the way of support. We will respect their personal safety by always ensuring that they are offered a private room when talking to us. We will use interpreting services should this be required, and we will offer a same sex member of staff to speak to.
- 4.1.8 offer a variety of measures to support, such as helping them to be rehoused, or referring them for Sanctuary measures (such as changing locks, installing external lighting, ensuring that their property is safe to live in), or allowing them to make referrals to a refuge if they require it.
- 4.1.9 will attempt to do a risk assessment of anyone who identifies as a victim of domestic abuse, and where necessary (if they are deemed high risk) will refer into MARAC, as well as into the IDVA service for support. Where they are not deemed high risk, Progress will signpost to other agencies that can offer support, whilst continuing to support them with any housing issues they may have presented with.
- 4.1.10 recognises the strength and value of multi-agency working. As such, they will attend the MARACs in the Lancashire area where they have the greatest housing stock, to continue to support high risk victims in need of housing. They will ensure that any actions assigned to them through the MARAC process are completed in a timely manner.
- 4.1.11 will follow their Unmet Need and Child Safeguarding policy should there be any identified child safeguarding issues raised.
- 4.1.12 will follow their Safeguarding Adults policy should there be any Safeguarding Adults issues raised.
- 4.1.13 Maintain careful confidentiality. We understand that with domestic abuse, perpetrators can go to any length to find where their victim is. As such, we will always ensure that if there is a query from another agency, including the police, we will take the persons details and call

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them back through their respective agencies telephone number, to ensure we are speaking to the correct person.

4.1.14 will keep tenants informed as to how they can help, by regularly publishing articles about domestic abuse in tenant newsletters. We will also get involved in any local campaign to help highlight the issues of domestic abuse.

4.1.15 will continue to offer through their refuge service a helpline for all victims of domestic abuse to call for support.

Dealing with perpetrators of abuse

4.1.16 Should a tenant identify themselves as a perpetrator of domestic abuse, we will endeavour to signpost them to an agency that can offer help and support. However, we will not tolerate abuse, and as such to perpetrate abuse could result in perpetrators losing their homes.

Information sharing and record keeping

4.1.17 The Group will take any disclosure of domestic abuse confidentially.

4.1.18 The Group is aware that it is good practice to discuss a MARAC referral with the victim if it is safe to do so. We will use professional judgement to decide whether it is safe to do so.

4.1.19 The Group will share information with relevant agencies as required by the individual case and MARAC requests in line with the Data Protection Act.

4.1.20 The Group will keep records of all disclosures of domestic violence in a controlled environment to be used for internal reporting and reference only.

Employees experiencing domestic abuse

4.1.21 Where a Group employee is experiencing abuse, Progress will follow their specific policy on this.

5. ABBREVIATIONS

5.1 MARAC - Multi Agency Risk Assessment Conference

5.2 IDVA - Independent Domestic Violence Advisor

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6. REFERENCES

- 6.1 Domestic Violence Crime & Victims Act 2004
- 6.2 Criminal Justice Act 2003
- 6.3 Family Law Act 1996
- 6.4 As of 25th November 2012 amendments to the Protection from Harassment Act have been made that makes stalking a specific offence in England and Wales for the first time.
- 6.5 The Serious Crime Bill, including Clause 76 regarding the offence of "Controlling or coercive behaviour in an intimate or family relationship" achieved Royal Assent on 3 March 2015.

7. DATA PROTECTION

- 7.1 All data handled in domestic abuse cases will be done so in accordance with the Group Data Protection Policy..
- 7.2 Disclosures to MARAC are made under the Data Protection Act and the Human Rights Act and Caldicott Guidelines. Relevant information can be shared when it is necessary to prevent a crime, protect the health and/or safety of the victim and/or the rights and freedoms of those who are victims of violence and/or their children. It must be proportionate to the level of risk of harm to a named individual or known household.
- 7.3 The Domestic Violence Disclosure Scheme (Clare's Law) came into effect 8th March 2014 and is a mechanism for you, or a third party, for example a parent, sibling, neighbour or friend to make an application to Police if concerned about whether your partner may have been violent or abusive in the past. The Group will promote this where applicable.

8. IMPLEMENTATION

- 8.1 Training.
- 8.2 Group employees that regularly come into contact with members of the public will be trained to have an awareness of what domestic violence is and how to identify it as part of a three year cyclical training programme.
- 8.3 Managers are expected to identify those colleagues requiring training as part of their personal review and development plan and highlight the training need to The Group's training and development co-ordinator.

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9. CONSULTATION

9.1 This policy has been produced in consultation with South Ribble Women's Refuge who specialise in working with women experiencing domestic abuse.

10. REVIEW

10.1 This policy will be reviewed every three years unless changes to legislation or guidance necessitates a sooner review.

11. EQUALITY IMPACT ASSESSMENT

11.1 An equality impact assessment has been carried out against this policy and it is considered to have a neutral impact.