



TAI CANOLBARTH CYMRU MID-WALES HOUSING

Yn barod **amdani** **Equal** to the challenge

Domestic Abuse Policy

Strategic Aim:	Business Plan 14–18 states under vision and values; <u>Caring</u> We believe in putting the welfare of our tenants before profit.
Reference No:	Domestic Abuse Policy v1.0 January 2015
Date of Issue:	January 2015
Next Review Date:	January 2018 (six-monthly desk-top review to be carried out)
Departments Affected:	All teams
Approved By/Date:	Board of Management January 2015
Lead Officer:	Director of Customer Services
Statutory Compliance:	Regulatory Framework for Housing Associations registered in Wales under Part 1 of the Housing Act 1996



Mid-Wales Housing Association

Policy

Title: DOMESTIC ABUSE POLICY

Policy Statement:

We have committed ourselves to providing safer and securer neighbourhoods.

Mission Statement:

'Making quality homes affordable to more people in Mid-Wales'

We will endeavour to honour our commitment to provide safer neighbourhoods through this policy and promise to tackle any issue relating to domestic abuse in partnership with other relevant agencies. We will also ensure the complainant is kept informed, updated and is supported. We will focus on the needs of the victim and a preventative agenda.

The Association recognises the serious impact of domestic abuse to families and individuals and the high mortality rate of victims of domestic abuse. Whilst Mid-Wales Housing Association operates in areas of lower than average national crime statistics the Association recognises that domestic abuse does occur in the areas of Powys and Ceredigion in which it operates.

1.0 Introduction

- 1.1 Mid-Wales Housing Association provides affordable housing for those in need and it is our responsibility to ensure that the communities our tenants live in are safe and secure.
- 1.2 Mid-Wales Housing will work in partnership with other agencies in relation to all incidents of domestic abuse, especially MARAC (Multi Agency Risk Assessment Conference).
- 1.3 The Association's Domestic Abuse Policy is available for inspection at its head office at:

Tŷ Canol House
Ffordd Croesawdy
NEWTOWN
Powys SY16 1AL

OR

By telephoning the Association on 0300 111 3030 to request a copy; by e-mailing the Association on post@mid-walesha.co.uk to request a copy; or by going to the Association's website www.mid-walesha.co.uk.

2.0 Definition

The Home Office defines domestic abuse as:

"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, and emotional".

Staff should be aware of the impact of similar activity against children within the home. This would receive a different criminal category and require the investigation of Children's Services and or the Police. Guidance to staff is that they should follow these same approaches through the policy with regard to protecting children.

3.0 Aims and Objectives

To achieve the necessary outcomes for both the Association and our main stakeholders, our tenants, we will ensure that **we will**:

- 1) provide an effective response to incidents of domestic abuse;
- 2) through publicity, raise awareness of domestic abuse to all new and existing tenants and what action we could take against perpetrators of domestic abuse;
- 3) provide training, awareness and support staff to deal effectively with incidents of domestic abuse i.e. tenancy enforcement and victim support;
- 4) provide an easy and confidential reporting system;
- 5) assist victims in finding alternative accommodation whether it be within our current housing stock or other housing organisations;
- 6) should a case of domestic abuse be known to the Association, ensure that the victim and where appropriate, their family, are safe by working with other agencies; and
- 7) report all occurrences to the Community Safety Partnership if the victim agrees to the course of action (reference point 4 above). Where the wellbeing of a child is involved the matter is to be reported even if consent has not been given by the adult(s) involved.

4.0 Our Approach to Domestic Abuse

We will use our Anti-Social Behaviour Policy and Tenancy Agreement to tackle incidents of domestic abuse. We will liaise with and co-operate with other agencies involved in tackling domestic abuse.

