

# DOMESTIC ABUSE POLICY

<b>Effective Date</b>				<b>Version Number</b>	1.1
<b>Classification</b>	Public	<b>Equality Impact Assessment</b>	Yes	<b>Data Protection Impact Assessment</b>	n/a
<b>Author</b>	Kanta Kerai, Domestic Abuse Project Lead				
<b>Owner</b>	Group Director of Resident Services				
<b>Approved By</b>					

## 1. PURPOSE

1.1 This policy sets out The Barnet Group's approach to responding to cases of domestic abuse for our residents and their household. It replaces any previous versions endorsed by The Barnet Group and its subsidiaries.

**1.2 If you are in an emergency situation or someone is in immediate danger, readers should call the police on 999 or 101 in less urgent cases.**

## 2. SCOPE

2.1 This policy applies to Barnet Homes and TBG Open Door (known as 'Opendoor Homes'), collectively referred to as 'The Barnet Group' within this policy and their employees, Board, and Committee Members, and all social housing properties owned and/or managed by them. It applies to our residents, and those who approach Barnet Homes looking for housing assistance.

2.2 In implementing this policy The Barnet Group will:

- protect survivors of domestic abuse and their children, providing early intervention support to prevent escalation.
- have a survivor-centred approach to handling cases of domestic abuse.
- hold the Perpetrator of abuse to account for their actions, while signposting for rehabilitation and change.
- fulfil our statutory duties to survivors who are adults and children included but not limited to the DA act 2021, comply with relevant legislation and regulatory requirements.
- work cooperatively to tackle domestic abuse and enable residents and members of the public seeking housing support to access appropriate support and advice; and
- collaborate with London Borough of Barnet (LBB) to support to meet its Violence Against Women and Girls (VAWG) Strategy.

2.3 Appendix 1 contains definitions of terms used within this policy.

## 3. POLICY

### 3.1 Principles

3.1.1 The Barnet Group are committed to a zero-tolerance approach to domestic abuse. We acknowledge the significant and enduring impact domestic abuse can have, as well as its wide-reaching consequences, and as such will treat all instances of domestic abuse with the same level of scrutiny. We are committed to a mindset of learning, and will work with our residents, staff, and partners to continuously observe best practices, and look to implement these into our ways of working. The Barnet Group's organisation-wide zero-tolerance approach will be embedded through training, awareness raising, changing attitudes, and multi-agency working.

3.1.2 We will ensure all disclosures are dealt with compassion and flexibility, and as a high priority. We will work with survivors and respect their needs and act where we have the power to do so. We will take a survivor-centred approach when dealing with cases of domestic abuse, and all reports and disclosures will be dealt

with sensitivity, in a timely way, with a believing mentality, and in a non-judgemental manner. We will take appropriate action against those who perpetrate domestic abuse, and signpost for rehabilitation and change.

- 3.1.3 We will provide colleagues with clear and practical guidance to ensure they are empowered to fulfil their work. It is everybody's responsibility to report instances of domestic abuse, we rely on all our staff to be our eyes in the community, and act as a point of contact for those coming forward, to make referrals to ensure cases are progressed.
- 3.1.4 We will provide relevant support for those affected by domestic abuse living in Barnet Homes or Opendoor Homes properties and those who present at Housing Options looking for housing support. We recognise domestic abuse can be complex and can affect individuals and families in different ways. Therefore, we will ensure appropriate support is obtained for those affected and will work closely with specialist agencies to ensure survivors receive all the support they need. This will include referrals to partner agencies or the provision of housing support to move those in need to safe accommodation, or to provide sanctuary scheme installations within their own home.
- 3.1.5 This Policy is underpinned by associated procedures that provide straightforward guidance to service officers and will take into consideration best practice and the London Borough of Barnet's (LBB) Domestic Abuse and Violence Against Women and Girl's' Strategy, including supporting LBB's duty towards safe accommodation for survivors of domestic abuse and their children.

