

## DOMESTIC ABUSE POLICY

### 1.0 Introduction

- 1.1 Arhag believes none of its residents should live in fear of violence from a person associated with them and will offer appropriate assistance, advice and support to residents suffering from or threatened with violence, whether physical, emotional or psychological.
- 1.2 This policy refers to Domestic "Abuse" in preference to Domestic Violence as its impact can go beyond actual physical violence, to involve emotional abuse, the destruction of property, isolation from friends, family or sources of support, control over decision making, money, transport or telephone and can include the impact of witnessing violence.
- 1.3 The government's core definition of domestic violence/abuse is:  
  
*"...any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality."*  
  
(Home Office, Domestic Violence: A National Report, March 2004)
- 1.4 An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily. A family member may be an individual who regularly visits or has contact with the household.
- 1.5 Domestic abuse includes culturally specific forms of harm, which impact on Black and Minority Ethnic women and which, among others, include:

- forced marriage - marriage contracted without the valid and free consent of one or both parties involving physical and/or mental duress;
- dowry-related abuse - violence, abuse or harassment perpetrated in order to obtain money, property or goods upon marriage;
- female genital mutilation - female circumcision comprising procedures involving partial or total removal of the external female genitalia or other injury to the female genital organ whether for cultural, religious or other non-therapeutic reasons;
- honour' based or related violence-domestic violence or other forms of violence against women perpetrated in the name of religious and cultural notions of so called 'family honour'.

1.6 Arhag recognises abuse of power can take place in a range of personal relationship contexts including;

- Heterosexual relationships between adults
- Same sex relationship between adults
- Relationships involving a personal/family carer of an elderly or vulnerable adult
- Parent/other adult relationship with children

1.7 Arhag also recognises domestic abuse occurs across society regardless of age, gender, race, sexuality, wealth and geography and can impact upon children and the whole family.

## **2.0 Legal Framework**

2.1 The Housing Corporation's regulatory code and guidance states that registered social landlords must provide good quality housing services for residents and prospective residents by being responsive to the individual characteristics and circumstances of residents and providing high standards of customer care.

2.2 Relevant legislation which impacts on this policy include;

- Domestic violence, Crime and Victims Act 2004
- Part VII Housing Act 1996
- Homelessness Act 2002
- Civil Partnership Act 2004
- Crime and Disorder Act 1998
- Anti Social Behavior Act 2003
- Human Rights Act 1998

### **3.0 Policy Statement**

3.1 Arhag will provide appropriate advice, assistance and support to those who are experiencing domestic violence

3.2 Arhag recognises that evidence of violence may not always be available and will not insist on evidence being provided in order to offer help and advice.

3.3 Arhag will adopt a flexible approach in responding to incidents of domestic violence to take account of varying circumstances

3.4 Arhag will ensure that staff know that maintaining confidentiality is of crucial importance to the safety of those experiencing domestic violence.

3.5 Arhag will only involve other agencies or share information with the consent of the resident concerned, unless:

- We are required by law to do so
- The information is necessary for the protection of children

3.6 For staff experiencing and receiving support for domestic abuse, it will remain confidential as far as it is reasonably practicable within our duties as an employer.

### **4.0 Implementation**

- 4.1 Claims of domestic abuse will be investigated promptly by Arhag staff
- 4.2 Interviews will be carried out in a sympathetic and supportive manner and confidentiality maintained at all times.
- 4.3 If possible, we will arrange for the affected resident to speak to a member of staff in private and at a place they choose
- 4.4 If the affected resident feels more comfortable speaking to a member of staff of the same sex, we will arrange this, if possible.
- 4.5 If an interpreter is required we will arrange this, establishing first, if possible, if the tenant prefers an interpreter of the same sex.
- 4.6 We will not ask affected residents to prove that they have experienced violence or abuse.
- 4.7 We will listen to and give residents time to explain their situation
- 4.8 We will give advice on possible courses of action, for both short and long term needs which may include legal remedies, rehousing options, or by referral to another registered social landlord, and other sources of advice and assistance.
- 4.9 We will offer advice and help on extra security measures should the affected tenant(s) wish to remain in their home or liaise with the Housing Benefit Departments to ensure double payments (emergency accommodation and tenancy) if necessary.
- 4.9 We will not contact the person responsible for the violence unless requested to do so by the victim. As an alternative in exceptional circumstances at some point in the future, it may be necessary to contact the perpetrator about resolving a tenancy matter, but only after safety issues have been considered

- 4.10 We will not insist they take legal action against the violent person but offer advice regarding contacts should they wish to pursue this.
- 4.11 We will not pass on messages from the perpetrator to the affected resident or act as a go between.
- 4.12 We may take action to evict perpetrators of domestic abuse, if the affected tenant is rehoused elsewhere as a result of domestic abuse
- 4.13 Arhag will engage and coordinate services with other agencies and bodies where appropriate.

## **5.0 Responsibility**

- 5.1 It is the responsibility of the Chief Executive to ensure that this policy is in place.
- 5.2 The Head of Housing is responsible for the effective implementation of this policy
- 5.3 The Head of Housing is also responsible for ensuring that Arhag staff are aware of this policy and responsibilities.

## **6.0 Consultation**

- 6.1 This policy will be reviewed in consultation with residents at least once every two years.

## **7.0 Review and Board Approval**

- 7.1 This policy will be reviewed once every two years taking account of any changes to legislation that may occur.

Person Responsible for the review of this policy:	Head of Housing
Date of this review:	November 2008
Date of Board approval:	
Date the next review is due:	November 2010