5.0 Support

The immediate and long term safety of victims and also where appropriate, family members, are of the utmost priority to the Association. The Association's Community Housing Team Leader will be informed of all incidents of domestic abuse. If the victim has expressed that they do not wish the matter to be referred outside of the Association then the Community Housing Officer, in conjunction with the Community Housing Team Leader or Director of Customer Services, will record this decision and the justification for it. However, this decision needs to take into consideration whether disclosure is necessary to prevent a crime, and/or protect the health and safety of the victim. Information relating to domestic abuse will be held confidentially and will not be discussed with members of staff who need not be aware of this issue.

We will:

- 5.1 provide support to victims of domestic abuse. Due to the sensitivity of domestic abuse we will work in partnership with other agencies to provide support with their consent;
- 5.2 ask the victim what they would like the Association to do to ensure their safety;
- 5.3 ensure that the appropriate staff are available to deal with incidents of domestic abuse, for example, a female victim may want to discuss an incident with a female member of staff;
- 5.4 work with other agencies, such as the Police, Social Services and other support services. The lead contacts for the Association will be the Domestic Abuse Co-ordinator for Powys and the Domestic Abuse Co-ordinator for Ceredigion. These posts liaise with the other relevant agencies involved in these issues;
- 5.5 ensure the victim's home is secure;
- 5.6 ensure that any additional safety measures/repairs are needed for the victim's home are dealt with as emergencies;
- 5.7 treat all reports of domestic abuse in confidence – only disclosing with the victim's permission or where a child's safety or victim is at risk except where in exceptional circumstances to withhold it may lead to a child's safety or victim being put at risk;

- 5.8 if appropriate and at the victim's request, try to secure alternative housing whether it be on a temporary or permanent basis. The Association may need to take account of tenancy agreement issues or if the victim is not a tenant at all.
- 5.9 Deal sensitively and sympathetically, with any victim who remains in a property after the departure of the perpetrator and support them to remain in their family home.
- 5.10 Always consider whether it is just, reasonable and proportionate to seek possession of a property from a perpetrator of domestic abuse.
- 5.11 Consider whether it is appropriate to write off any rent arrears which may accrue as a result of a victim being left in a tenancy but with no access to finances.

The guiding principle throughout this paper is to put emphasis on the protection of children and victims of domestic abuse. This principle should supersede others. The Domestic Abuse policy deals with difficult matters and conflicting interests. Avoiding risk to life and limb is the paramount objective in this policy. In order to achieve this, different approaches may be required in different circumstances.

6.0 Staff Training

We will:

- 6.1 Ensure that all relevant staff are trained in dealing with issues relating to domestic abuse,
- 6.2 Ensure that all our staff are aware of policies and procedures relating to domestic abuse.

7.0 Equality

Ensure that all reports of domestic abuse are dealt with fairly and impartially, irrespective of age, gender, sexual orientation, religion, race, colour, nationality, ethnic or national origin, disability, illness (for example AIDS or HIV) or physical appearance.

8.0 Data Protection and Information Sharing

Please see 5.7

9.0 Confidentiality

- 9.1 The Association has a Confidentiality Policy.

9.2 The Confidentiality Policy outlines who can have access to information about our tenants and what information they can have.

9.3 Please see 5.7

10.0 Monitoring Review and Consultation

We will:

10.1 review our policy and procedures every six months,

10.2 consult with tenants via the Association's Tenants' & Residents' Forum, Mid-Wales 50 Group, Association staff, other agencies, other stakeholders and all tenants via the Association's newsletter, website and Facebook where appropriate.

11.0 Reporting

We will:

11.1 report satisfaction levels on all 'closed' cases to Scrutiny Committee every quarter;

11.2 report satisfaction levels on an annual basis to 'Housemark' for comparison alongside other organisations;

11.3 publicise satisfaction levels at least annually in our publications.

12.0 Key Performance Areas

12.1.1 The Community Housing Team Leader will monitor performance on a quarterly basis.

12.1.2 The Community Housing Team Leader will bring to the attention of the Performance Management Team any particular concerns as and when they arise.

