

Plymouth Community Homes



Domestic Abuse Policy

- **Purpose**

Plymouth Community Homes believes that domestic abuse is unacceptable under any circumstances. PCH will take a zero-tolerance approach to dealing with domestic abuse. The purpose of this policy is to ensure that Plymouth Community Homes provides a sensitive and effective service to victims of Domestic Violence, taking action to ensure their safety and well-being. PCH will always take swift action in respect of tenants and residents of PCH who abuse their partners or any other member of their household. PCH will work closely with the Plymouth Domestic Abuse Partnership, Plymouth City Council, Devon and Cornwall Police and other partner agencies to achieve the aims of this policy.

- **Definition**

Plymouth Community Homes has adopted the following definition of domestic abuse:

‘Domestic abuse is physical, sexual, psychological, emotional or financial abuse that takes place within an intimate or family-type relationship and that forms a pattern of coercive and controlling behaviour. This can include forced marriage and so-called ‘honour crimes’. Domestic abuse may include a range of abusive behaviours, not all of which are in themselves inherently ‘violent’.

It is recognised that domestic violence can take place in the following circumstances:

- Within heterosexual relationships;
- Within same sex relationships;
- Between various members of the household e.g. son violent towards his mother.

- **Policy**

1. Aims
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1. Aims

The primary objectives of this policy are to:

- ensure that PCH provides a sensitive, confidential, consistent and prompt response for residents experiencing domestic abuse,
- ensure that officers receive support and training to enable them to take appropriate action,
- improve the quality of service delivery to victims of domestic violence and their families,
- reduce homelessness and repeat homelessness due to domestic violence through providing or commissioning support and advice services to victims, and taking measures to tackle perpetrators living in PCH accommodation,
- enable victims to remain in their own homes through provision of advice, support and security measures, where it is safe and appropriate to do so,
- ensure that PCH takes a partnership approach with Plymouth Domestic Abuse Partnership, Plymouth City Council, Devon and Cornwall Police and other appropriate agencies
- minimise the harm caused to all members of the household through witnessing domestic abuse not just the victim.

2. Training

2.1 General Training Needs

Cases involving domestic violence require a complex set of skills for an officer to effectively deal with a customer. To achieve the necessary skills, the relevant officers and managers will be provided with regular training opportunities, which cover technical aspects (e.g. legislation), as well as front line service delivery (e.g. interviewing skills) and strategy development issues. This will be covered through general skills training and induction and regular specialised training on domestic abuse issues and best practice.

2.2 Specialised Training

All front-line staff should receive an appropriate level of specialised training at least once every two years. This could take the form of basic domestic abuse awareness training or more advanced skills training depending on the job role and level of responsibility of each staff member.

Staff should be encouraged to attend appropriate conferences and external training opportunities where they become available.

3. Public Information

Our approach to domestic abuse, including details of agencies which provide advice and support, will be publicised through:

- 3.1 The tenants' and leaseholders' handbook
- 3.2 Tenant newsletters

3.3 Information available in the reception areas of all PCH Offices.

3.4 The PCH website

3.5 These communications will always be easy to read and understand, using plain language. Where appropriate, these documents or summaries will be translated into different languages or provided on compact disc or audio tape, Braille format, or in the major languages used by the population of Plymouth.

3.6 Advice given at new tenancy sign up.

3.7 The Family Information Service

4. Advice and Support

4.1 PCH will develop a detailed procedure for dealing with situations involving domestic abuse. This will include detailed guidance for Officers on:

- How to respond to requests for advice and assistance from people suffering domestic abuse
- Emergency Transfers
- The MARAC process
- Information Sharing with our partner agencies
- What to do if an officer witnesses or suspects that domestic abuse is occurring

4.2 People who approach PCH due to domestic abuse will receive good quality advice and information to assist them in making informed choices about their future while always aiming to ensure their personal safety. This will be achieved through constant risk assessment and a holistic multi-agency approach.