## 3.2 Disclosures

- 3.2.1 If you want to make a disclosure of domestic abuse to our services, this may be made by the individual experiencing the abuse or by the perpetrator disclosing their own behaviour. It may also be made by a concerned neighbour, relative, or the police. Please visit our [website page concerning domestic abuse](#), to see your options for making a disclosure.
- 3.2.2 All domestic abuse disclosures will be received in a non-judgemental, and professional manner, and we will:
- Treat disclosures / reports sensitively and confidentially, protecting the identity of the survivor witness, observing data protection laws, general data protection regulations (GDPR) and information sharing agreements.
  - Respond to all referrals within one working day and provide an allocated named officer as a point of contact, or a referral pathway. If we feel there is an immediate risk to life, we will call the relevant emergency services.
  - Triage all referrals received to the Housing Options Domestic Abuse Team where a specialised, Domestic Abuse Housing Options Needs Officer will undertake appropriate needs assessment as per Housing Options procedures and ensure that consideration is given to the interim accommodation and priority need for housing / support assistance.
  - Undertake a 'Stalking and Honour-based Risk Identification Checklist' (DASH) risk assessment. If a high risk is scored or if there is a professional concern, the officers make a referral into the Multi-Agency Risk Assessment Conference (MARAC) and an Independent Domestic Violence Advocate (IDVA) will be allocated to provide advocacy and support.
  - Aim to prevent homelessness. An in-depth assessment by our specialised officers will be undertaken to provide support to enable survivors to remain in their own home, or to access emergency accommodation and / or alternative appropriate accommodation depending on circumstances.
  - Agree with the survivor a tailored individual action (support and safety) plan. This will include an assessment for Sanctuary (Security) measures to the property such as window and door locks.
  - Signpost involved parties to relevant support, including the One Stop Shop, local intense support, and/or external Victim and Witness Support Services for survivors and their family.

- h) Any DA Perpetrator / abuser who discloses their behaviour will be signposted to the most appropriate support provider after a risk and needs assessment is undertaken.

3.2.3 All disclosures will be reported and monitored as per service processes and procedures. Information will be requested from the domestic abuse survivor, partners and relevant agencies to ensure the best possible support and advice can be given.

3.2.4 We aim to reduce barriers to disclosure and offer reasonable adjustments as requested, including interpretation. We also have trained IDVAs on staff to ensure the sensitive handling of disclosures.

### **3.3 Our approach**

3.3.1 We will work in partnership to support and assist people who are experiencing domestic abuse, taking into account the intersecting needs and characteristics of survivors and the barriers to accessing support they might experience, this includes Black and minority background survivors, young people and children in line with the current legislation and regulation.

3.3.2 Reports of domestic abuse between generations will be investigated with partners to ensure a whole family approach is adopted and risks mitigated. This may include using a range of domestic abuse partnerships tools, for example linking in with Children Services (Early Help) process, and attending the weekly Domestic Abuse multi-agency risk assessment conference (MARAC) meetings to formulate a multi-agency action plan.

3.3.3 We aim to continually improve our joint working with agencies and will share information as per legislation and our information sharing protocol. A part of this improvement includes learning from Domestic Homicide reviews and establishing robust structures to enable a coordinated approach.

3.3.4 We store case information in case management systems and will comply with the Data Protection Act 2018 and General Data Protection Regulations 2018 and any information sharing protocols. Any requests for disclosures of personal data, these will be referred to the Data Protection Officer.

3.3.5 Our Partners include:

- London Borough of Barnet VAWG Partnership
- London Borough of Barnet Domestic Abuse Strategic Board
- London Metropolitan Police
- LBB Children Services
- LBB Adults Services
- LBB Safeguarding Services
- Health Services
- Children and Young People Services
- Fire Services
- All National Domestic Abuse Services
- Probation Services
- Voluntary Sector Services
- Third Sector Services and local Refuges
- Independent Domestic Abuse Advocates

3.3.6 Further information about the partners we work with, and how you can access support from these partners, is available on website page concerning domestic abuse.

### **3.4 Those who cause domestic abuse**

3.4.1 Our primary focus is always to support the survivor.

3.4.2 Those who cause domestic abuse, who are our residents must understand that they are in breach of their Tenancy Agreement and must be held accountable for their behaviour and appropriate action will be undertaken. Domestic abuse can be considered a good enough reason to pursue possession action and potentially eviction and there does not necessarily have to be a criminal charge or conviction. Evidence of

domestic abuse for possession purposes does not need to rely on a criminal charge or conviction but may be based on civil evidence.

- 3.4.3 We will seek to provide support to residents who cause domestic abuse and through a holistic response to prevent domestic abuse and minimise risk. Residents causing domestic abuse will have a risk and needs assessment completed and will be referred on to the most appropriate services in their local area. This support will be tailored to identify causes with a focus on managing risk, behaviour change and a whole family approach to prevent abuse. This may include referrals within our network, to domestic abuse specialised perpetrator charities.
- 3.4.4 If domestic abuse occurs between two partners who share a joint tenancy, we may seek to re-house the perpetrator with their agreement if they are eligible for housing assistance. This is not a means of condoning their behaviour but rather has significant benefits for the person experiencing abuse and The Barnet Group.
- 3.4.5 Where perpetrators of domestic abuse are convicted of indictable offences, we will consider a claim for the possession of their property. Where a perpetrator has not been convicted, but we consider it reasonable and proportionate, we will consider an injunction with requirements to change behaviour, which if breached, would trigger a discretionary possession order. In exceptional circumstances we would pursue mandatory possession which would need agreement from the Group Board.
- 3.5.6 We reserve the right to take action in our capacity as the landlord to prevent domestic abuse and hold perpetrators to account through the courts. We may ask the police to prosecute for criminal damage and/or take action to evict the perpetrator of domestic abuse using the powers available under the Housing Act, considering the wishes of the survivor and their future housing needs.
- 3.5.7 We recognise the benefits of supporting survivors of domestic abuse to secure protections through Non-Molestation Orders and may signpost survivors to a family law solicitor and to specialist domestic abuse charities. On occasion it may be appropriate to pursue housing-related injunction orders with a Power of Arrest attached and an Exclusion Order, if the reported domestic abuse perpetrator is causing or capable of causing a nuisance or annoyance to surrounding residents in addition to the survivor.

