



EDEN HOUSING ASSOCIATION LIMITED

DOMESTIC ABUSE POLICY

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This policy applies to Eden Housing Association and all our wholly owned subsidiaries, including Mitre Housing Association

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POLICY STATEMENT

1. Purpose and Scope

We are committed to maintaining thriving, safe communities, and recognise that domestic abuse can have a devastating impact. This policy applies to anyone living in our properties receiving a service from us or employed by us.

Our Policy outlines EHA's commitment to supporting those who have experienced domestic abuse, and creating a safe and secure environment for all individuals using our services or employed by us. Our policy is supported by our Domestic Abuse Service Standard which is published on our website and our internal Domestic Abuse procedure.

We aim to support those who have or are experiencing domestic abuse by:

- Recognising the importance of supporting whilst also ensuring that any action taken is always done so with consent
- Taking account of any safety concerns raised around communication
- Listening to and believing their account
- Working with them to assess risk and agree an appropriate action plan
- Recognising the need to share information and work in partnership with other agencies to reduce the risk of harm
- Sharing information appropriately and in line with GDPR and data sharing protocols.

Our policy forms part of our commitment to the “**Make a Stand**” pledge, which has been developed by the Chartered Institute of Housing (CIH) in partnership with Women's Aid and the Domestic Abuse Housing Alliance. The pledge has been created to encourage housing organisations across the UK to make a commitment to supporting people who are experiencing, or are at risk of, domestic abuse.

We will set out how EHA will respond to anyone who has/or is experiencing domestic abuse. Our policy also sets out how we will hold perpetrators to account.

2. Legislation and Guidance

In producing this policy, we have taken account of the following:

External

- Domestic Abuse Act 2021
- Housing Act 1988, 1996
- Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Data Protection Act 2018
- Domestic Violence, Crime & Victims Act 2004
- Police & Justice Act 2006
- Equality Act 2010

- Protection of Freedoms Act 2012
- Anti-Social Behaviour, Crime & Policing Act 2014
- Serious Crime Act 2015
- Care Act 2014
- Clare's Law/Domestic Violence Disclosure Scheme (DVDS)
- National Housing Federation Document Retention Schedule 2018
- HM Government: Call to End Violence Against Women & Girls Strategy & Action Plan
- ADASS Adult Safeguarding & Domestic Abuse – Guide to Support Practitioners & Managers (2017)
- Stalking Protection Act 2019
- Domestic Abuse Act Statutory Guidance 2022
- Public Health England (PHE Domestic Abuse Toolkit)

Internal

- EHA Safeguarding Policy
- EHA Anti-Social Behaviour and Harassment Policy
- EHA Domestic Abuse Procedure
- Cumbria Choice Based Lettings Allocations Policy
- EHA Employee Handbook

3. Statutory definition of Domestic Abuse

The Domestic Abuse Act 2021 Part 1 introduces the first statutory definition of Domestic Abuse which can be viewed at Appendix 3.

4. Different forms of Domestic Abuse

EHA does not tolerate any acts of domestic abuse. We recognise that domestic abuse is a violation of human rights and that every person has a right to live a violence-free domestic life and to live safe from abuse and fear.

Domestic abuse can take many forms, some of which are included as examples below.

4.1 Physical abuse

Physical abuse can include:

- hitting, punching, kicking, slapping
- hitting with objects, pulling hair, pushing or shoving
- cutting or stabbing, restraining, strangulation, choking.

4.2 Sexual abuse

Sexual abuse can 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.

4.3 Technological abuse

Perpetrators can use technology or social media as a means of controlling or coercing victims. This could include:

- using social media to harass the victim
- controlling emails or social media accounts
- use of spyware such as tracking apps or hidden cameras
- using home assistants such as Alexa or Google Home to monitor someone's movements.

4.4 Economic abuse

Economic abuse can include:

- controlling money and bank accounts
- making a victim account for all of their expenditure
- running up debts in the victim's name
- allowing the victim, no say on how their monies are spent
- refusing to allow them to work.

4.5 Psychological and emotional abuse

Psychological and emotional abuse can have a profound impact. It can leave the person experiencing abuse with little confidence that they can do anything to change their situation, or that they are powerless to take any action to improve their lives, or the lives of their children.