4.3 The safety of those approaching us for help will always be our highest priority. PCH will sign up to the MARAC (Multi-Agency Risk Assessment Conference) process in order to protect our residents and to work effectively with our key partners.

4.4 Housing officers will use the risk assessment tool provided by the MARAC process when interviewing any person disclosing domestic abuse.

4.5 The MARAC process dictates that a high-risk result from the risk assessment must be referred to the Multi-Agency Risk Assessment Conference co-ordinator.

4.6 The Housing Officer will then participate in and work with the MARAC process to safely resolve the situation.

4.7 The Housing Officer will arrange emergency re-housing or a permanent emergency transfer if required and in line with our policies and procedures.

4.8 PCH will sign the multi-agency information sharing agreement to allow us to work closely with our key partners to support people suffering domestic abuse.

4.9 PCH will sign up to the Devon Sanctuary Scheme. This scheme provides practical security measures to enable victims of domestic abuse to safely stay in their homes.

4.10 PCH will respect the confidentiality of our tenants and follow best practice and all relevant Data Protection laws and regulations to ensure our tenants' safety. However in situations of high risk the safety of the person suffering domestic abuse must take priority over confidentiality. Reports of abuse and violence must be reported to the Police and other appropriate partner agencies particularly if it is believed a child may be in danger of harm.

4.11 PCH recognises that our staff can also be victims of domestic abuse. PCH aims to provide a supportive working environment and will signpost staff members to sources of help and support if requested. In dealing with any report of domestic abuse, be it from a tenant or a member of staff, the safety of the person suffering domestic abuse must be made the highest priority at all times.

4.12 PCH will aim at all times to put the safety and welfare of children and young people at the heart of our activities. This includes working within the Common Assessment Framework and Contact Point. PCH recognises that children and young people are often indirect victims of domestic abuse through witnessing violent and/or abusive behaviour. PCH will work closely with Children's Services to ensure it offers the best possible help to families who are suffering domestic abuse.

4.13 PCH will embrace the Plymouth [Multi-Agency] Procedures for the Protection of Vulnerable Adults at Risk of Abuse. Where staff have concerns PCH will ensure the necessary procedures are followed and appropriate services alerted to the concern.

5. Rent Arrears

5.1 Any rent arrears that accrue after a tenant flees their home following alleged domestic violence against them may be considered for write-off if they are solely responsible for the arrears. PCH will act swiftly to prevent rent arrears building up.

5.2 Arrears that existed before the tenant left will be pursued in accordance with our procedures on recovering former tenant arrears, although we would be mindful of the circumstances in which they had to leave their home. The debt would not be transferred to the rent account of any new tenancy granted.

5.3 In some circumstances, Housing Benefit may be claimed on two addresses where the claimant has fled domestic violence i.e. the property being fled (if intending to return to the property) and the temporary accommodation. PCH will

assist the claimant by working closely with Plymouth City Council's Housing Benefit Department (with the claimant's permission).

6. Dealing with Perpetrators

6.1 PCH will develop a detailed written procedure to give Housing Officers clear guidance on how to take action against perpetrators of domestic abuse and to ensure that our residents receive a consistent and effective service wherever they live in Plymouth.

6.2 PCH will take a zero-tolerance approach to domestic abuse by PCH tenants against their partners or others who live with them. We will work with the police and other agencies to use existing legal remedies against any resident perpetrating domestic abuse, where appropriate, including eviction proceedings where a perpetrator remains in a property in which a family has had to flee.