#### **4. EQUALITIES**

- 4.1 The Barnet Group is committed to promoting equality of opportunity, fairness, and accessibility. We recognise that all customers should be treated equally and regardless of their age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation, and we will not directly or indirectly discriminate against any person or group in implementing this policy and its associated procedure.
- 4.2 We will act sensitively towards the diverse needs of individuals and communities and may provide communications in alternative formats where practicable and appropriate to assist customers with distinct communication needs. Exceptions may be made to this policy in order to accommodate an individual's needs, and The Barnet Group will consider requests for reasonable adjustments in line with the Equality Act 2010.
- 4.3 To be able to identify and respond appropriately to reports of domestic abuse, we must ensure we have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics. We recognise the link between domestic abuse and violence against women and girls and forms of discrimination and inequalities, which cause additional risk factors and could impact on the survivors' ability to speak out and access support services. Equally, inequalities may lead to some perpetrators being reported or subject to enforcement disproportionately.
- 4.4 We aim to design and deliver our services to ensure they are accessible, meet the diverse needs of our community, and make it easier for people to speak out about abuse. Services will ensure that survivors feel safe and supported to disclose abuse and seek help in their own languages. We will also ensure that promotional materials to access help and support is accessible in a range of formats and languages. In circumstances where survivors have care needs, we will identify the most appropriate pathway for the person to access the right help and support or enable the person to prompt disclosure in a safe environment.

4.5 We will ensure that our interventions to hold the alleged perpetrator to account for their actions consider any vulnerabilities that the alleged perpetrator might have that increase the risk they pose so that they may be offered help and support. This means assessing the potential impact of the various legal measures available to avoid discriminating against the perpetrator before we identify the preferred measure. We will ensure that whatever measure we use will be proportionate and reasonable for tackling the abuse. We recognise violence and abuse are always a choice made by the perpetrator and whilst we will always avoid discriminatory intervention towards the perpetrator, we will ensure we maintain the safety of the survivor.

## 5. RESPONSIBILITIES

- 5.1 The **Barnet Homes Board** and **Opendoor Homes Board** have overall responsibility for ensuring The Barnet Group complies with its legislative and regulatory requirements.
- 5.2 The **Group Director of Operations and Property** has overall responsibility for this policy, and for reviewing and monitoring performance and outcomes.
- 5.3 The **Head of Housing Management and Head of Housing Options** are responsible for the operational implementation of this policy, for ensuring all staff are familiar with and follow this policy, and for ensuring appropriate training is provided as required. They will review and monitor performance and outcomes in conjunction with the **Senior Neighbourhood Manager and Domestic Abuse Manager**.
- 5.4 **Housing Officers, Housing Needs Officers, and Triage Officers** are responsible for understanding and following this policy to monitor and review caseloads by using their internal processes and ensuring third-party involvement in cases where necessary. Housing Officers are also responsible for completing risk assessments with survivors, providing advice, and referring/signposting to specialist services, as well as making any necessary enquiries for management transfers.
- 5.6 The **Customer Contact Team** and the **Housing Options Contact Centre** are responsible for understanding this policy, referring to specialist services for support, and for escalating cases of concern to the Neighbourhood Team and Housing Options, via the appropriate internal processes.
- 5.7 **Repairs administrators** are responsible for reviewing repairs case notes to identify potential indicators of domestic abuse or criminal damage (e.g. damage to doors / windows and frequent lock changes) and will alert the Neighbourhood Team to conduct welfare checks. The appropriate process and pathways for disclosure must be followed.
- 5.8 The **Head of Service Safeguarding Leads** are responsible for coordinating the approach to safeguarding, for monitoring and reporting on safeguarding incidents and action taken, and for providing advice to staff.
- 5.9 **All Staff** are responsible for understanding this policy and following appropriate internal processes and pathways for reporting instances of domestic abuse where they are identified.

## 6. MONITORING AND REVIEW

6.1 We will monitor the effectiveness and implementation of this policy and will recommend changes to improve service delivery where appropriate.