Examples include:

- Isolation – not allowing them to see their friends or family, or to go anywhere on their own
- Using threats – threats to kill their family, children, friends, or pets, or to find them if they were ever to try and leave
- Putting them down – humiliating, embarrassing or undermining them in front of others, telling them that they are stupid and that no one would believe them if they tried to tell people what was happening, or that they are a bad parent.

4.6 Family and intergenerational abuse

Domestic abuse approaches historically have had an emphasis on partner violence. More focus is now being given to family and intergenerational abuse, and the way in which it may be different from partner violence, for instance, if the perpetrator is a sibling, child or grandchild.

Abuse of an adult or a child may also be used by a perpetrator to exercise control.

4.7 Coercive and controlling behaviour

Controlling and coercive behaviour is defined as:

- a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour
- 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.

This could include:

- Controlling who they see, or what they wear
- Controlling their medication, or preventing them from seeing medical professionals such as doctors or dentists
- Isolating them from friends, family or other means of support
- Emotional or psychological abuse
- Economic abuse.

4.8 So-called honour-based violence and abuse

So-called honour-based abuse includes offences that may have been committed to protect the perceived honour of a family or a community and can incorporate many of the types of abuse already detailed. It is often carried out by family members, but those experiencing the abuse can also come under pressure from the wider community who will seek to support the family in their actions. So-called honour-based violence and abuse can also include:

- Forced marriage
- Female genital mutilation.

5. Our Approach

We will accept all reports and disclosures of domestic abuse through any available communication channel and ensure that all incidents are logged. If this relates to an employee we will adopt the same approach where it is appropriate and applicable. We will acknowledge, respond and refer to organisations as appropriate.

5.1 Disclosures of Domestic Abuse

All reports of domestic abuse will be taken seriously and appropriate help and support offered. We recognise the need for confidentiality, information on any case will only be declared to a third party with the express consent of the person experiencing abuse (with the exception of issues covered by legislation or information exchange protocols). Extreme caution will be exercised by colleagues when dealing with any request for information and appropriate validation will be required to ensure that the request for information is genuine.

All reports of / or where a member of staff suspects/witnesses domestic abuse taking place will be reported via our Safeguarding Policy. Where a disclosure is made or EHA become aware that a person may be at risk due to domestic abuse we will respond within 24 hours.

We will:

- Contact them (taking safety into consideration) ensuring that sharing information with us does not put them at further risk. We will also agree how ongoing contact will be maintained
- Act promptly and effectively in investigating incidents of domestic abuse and actively listen and seek to understand their experiences and concerns
- Accept their account as a true reflection of events
- Be non-judgmental, supportive, and understanding of their decisions
- Ensure that any access needs, for example interpreting, are accommodated at our expense
- Promote the use of the Bright Sky App for both victims and EHA staff - disguised as a Weather App Bright Sky includes useful information and the ability to call national helplines providing support for those affected by domestic and sexual abuse across the UK.
- Signpost where appropriate to other organisations offering support and advice
- Work in partnership with and make referrals to other agencies to tackle the cause and effect of domestic abuse with the aim of creating an environment in which domestic abuse will not be tolerated
- Offer a range of options in relation to a temporary or permanent move to alternative accommodation
- Manage any breach of the tenancy agreement by perpetrators in line with the Anti-Social Behaviour Policy and Procedure
- Where appropriate to do so, we may refer perpetrators to domestic abuse perpetrator programmes

We will deliver our responsibilities in line with the Domestic Abuse Act – monitor incidents of domestic abuse and the effectiveness of the policy.

5.2 Barriers and challenges

We recognise that those experiencing abuse will often find it extremely difficult to make a disclosure and ask for help. Our staff are trained to recognise, respond appropriately and have an appreciation of the different specific needs of tenants including those arising from the tenants protected characteristics. We will ensure that appropriate advice, support and safeguarding is provided in every instance.

It is also important to understand that those experiencing abuse may not seek, or respond to, offers of help and may wish to remain in their abusive relationship.