13.0 Outcomes

The following are expected outcomes following implementation of this Policy:

- a) Protecting our tenants and the communities which we operate within.
- b) Increased levels of satisfaction when dealing with domestic abuse incidents.
- c) Overall customer satisfaction improved.
- d) Increased confidence in the Association.

- e) Decrease in migration from the Association's properties.
- f) Cohesive communities.
- g) Enhancing the name of the Association.

Purpose:	To ensure the Association: Provides safe estates and neighbourhoods for its tenants.	
Reference No:	Domestic Abuse Policy v1.0 January 2015	
Date of Issue:	January 2015	
Review Date:	January 2018 (desk-top review every six months)	
Departments/ Sections Affected:	All teams	
Approved By:	Board of Management January 2015	
Lead Officer:	Director of Customer Services	
Statutory Compliance	<p>Relevant Legislation</p> <ul style="list-style-type: none"> • Housing Act 1996 • Data Protection Act 1998 • Human Rights Act 1998 • Equality Act 2010 • Disability Discrimination Act 1995 • Children Act 1989 • Harassment Act 1988 <p>Regulatory Code for Housing Associations Registered in Wales (March 2006)</p> <p>1.4.2 Associations should help to safeguard the quality of life of residents and neighbours.</p>	
Strategic Risk Factors	SR14/008a Collaboration – ASB/Domestic Abuse. The review of the domestic abuse policy is part of strengthening the Association's approach to anti-social behaviour.	
Equality Impact Audit	<i>How does/will this policy ensure needs are met fairly particularly with regard to race, gender, disability etc?</i>	The Association works positively with a number of agencies involved in this area, for example, Montgomeryshire Family Crisis Centre and West Wales Women's Aid. This policy does not differentiate under equality and diversity grounds.
	<i>Is it felt that this Policy might affect different groups adversely. If so what is the justification for this, and is it legally permissible?</i>	1) Domestic Violence is a gender related issue; although both genders can be victims of domestic violence. Domestic Violence may be linked to other vulnerabilities which a victim may demonstrate. 2) Domestic Violence may be an emotive topic with victims, perpetrators and the community as a whole.

		<p>Although Powys and Ceredigion demonstrate low overall crime rates in comparison to national statistics. It is statistically certain that tenants of Mid-Wales Housing Association will experience Domestic Violence.</p> <p>3) Mid-Wales Housing Association should develop a corresponding policy in regard to staff.</p> <p>4) The Association will take the matter of Domestic Violence with the utmost seriousness and prioritise the protection of the victim above any other Mid-Wales Housing Association policy.</p>
	<p><i>Have any representative groups in the locality been asked for their opinion and if so what was the outcome?</i></p>	<p>The policy was taken to the Tenants' Policy Review Workshop of the Tenants' and Residents' Forum on 29th September 2014 for their views. All Women's Aid organisations who operate in the same geographical area as the Association have been consulted on this policy. Three out of five organisations responded. One of Calan DVS service users looked at the policy and commented "This is a comprehensive policy of Domestic Abuse and addresses most areas. As a new service user I am particularly interested in the confidentiality of my case. I was reassured to see that individual cases are protected by points stated in this policy." Montgomeryshire Family Crisis Centre responded "No problems with it". West Wales Women's Aid commented "Feel happy that it sits well alongside our own approach, policies and procedures".</p>

Tenant Engagement	<i>How does/will this policy ensure the needs of tenants are met?</i>	This Policy will not affect tenants' rights and obligations.
	<i>How is it felt this Policy will impact on the rights and obligations of tenants?</i>	However, Domestic Violence is a breach of tenancy and the Association may seek recovery of a tenancy.
	<i>Have tenants been consulted and were the outcomes of that consultation taken into account when considering the introduction of this Policy?</i>	The policy was taken to the Tenants' Policy Review Workshop of the Tenants' and Residents' Forum on 29 th September 2014 for their views.