## 7. RELEVANT LEGISLATION

- Domestic Abuse Act 2021
- Domestic Violence, Crime and Victims Act 2004
- Domestic Violence, Crime and Victims Act 2012
- Equality Act 2010
- Anti-Social Behaviour Crime and Policing Act 2014
- Human Rights Act 1998
- Family Law Act 1996
- Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- Female Genital Mutilation Act 2003
- Police and Justice Act 2006
- Serious Crime Act 2015
- Care Act 2014
- Children Act 1989
- Children Act 2004
- Data Protection Act 2018
- Stalking Protection Act 2019
- UK General Data Protection Regulation (GDPR)
- Mayor of London – Domestic Abuse Safe Accommodation Strategy
- Modern Slavery Act 2015

## 8. LINKS WITH OTHER POLICIES AND DOCUMENTS

- Anti-Social Behaviour and Hate Crime Policy
- Safeguarding Policy
- Equality, Diversity, and Inclusion Policy
- Reasonable Adjustments to Services Policy
- Vulnerable tenants Policy
- Data Protection Policy
- Barnet Council Housing Allocation Scheme
- Barnet Domestic Abuse and Violence Against Women and Girls Strategy 2022-25

### DOCUMENT CONTROL

Version	Type of Change	Date	Revisions from Previous Issues
0.1	Document creation	28/06/23	
0.2	Review	31/07/23	Good practice review and amendments by Head of Strategy and Compliance
1.1	Review	TBC	Good practice review by Policy and Procedure DAHA working group.

DRAFT

## Appendix 1 – Definitions

### 1. Survivor:

- Any individual who is experiencing or has experienced domestic abuse and is referred or self-refers to Barnet Homes for housing assistance; or
- a tenant of The Barnet Group who is experiencing or has experienced domestic abuse.

### 2. Domestic abuse:

The statutory definition of domestic abuse from the Domestic Abuse Act 2021 is:

- Behaviour of a person towards another person that is abusive, where both people are personally connected and aged 16 or over.

We define domestic abuse as:

- Any incident of threatening behaviour, violence or abuse (including sexual, physical, emotional, financial, psychological, harassment and stalking, online or digital abuse) between people that are personally connected and aged 16 or over.
- 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
  - g) they are relatives
- Behaviour may be behaviour “towards” another person despite the fact that it consists of conduct directed at another person, for example the person’s child.

### 3. Abusive Behaviour

Behaviour is “abusive” if it consists of any of the following:

- **Physical abuse and violent or threatening behaviour** can include: hitting, punching, kicking, slapping, hitting with objects, pulling hair, pushing, or shoving, cutting, or stabbing, restraining, spitting, non-fatal strangulation, choking, using force to prevent someone from leaving or forcing someone to go somewhere
- **Sexual abuse** can include rape or attempted 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, using sexual insults
- **Economic or financial abuse** can include: controlling money and bank accounts, making a victim account for all their expenditure, running up debts in a victim’s name, allowing no say on how monies are spent, refusing to allow them to study or work, preventing victims from going to work, forbidding someone to work.
- **Psychological, emotional, or other abuse** can include behaviours that have a profound impact upon victims and their children. It can leave a victim with little confidence that they can do anything to change the situation. Examples include:
  - a) Creating isolation, e.g., not allowing them to see other people, preventing them from making their own friendships, not allowing them to go anywhere on their own, causing them to be depressed and then using this against them.

- b) Use of threats, e.g., threats to kill their family, children, friends, pets; to throw them out and keep the children; to find them if they ever leave; to have them locked up; to tell everyone they are mad.
  - c) Putting them down, e.g., humiliating and undermining them in front of others or in front of their children; telling them they are stupid, hopeless, unlovable, that no one would believe them, or that they are a bad parent.
  - d) Gaslighting, by manipulating them into doubting their own sanity or reality.
  - e) Subjecting them to other behaviours that could result in psychological trauma, including moving things around the house and denying it, denying that they have said things, telling them they have a mental health condition when they do not, and questioning them endlessly about everything they do or say.
- **Coercive control** is a pattern of intimidation, isolation, and control with the use or threat of physical or sexual violence, and can include: unreasonable demands, degradation, restricting daily activities, threats or intimidation, monitoring of time, taking a person's phone away, deprivation of food, destruction of possessions.
  - **Digital abuse** can include: telling someone who they can or can't be friends with on social media sites, monitoring use of social media sites, posting negative things about a person online, stealing or insisting on being given passwords, looking through a person's phone frequently, sharing intimate photos online without consent, using GPS locators or spyware.
  - **'Honour'-based abuse** is a crime or incident which has, or may have been, committed to protect or defend the honour of the family and / or community.
  - **Forced marriage** is where one or both people do not, or cannot, consent (agree) to the marriage. early or child marriage, female genital mutilation, pressure to go or move abroad, not being able to use the telephone, internet, or have access to important documents such as passport or birth certificate, not being allowed to work or access higher education.