Reasons for this may include:

- Fear of the abuser and/or what they will do

- Doubt about the impact of any action taken by police or the courts, and fear of pressure to pursue a criminal case
- Lack of knowledge/access to support services
- Lack of resources, financial or otherwise
- Fear of not being believed
- Love, loyalty, attachment towards their partner and the hope that they will change
- Feelings of shame or failure
- Pressure from family/children/friends
- Religious or cultural expectations
- Long-term effects of abuse, such as self-neglect, depression, low self esteem
- Drug and/or alcohol addiction
- Anticipated impact on children, or fear of losing contact with children/other relatives/friends.

People from ethnic minority groups/communities may also have additional barriers, including:

- Language barriers
- Perceived family honour, shame or stigma
- Fear of rejection by their community
- Immigration status/no recourse to public funding
- Racism (perceived or actual)
- Cultural or community expectations
- Fear of so-called honour-based violence
- Lack of appropriate services.

People with protected characteristics may also have additional barriers to accessing our services including:

- Lack of accessible information about abuse and legal rights
- Lack of accessible domestic abuse services
- Fear that interpreters (for example, British Sign Language) may not keep confidentiality
- Assumptions that physical and sensory impairments prevent people from making their own decisions
- Being used to 'dependency' and a lack of respect and dignity, leading to them assuming that abuse is normal and minimising its impact
- Reliance on the abuser for care and support
- They may be the carer of the abuser, and feel a sense of obligation to maintain the support and endure the abuse
- The abuser may be the only person with whom they have any contact.

5.3 Partnership Working/Signposting

On 29 April 2021 the government enacted the Domestic Abuse Act 2021. This places a duty on Local Authorities to assess the need for support and prepare strategies to provide services for victims in safe accommodation and to provide domestic abuse survivors with community in-reach services. We are committed to working with the local authorities in the areas we operate to ensure the successful delivery of this requirement.

We recognise that the safety of the victim and their family is paramount, and we will do all we can to ensure that they are protected. In fulfilling this commitment, we will work with all statutory agencies and key partners to manage risks posed to the victim and their household.

In doing this we will make referrals/signpost to other agencies as appropriate, including:

- Police
- Domestic Abuse support agencies and Independent Domestic Violence Advocates (IDVA's)
- Victim Support
- Cumbria Domestic Abuse Champions Network members
- National domestic abuse helplines.

We can also assist victims to access independent legal advice relating to:

- Domestic Violence Protection Notices and Orders
- Family Law Injunctions
- Occupation orders
- Non-molestation orders and injunctions
- Restraining orders
- Common Law Injunctions
- Anti-harassment injunctions
- Housing Injunctions
- Domestic Violence Disclosure Scheme

In addition, EHA are members of the Cumbria Domestic Abuse Champions Network. The aim of the Champions' Network is to improve community and agency responses to domestic and sexual abuse. The Champions Network provides training and assistance enabling front line staff to support the lower and medium risk cases not picked up by Multi Agency Risk Assessment Conference (MARAC).

Champions have access to:

- Local resources, information and a countywide programme of training
- Peer support through the Network attendees and meetings
- A regular Network newsletter.

5.4 Use of Powers and Tools

Every case of domestic abuse is different, and will be handled differently, taking in to account wishes, needs and the severity of the abuse, and any additional criminality.

We will make use of appropriate tools and powers to sanction those who are perpetrators of domestic abuse, including injunctions, Notice of Seeking Possession, and possession proceedings. We will also make use of these tools and powers to help perpetrators of domestic abuse to access specialist support if they acknowledge their behaviour, want to change and consent to a referral being made.

It must be remembered that not every person experiencing domestic abuse will want to end their relationship or will want us to take enforcement action against the perpetrator. It is important, therefore, to manage risk, ensure that as many safeguards are in place as possible, and to provide the victim with options as to what support is available to them, if and when they are ready to take it.