6.3 PCH will strictly enforce the following clauses in our tenancy agreement:

- 'Section 3. Your Obligations' 7.1.7 you agree...not to 'inflict domestic violence or threaten violence against any other person (living with you or living elsewhere)',
- 7.1.8 You agree... not to 'harass or use mental, emotional, racist or sexual abuse to make anyone who lives with you leave your home.
- 7.2 To tackle nuisance and anti social behaviour, we will apply to the courts to demote tenancies.... anti-social behaviour orders and injunctions. Where appropriate, we will pursue criminal prosecution and/or eviction. '

- Section 5- Grounds for Possession: Ground 14A:

The dwellinghouse was occupied (whether alone or with others) by a married couple, a couple who are civil partners of each other, a couple living together as husband and wife or a couple living together as if they were civil partners and-

- (a) one or both of the partners is a tenant of the dwellinghouse,
- (b) the landlord who is seeking possession is a registered social landlord or a charitable housing trust,
- (c) one partner has left the dwellinghouse because of violence or threats of violence by the other towards-**
 - (i) that partner, or
 - (ii) a member of the family of that partner who was residing with that partner immediately before the partner left, and
- (d) the court is satisfied that the partner who has left is unlikely to return.

6.4 Where domestic abuse is perpetrated by non-tenants living in PCH properties we will take legal advice and work with the Police to take appropriate action to remove them from the property.

7. Multi-agency working

7.1 PCH will be an active partner in the MARAC inter- agency risk assessment process in Plymouth

7.2 PCH will be an active partner in Plymouth Domestic Abuse Partnership (PDAP).

7.3 PCH is committed to working with other agencies to identify recourse to public funds where victims of domestic violence are exempt from the Supporting People element of charging for refuge places.

7.4 PCH will provide advice in signposting such victims to other services which may be in a position to provide advice or support.

7.5 PCH will identify members of staff to represent PCH on the PDAP and the PDAP Accommodation sub-group.

7.6 PCH will work in partnership with other agencies across Devon and Cornwall to achieve a consistent approach to domestic abuse across the region.

8. Equality and Diversity

8.1 PCH recognises that it operates in a community within which there is wide social diversity, and are committed to providing equal opportunities and valuing diversity.

8.2 Through the management of our housing stock we aim to treat all customers fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.

8.3 To enable all residents to have clear information and equal access to our available properties, PCH publishes information in a range of appropriate languages and formats and through a range of media. Feedback is also accepted through a variety of different routes to reflect individual customers' preferences or needs.

8.4 This policy has been designed to be fully inclusive regardless of the ethnicity, gender, sexuality, religious belief, or disability of service users or residents.

8.5 The policy has been developed giving full consideration to the PCH Equality and Diversity policy.

9. Monitoring and review:

9.1 This policy will be reviewed regularly in accordance with PCH's review timetable by the Customer Focus Committee.

9.2 Procedures relating to this policy will also be periodically reviewed, taking into account any operational issues that arise.

9.3 Review will take into account any changes in law and best practice.

9.4 The reviews will include equality impact assessments to ensure that all of our policies encourage and support our determination to promote equality and eliminate unlawful discrimination.

9.5 Plymouth Community Homes will ensure that opportunities are provided for tenants and leaseholders to engage in the process of reviewing and monitoring this policy.

9.6 Systems will be in place to monitor progress against agreed targets, and reported via the Customer Focus Committee to the Board on an annual basis.

9.7 Monitoring will include the following elements

- assessments of tenant satisfaction with what is being done, making sure that methods of doing so take into account the access needs of all;
 - regular reports to the board who have overall responsibility for ensuring that the policy delivers continuous improvement and value for money
 - systems that identify performance issues and monitor the progress of actions to address them
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- **Relevant legislation**
 - Crime and Disorder Act 1998: Section 17
 - Data Protection Act 1998
 - Homelessness Act 2002
 - Human Rights Act 2004
 - Anti-Social Behaviour Act 2003
 - Housing Act 1996
 - Housing Act 2004
 - Family Law Act 1996
 - Children Act 1989
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- **Links to other policies and strategies**
 - Allocations Policy,
 - Anti-Social Behaviour Policy,
 - Hate Crime and Harassment Policy,
 - Equality and Diversity Policy,
 - Rent arrears and Recovery Policy,
 - Health and Safety Policy,
 - Plymouth City Council Homelessness Strategy