As well as the tools and powers available to us as a landlord, we will also work closely with partners to ensure a holistic approach to tackling domestic abuse and that the tools and powers available to these partner agencies are fully considered. Where appropriate we will assist these agencies and contribute to them obtaining orders that reduce domestic abuse

5.5 Target hardening

Where appropriate, housing requirements and options will be discussed with every person experiencing domestic abuse. We will make every effort to ensure that a safe environment is provided at all times. We will work alongside specialist agencies including the police, fire service and local authority to install security measures with the aim of providing reassurance and peace of mind. This could include lock changes, personal alarms, ring door bells and spy holes in addition we will also consider carrying out further works such as dusk until dawn lights, lockable letterplates, safety film if required.

5.6 Housing needs

A person experiencing domestic abuse may be able to remain in their own home, if it is safe to do so. However, there may be occasions where temporary accommodation is required while safety measures are being put in place or a permanent move. We will consider all options where the need for a temporary or permanent move is required and will liaise with the local authority and Cumbria Choice Partners if accommodation cannot be secured straight away within EHA's own stock.

We will also check the tenancy status of the victim and perpetrator to identify whether tenancies are held jointly or solely. Where the perpetrator is a tenant or household member, we may take legal action in accordance with the tenancy agreement, or other powers such as those contained in anti-social behaviour legislation. For instance, we may:

- Seek possession of a property when the victim has left due to domestic abuse, leaving the perpetrator in occupation.
- Apply for an injunction to prevent an abusive person from attending a property or estate.

5.7 Multi-Agency Risk Assessment Conference (MARAC)

High risk domestic abuse cases are heard at regular Multi-Agency Risk Assessment Conferences (MARAC), which are attended by an appropriate member of staff from EHA, alongside representatives from other services including health services, police, domestic abuse support services and appropriate officers from the local authority.

All meetings are confidential. Information is shared and action plans agreed to safeguard the victim and their family, and to ensure that appropriate measures are put in place for the perpetrator.

5.8 Multi-Agency Tasking and Coordinating (MATAC)

MATAC is a **multi-agency approach** that focuses on identifying serial perpetrators of domestic abuse. These are attended by multi-agencies including police, housing, local authority and specialist support agencies. Dedicated officers carry out interventions and support with the perpetrator with the aim of breaking the cycle of abuse and tackling the cause of the abusive behaviour.

6. Policy Monitoring, Review and Training

The Director of Operations is responsible for ensuring that this Policy is communicated and implemented. The policy will be reviewed every three years, or where there have been changes to regulation, legislation, operations or best practice to warrant a further policy review.

We will raise awareness and understanding amongst relevant staff enabling them to identify the signals of domestic abuse (particularly linked to housing circumstances) and respond swiftly. In addition, we will ensure that our staff are fully trained and supported to evaluate, risk assess and respond appropriately.

7. Equality Impact Assessment (EIA)

We are committed to equality, diversity and inclusion and we will endeavor to provide a service that seeks to meet the needs of a particular individual or household and ensure no-one is disadvantaged in accessing our services. We recognise that some of our customers may have permanent or transitory vulnerabilities and where customers require additional support, we will endeavor to make reasonable adjustments.

In order to develop Best Practice regarding equality and diversity requirements, this policy has been subject to an EIA, which can be viewed at Appendix 1. The EIA establishes if any protected characteristics under the Equality Act 2010 have been potentially discriminated against or disadvantaged as a direct result of this policy.

10. Engagement Impact Assessment (EIA)

The engagement impact assessment is attached at Appendix 2. All new services and policy reviews require the completion of an Engagement Impact Assessment, to ensure tenants views are considered, and used to co-create policies where possible.

Owing to our statutory responsibilities, the policy has been led by legislative and sector guidance. However, our Tenant Opinion Panel and the Local Authorities Prevention and Crisis Support Worker have reviewed the contents of the policy to ensure clarity and assurance that our policy demonstrates how we recognise and effectively respond to cases of domestic abuse.

Equality Impact Assessment

Question	Response
1. Name of the policy/practice/activity being assessed	Domestic Abuse Policy
2. Summary of aims and objectives of the policy/practice/activity	- To provide a framework following policies and procedure put in place support victims of Domestic Abuse - To respond appropriately and timely to reports of Domestic Abuse - To make our customers aware of the processes we have in place to address and appropriately action disclosures of domestic abuse
2. What involvement, consultation, engagement has taken place for the policy/practice/activity (e.g relevant groups/stakeholders)	Policy has been written in consultation with our: - Top Tenants Group - Scrutiny Audit Panel - Local Authority Prevention and Crisis Support Worker - HR Team - Housing Team
4. Who is affected by the policy/practice/activity	- Any person living in one of our properties or receiving a service from us - EHA colleagues
5. What are the arrangements for monitoring and reviewing the impact of the policy/practice/activity	The Policy will be reviewed at least every three years or where there have been significant changes to regulation, legislation, operations or best practice to warrant a further review

Protected Group	Is there a Potential for a positive or negative impact	Explain and provide evidence/data used	Action to address the negative impact
Disability	No*	See Explanation below*	See Explanation below*
Gender Reassignment	No		
Marriage or civil partnership	No		
Pregnancy or maternity	No		
Race	No		
Religion or belief	No		
Sexual orientation	No		
Sex (gender)	No		
Age	No		

Evaluation

Question	Explanation*		
Is it possible the proposed policy/practice/activity could discriminate or unfairly disadvantage people	Not if the policy is adhered to.		
Decision	Tick the relevant box	Include any justification required	
1. No barriers identified – proceed	✓		
2. Barriers identified towards one (or more) protected groups – stop			
3. Barriers identified towards one (or more) protected groups – adapt or change the policy/practice/activity			
4. Barriers identified towards one (or more) protected groups – no proportionate way to amend the policy/practice/activity so proceed with caution			
Completed by – and date	Heidi Ware September 2024		
Reviewed by – and date	Executive Team November 2024		
Review Date (if applicable)			
Will this EIA be published	Yes		

Action (To be completed as required)

If the Evaluation has resulted in Decision 4, complete a risk assessment and record on Operational Risk Register	Date Completed:
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Change Log

Name	Date	Version	Change
	When published	1	

**Policy / Procedure / Strategy drafting / review
Engagement Assessment**

– is engagement with tenants necessary?

Policy Name	Domestic Abuse Policy	
Impact	Tick relevant box	Note any details / justification
No Impact on current tenants – you can proceed without engagement.	N/A	
Direct or indirect impact on current tenants. Stop! Identify who will be affected ie all tenants or a specific group	Yes	Anyone living in one of our properties or receiving a service or employed by us.
Influence	Tick relevant box	Note any details / justification
No influence for tenants – i.e. wholly legislative – you can proceed without engagement.		
Possible influence on areas of policy/ practice/ activity impacting on tenants – stop. Arrange engagement with EIO	Yes	We need assurance from residents that our policy demonstrates how we recognise and effectively respond to cases of domestic abuse.

Completed by – and date	Heidi Ware 29/10/2024		
Reviewed by – and date	Exec Team		
Review Date (if applicable)			
Will this assessment be published	Completed assessments will be appended to each policy document. Any public related policies will be uploaded to the EHA website		

Summary of engagement (To be completed as required)

Tenant group impacted and engaged (i.e. all/ sheltered)	Scrutiny Audit Panel Top Tenants (random selection) HR/Housing Team/ Local Authority Prevention and Crisis Support Worker
Consultation method	Survey Face to Face discussions with staff and stakeholders

Summary of engagement	Policy shared with HR/Housing team, tenant groups and the Local Authority Prevention and Crisis Support Worker. We requested assurance that policy demonstrates how we recognise and effectively respond to cases of domestic abuse.
Key themes/ implications	Feedback confirmed assurance.

Policy Definitions

Domestic Abuse is defined in the Domestic Abuse Act 2021 as any of the following:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse

Section 1: Definition of “domestic abuse”

- (1) This section defines “domestic abuse” for the purposes of this Act.
- (2) 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.
- (3) 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 (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.
- (4) “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.
- (5) 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).
- (6) References in this Act to being abusive towards another person are to be read in accordance with this section.
- (7) For the meaning of “personally connected”, see section 2.

Section 2 Definition of “personally connected”

- (1) 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))
 - (g) they are relatives.
- (2) For the purposes of subsection (1)(f) 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.
- (3) 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
 - “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Section 3 Children as victims of domestic abuse

- (1) This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.
- (2) Any reference in this 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.
- (3) 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.

(4) 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);
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.